The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. Edwards of Maryland).

**DESIGNATION OF THE SPEAKER PRO TEMPORE**

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

WASHINGTON, DC, October 15, 2009.

I hereby appoint the Honorable Donna F. Edwards to act as Speaker pro tempore on this day.

Nancy Pelosi,
Speaker of the House Representatives.

**PRAYER**

Rev. David Ferrell, Calvary Tabernacle, Perth-Andover, New Brunswick, Maine, offered the following prayer:

Lord, I stand before You today and honor You as King of Kings and Lord of Lords. I ask Your forgiveness for human error and weakness.

I thank You for these leaders that You have put in place as a check and balance to the direction of our great Nation. I pray that they be empowered with boldness and courage as they represent their constituents.

I pray for Your guidance over today’s proceedings and that Your wisdom rest on these elect for all future decisions they will face.

Remind us that when we don’t know what direction to take, we can entrust Your hand and word to direct us.

I thank You for a strong United States and for the individuals who have answered the call to serve in this great House of Representatives.

I pray Your blessings be on this place from now and forevermore.

In Jesus’ name, amen.

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**THE JOURNAL**

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

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

**PLEDGE OF ALLEGIANCE**

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

Mr. Michaud led the Pledge of Allegiance as follows:

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

**MESSAGE FROM THE SENATE**

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills and agreed to a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 492. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

S. 1694. An act to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

S. Con. Res. 46. Concurrent resolution recognizing the benefits of service-learning and expressing support for the goals of the National Learn and Serve Challenge.

**WELCOMING REV. DAVID FERRELL**

The SPEAKER pro tempore. Without objection, the gentleman from Maine, Congressman Michaud, is recognized for 1 minute.

Mr. Michaud. Madam Speaker, Pastor David Ferrell has been an active, compassionate, and inspiring minister for over 21 years. It is truly an honor to welcome him to the House of Representatives.

David is currently a pastor at the Calvary Tabernacle in Perth-Andover, New Brunswick, an educator at the University of Maine at Presque Isle, and a man who has served in a variety of religious capacities. Many have benefited from his wisdom and compassion. He has traveled far and wide speaking at conferences from Maine to North Carolina, from Quebec to Pakistan.

I applaud the pastor for his many accomplishments, his thirst for knowledge, and his unending desire to help people. I wish him the best as he continues to be a positive force in this community.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

**RECESSION OVER FOR GOLDMAN SACHS**

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

Mr. DeFazio. Madam Speaker, all across America unemployed Americans, struggling small businesses heaved a sigh of relief today because we know the recession is over. Goldman Sachs reported profits of $3.19 billion. They are on track to pay bonuses of over $20 billion, $700,000 average per employee. The recession is over for Goldman Sachs.

Of course, there is a little problem with this whole equation. Over the last year, they have received over $60 billion in taxpayer subsidies. Hmm, that

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This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
happens to be about five times their projected profits and three times what they are going to pay out in bonuses. They got $13 billion from AIG after we gave AIG $80 billion to pay off bad debts. They changed into a bank-holding company magically, but are exempt from bank-holding company rules, and got another 50-or-so billion dollars of subsidies out of the Federal Treasury.

What a wonderful system this is. They are creating tremendous wealth. They are an engine of growth. They have recovered from the recession. All hail Goldman Sachs.

DEMOCRATS PLAN TO PAY FOR HEALTH CARE REFORM ON BACKS OF PATIENTS

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

Mr. GINGREY of Georgia. Madam Speaker, the Democrats plan to pay for health care reform on the backs of my patients, any of whom are now senior citizens. Our seniors have suffered tremendously since the recession began. Their 401(k)s are now 201(k)s.

However, my Democratic colleagues don’t think seniors have paid enough this year. Now they are asking our seniors to foot the bill for health insurance reform by cutting the Medicare program by $500 billion.

These cuts will result in seniors losing benefits under Medicare Advantage, programs such as vision, dental, hearing, and even annual checkups. Madam Speaker, these cuts will result in longer wait times and make it harder for senior patients to find a doctor that will see them at all. Worst of all, these cuts will ensure it will be harder to fix Medicare, which it surely will, in 7 years.

Madam Speaker, my patients must not be used to foot the bill for health care reform.

HONORING OKLAHOMA’S SUPERINTENDENT OF EDUCATION, SANDY GARRETT

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

Mr. BOREN. Madam Speaker, I rise to honor one of Oklahoma’s most respected political leaders, Sandy Garret.

Born and raised in my hometown of Muskogee, Oklahoma, Sandy Garrett has been Oklahoma’s superintendent of public instruction for the past 19 years. As chief officer of the State Department of Education, Superintendent Garrett has led the implementation of major education reforms such as Oklahoma’s Education Reform Act of 1980, the Federal No Child Left Behind Act of 2001 and the Achieving Classroom Excellence Act of 2005.

In 2006, she was re-elected overwhelmingly for the fifth time. Superintendent Garrett is the only woman in Oklahoma history to hold the office.

Her strong character and steady leadership have served, and continue to serve, multiple generations of Oklahoma school children.

Madam Speaker, because of your commitment to public service, Oklahoma continues to be a great State to live and work.

SENIORS WILL SEE REDUCED BENEFITS UNDER NEW HEALTH CARE PLAN

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

Mr. ROE of Tennessee. Madam Speaker, as a doctor, I see the health care reform debate a little differently than many of my colleagues. When people talk about cost savings and different health care plans, they are really talking about access to care for my patients. There is an immediate and long-term problem for patients’ access under the Democrats’ plan.

In the near term, 20 percent of our seniors will see reduced benefits. It’s not credible to say that we are not cutting Medicare benefits when, in fact, we are. These so-called reforms seem incredibly short-sighted to me in light of the fact that they will decrease access to care.

Over the longer term, H.R. 3200 will force further cutbacks in care as cost savings fail to materialize. Why am I so confident of this outcome? Because I heard the same promises, the same predictions to my patients under TennCare, our State’s Medicaid experiment that failed spectacularly. Care was rationed and enrollment for the program was closed, and that hurt our patients. We simply cannot allow these cutbacks to harm patient care.

I urge all Members to go back to their districts and talk to their doctors and patients. I think we will hear a different story and remedy for our health care system than the one the Democrats are trying to prescribe.

CLEAN MONEY, CLEAN ELECTIONS

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

Mr. ARCURI. Madam Speaker, across the country, hardworking Americans are tightening their belts and pinching pennies in order to provide for their families, as well as working to improve our economy. While the issues of health care and the economy dominate our attention, as they should right now, we should still be mindful of the importance of campaign finance reform.

Campaign finance reform is a necessity if we are going to truly have a democratic system in this country.

In the last decade, an alliance of advocacy groups, the Fair Elections Coalition, has been working to implement a public campaign finance system on the State level known as Clean Money, Clean Elections. Already, some form of Clean Money, Clean Elections is law in seven States, and over 200 State officials have won their races using this system.

As a Member of Congress, we need to remember that we serve the people of this country based on issues, not dollars. I would ask my colleagues to join me as we push towards reforming the campaign finance system across the board.

HEALTH COSTS HIGH BECAUSE WE HAVE $800 BILLION OF WASTE IN SYSTEM

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

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, health care costs are not high because people have health insurance. They are high because we have $800 billion of waste in the system.

Now our friends in the Senate are proposing to increase taxes on health insurance.

When workers such as ironworkers and steelworkers and communication workers and the IBEW negotiate their pay package, they work to make sure that their health care plan is covered. Too often now they find that they don’t take a raise because their health insurance is going up in cost. They worked to have lower copays, lower deductibles, to have vision, dental, mental health services, among others.

But now we are talking about taxing these plans. What we need to do is figure out ways we can actually lower health care costs instead of discouraging people from having health insurance.

After all, isn’t this what we are supposed to be trying to do? The communication workers alone are being told that new proposals may cost their workers about a thousand dollars more per year in taxes.

This is the wrong approach. It’s not good health care. As someone who has practiced in the health care field, I am telling you, it’s bad medicine.

EXPAND TAX CREDIT FOR FIRST-TIME HOMEBUYERS

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

Mr. MITCHELL. Madam Speaker, I rise today on behalf of thousands of constituents in my district who are still struggling to cope with the housing crisis. Arizona consistently ranks among the Nation’s top three States in foreclosure cases. As a former mayor and a homeowner, I recognize the negative impact foreclosures have on home values and neighborhoods.
Earlier this year, as part of the American Reinvestment and Recovery Act, we took an important step forward. We passed a temporary $8,000 tax credit for first-time homebuyers. The good news is that tax credit has worked. Closer to home, in the Phoenix metropolitan area, according to at least one recent survey, home sales have reached 9,614 in June, up 11 percent from May.

However, I believe we need to expand this credit to make it available to any American who wants to buy a home, not just first-time homebuyers. As the expiration of the current homebuyer tax credit approaches, I want to encourage my colleagues to consider supporting legislation to expand and extend the homebuyer tax credit.

MEDICARE PATIENTS WILL LOSE QUALITY OF CARE

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

Mr. BROUN of Georgia. Madam Speaker, I practiced medicine, general medicine, in the State of Georgia for almost four decades. The American people need to understand if the House bill or the Senate bill is passed into law, my patients and physicians like me all across this Nation are not going to be able to give the kind of health care to their patients that they are today.

Medicare patients are going to lose the quality of care that they are getting today. Tens of thousands of people are going to lose their private insurance. The cost is going to go up for everybody in this country.

The quality of care is going to go down. It’s going to be too costly. We are going to be all forced on the government bureaucrat-run health care system, and the American people need to know that, Madam Speaker.

HONORING THE RETIREMENT OF ED GRIER

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor Ed Grier, who served as the managing director of Walt Disney Company; and he served in a variety of roles, from senior auditor at Walt Disney World to the executive managing director of Walt Disney Attractions in Japan. But for the last 3 years, we have been lucky enough to have him in Anaheim.

His hard work has continued to make Disneyland one of our Nation’s top tourist attractions. In fact, in 2008, while most attractions were hurting, Disneyland hosted 14.7 million visitors and generated substantial revenue for our local businesses and for our cities. In addition, Disney is Orange County’s largest private employer, with about 20,000 employees.

During Ed’s tenure, the resort began a $1 billion expansion of Disney’s California Adventure, and he oversaw the opening of the company’s first west coast timeshare units at the Grand Californian Hotel, which opened last month.

In addition Ed joined the Orange County community by serving as a member of the Children’s Hospital of Orange County. Ed’s skill and leadership will be missed, and I wish him the best of luck in his future endeavors.

CONGRATULATING SCOTT MCCRARY, EAGLE SCOUT

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

Mr. FLEMMING. Madam Speaker, for 20 years, the Honorable Jim McCrery represented Louisiana’s Fourth Congressional District. It is an honor to directly follow former Congressman McCrery and represent the great people of northwest Louisiana.

Earlier this week, former Congressman McCrery’s son, Scott, received his Eagle Scout award, the highest award given in scouting. Scott’s Eagle project was a rather ambitious undertaking. He organized nearly 50 volunteers to remove debris from the historic grounds of Mount Vernon, home of George Washington. The debris covered an area the size of two football fields.

In addition to being an eyesore, it also represented a fire hazard to the mansion. Some of the debris Scott and his volunteer corps gathered was used to build habitat for the wildlife that lives on the property.

Scott began his scouting journey in Shreveport 10 years ago when, as a Tiger Cub, he joined the Cub Scout pack at South Highlands Elementary School.

I congratulate Scott McCrery on this prestigious award.

TRIBUTE TO BOBBY L. HAYDEN

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

Mr. GRIFFITH. Madam Speaker, I rise today to honor a friend, Mr. Bobby Hayden, a scholar, a soldier, a community advocate and a family man.

Bobby Hayden, who resided in my district, was one of the first African Americans on a Presidential Honor Guard. He took the first watch over President Kennedy’s body. He became active in our community and has added a great deal to his alma mater, Alabama A&M University.

As a middle and high school teacher, Bobby has spent decades of his life shaping the lives of north Alabama’s youth. He has been at the forefront of many activities, specifically working to preserve historical landmarks in the Tennessee Valley.

Mr. Hayden is a dedicated Alabama A&M alumnus, a Bulldog, and has held several positions in the college alumni association. He was inducted into the Alabama A&M Sports Hall of Fame and currently serves as the secretary for the Hall of Fame Association.

It is a privilege for me to mention his name on the floor, as he has gone somewhat unrecognized as one of the first African Americans on President Kennedy’s Honor Guard, standing with the family through the ordeal.

HONORING ARMY SPECIALIST JACOB SEXTON

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

Mr. PENCE. Madam Speaker, sometimes our heroes fall on foreign soil, and sometimes they come home and fall, but we honor their service and their sacrifice all the same.

Army Specialist Jacob Sexton, a combat veteran of conflicts both in Iraq and Afghanistan, tragically passed away while on leave from his overseas duties earlier this week.

A native of Farmland, Indiana, Jacob graduated from Monroe Central High School, and like many men in the Sexton family, Jacob chose to wear the uniform.

Jacob served with Alpha Company, 2nd Battalion, of the 151st Infantry Regiment in the Indiana National Guard. Those who served with him remember a selfless soldier who was quick to volunteer for difficult assignments.

A Humvee driver while in Iraq, he took on dangerous positions, often leaving himself exposed to IED and small-arms attacks. As an infantryman in Afghanistan, Jacob saw firsthand the perils of combat, but he faced those perils with courage.

Those close to Jacob noted that the stresses of combat and long deployments seemed to have little effect on his infectious personality. However, after this week’s tragic events, it is painfully clear that Jacob Sexton was deeply affected by his experiences in uniform and on deployment.

While his loss leaves far too many questions unanswered, I believe it is yet another reminder of the special care our heroes need and deserve, those who defend freedom, when they come home.

Heroes like Army Specialist Jacob Sexton are the pride of their family and the pride of our Nation’s most precious citizens. Jacob’s family, his parents, Jeff and Barbara; his brothers, Joshua, Jeremiah and Jared; and all those who
served with him, know that you have our deepest condolences, the gratitude of the people of Indiana, and you shall remain in the hearts of a grateful Nation forever.

OBSTRUCTING 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. DeLAURO. Madam Speaker, let me tell an old story relevant to our current health care debate.

One day, a frog was hopping by a river when he came upon a scorpion. The scorpion asked if the frog would carry him across. The frog said, No, you will sting me. The scorpion replied, No, if I stung you, we would both drown. What is the point of that?

So the frog put the scorpion on his back and waded into the river. Halfway across, he felt a sudden sting and his body went numb. Scorpion, why did you do that? Now we will both die. Said the scorpion, It is my nature.

Today, the health insurance industry relies on toxic basic maternity care for five women, while charging them higher premiums. It kicks women out of hospitals within hours of a mastectomy. No industry in history that profits from a broken system has ever moved to reform that system.

After faking support for health care reform for months, why did the health insurance industry on Monday suddenly try to sting us with a flawed and incomplete cost analysis of a health care plan? The same reason they fight to prevent competition through a strong public option, and the same reason many of my Republican colleagues have done nothing but obstruct reform.

It is their nature.

SUPPORT THE AMTRAK SECURE TRANSPORTATION OF FIREARMS ACT

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

Mr. REHBERG. There aren’t many things that are more important to the foundation of the West than trains and guns. In Montana, both still have a profound impact on our frontier identity. The culture find themselves on opposite sides of the fence because of Amtrak’s ban on the transportation of legal firearms on its trains.

The Second Amendment doesn’t deny the right to bear arms if you happen to be on a train. We allow the transportation of firearms in cars and on commercial airlines, but Amtrak’s ban on firearms remains in effect, even as it continues to receive massive Federal subsidies.

The Amtrak Secure Transportation of Firearms Act would force Amtrak to end its ban on firearms once and for all. I hope my colleagues will join me in sponsoring this important legislation, because the Second Amendment protects you whether you travel by horse, plane, truck or train.

SENIORS AND HEALTH CARE REFORM

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

Mrs. DAHLKEMPER. Madam Speaker, I rise today to support health care reform for our seniors. Our senior citizens deserve reform that will lower their medical expenses and provide the highest-quality care available. Our health care reform legislation closes the prescription drug doughnut hole which forces seniors to reduce their prescription drug use, that is, not use lifesaving medications, by an average of 14 percent.

The House’s health care reform legislation will help guarantee our seniors access to their doctors by eliminating the 21 percent pay cut doctors are facing for Medicare reimbursements. Without this health care reform, 40 percent of our doctors say they will have to reduce the number of Medicare patients they see. Our seniors deserve better than that. They deserve reform that will keep them in good health at a manageable cost.

I urge my colleagues to support quality health care reform for our Nation’s seniors.

RECOGNIZING THE 25TH ANNIVERSARY OF BREAST CANCER AWARENESS MONTH

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

Mr. BUCHANAN. Madam Speaker, I rise today to recognize the 25th anniversary of Breast Cancer Awareness Month. Breast cancer is the leading cause of cancer deaths in women between age 40 and 59. We have all been touched by it with family or friends.

In my home State of Florida, an estimated 12,000 new cases of breast cancer in women will be diagnosed this year. However, if detected early enough, it can be successful in treating the disease.

To this end, I am proud to be a co-sponsor of the EARLY Act, a bill introduced by my fellow Florida colleague, Debbie Wasserman Schultz. She has been a leader. She has got a courageous story that she shares with many. This act, her bill, is an education campaign, it is a public awareness campaign, and it will have a huge difference on women in the future.

In my congressional district, I am proud to say, I thank the leadership. We have been active, our employees and our business, over the last 10 years. Working together, it makes a big difference. I would like to just say, we need to continue to educate our families and friends on this bill.

AMNESTY ENCOURAGES ILLEGAL IMMIGRATION

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

Mr. SMITH of Texas. Madam Speaker, two recent surveys, one of Mexicans and one of Americans, addresses policies that encourage illegal immigration. The first, from Rasmussen, reveals that 56 percent of U.S. voters surveyed believe the policies of the Federal Government encourage people to enter the United States illegally. Also, 64 percent believe law enforcement officers should conduct surprise visits at locations where illegal immigrants seek employment.

The second, from Zogby, reveals that 56 percent of people in Mexico think granting legal status to illegal immigrants in the United States would encourage more illegal immigration to America. Of Mexicans with a member of their immediate household in the United States, two-thirds—two-thirds—said a legalization program would make people know more likely to go to America illegally.

Madam Speaker, these are more reasons to oppose amnesty for those in the country illegally.

PROVIDING AFFORDABLE HEALTH CARE FOR YOUNG ADULTS

(Mr. TONKO asked and was given permission to address the House for 1 minute.)
Mr. TONKO. Madam Speaker, on Tuesday, Speaker PELOSI announced an important new addition to the health insurance reform package. Young adults will be able to remain on their parents’ health insurance plans until their 27th birthday.

Young adults make up one-third of the entire uninsured population, numbering 13.7 million. Only 53 percent of young adults are even eligible for employer-based insurance, and 51 percent do not have health coverage through their jobs.

Young adults have the highest rate of injury-related emergency department visits and 15 percent have a chronic health condition. Half are overweight or obese, 9 percent have been diagnosed with depression or a related condition, and the highest prevalence of human papilloma virus, which has been linked to cervical cancer, is among women age 20-24. Young adults experience six preventable deaths each day due to lack of health insurance.

This is clearly an age group that needs health insurance. But young adults are among those least likely to have access to coverage. Allowing them to remain as a dependent on their parents’ health insurance plans will bring quality health insurance within reach for millions of young adults.

THE SCORE: AMERICAN FLAG 1—FLAG POLICE 0

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

Mr. POE of Texas. Madam Speaker, the Oak Parks Apartments in Albany, Oregon, this week decided to ban the American flag from their complex. It’s a move that I’ve heard many apartment managers make. They say that American flags might offend somebody in the community, so they have issued a dictate: fly Old Glory, and you get evicted. American flag sticker on your car in the parking lot? Not allowed. No Stars and Stripes flying from a motorcycle or a car.

So the American patriots living there fought back. They said anyone offended by their American flags would have to just get over it. They started flying flags everywhere. One mom put an American flag poster in her son’s window. He’s fighting in Iraq, wearing the flag on his shoulder. One lady just walked around the complex every day waving the flag.

These people did not give in. They were offended by the flag police. You see, the Constitution protects their right to display the flag as free speech. And yesterday the apartment manager backed off. Flying Old Glory is okay again, even if it offends the politically correct apartment owner.

So congratulations to these American patriots. The score: American flag 1—flag police, zero.

And that’s just the way it is.

PROVING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 829 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon adoption of this resolution it shall be considered in conference report to accompany 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. The conference report shall be considered as read. All points of order against the conference report and against its consideration are waived. The previous question 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. The gentleman from Florida (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Florida. Madam Speaker, for the purpose of debate only on the amendments to the committee report made to my good friend, the gentleman from Florida (Mr. DIAZ-BALART), and all time yielded during consideration of the rule is for debate only.

GENERAL LEAVE OR GENERAL ANALYSIS

Mr. HASTINGS of Florida. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 829.

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

There was no objection.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Madam Speaker, House Resolution 829 provides for consideration of the conference report to accompany H.R. 2892, the Department of Homeland Security Appropriations Act of 2010. The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. And finally, the rule provides that the previous question shall be considered as ordered without intervening motion, except 1 hour of debate and one motion to recommit, if applicable.

This conference report appropriates over $42 billion in funds necessary to protect the American people and enhance national security. Through terrorist threat mitigation, natural disaster response, and immigration enforcement, this appropriations bill provides the funding to fulfill the many essential responsibilities of a range of important governmental agencies, from the Transportation Security Administration and the Coast Guard to the Transportation Security Administration and the Coast Guard to the Transportation Security Administration and the Coast Guard to the Transportation Security Administration and the Coast Guard.

They do in helping distressed communities. In my home State of Florida, we are frequently plagued with natural disasters, including hurricanes and flooding. These disasters profoundly impact Florida’s residents, particularly when so many individuals and families experience severe damage to their homes and communities.

I’m pleased with the funding levels indicated in this report for the fire-fighter grants, flood map modernization, predisaster mitigation, and emergency food and shelter programs. I know that the men and women at FEMA work hard and are dedicated to rousing the plight of those who have faced with the hardships of natural disasters.

At the same time, I’ve never been shy about making my voice heard on matters important to my constituents and all residents of Florida and our Nation that experience disasters. I have been outspoken on the need for FEMA to improve temporary housing.

Particularly critical in this legislation are the partnerships established with State and local communities to prepare for and protect against a range of emergent situations, including natural disasters and acts of terrorism and violence. The funding provided for emergency response management demonstrates the need for collaboration among Federal, State, and local governments in providing for effective security. It’s worth noting a few of the major initiatives contained in this conference report.

This legislation helps secure our borders by providing over $10 billion for Customs and Border Protection, including funding for over 20,000 Border Patrol agents, which represents an increase of 6,000 agents since 2006. In addition, this report extends authorization of the E-Verify program for 3 years, under which employers are able to check the legal status of their workers. This legislation provides the funding to operate and improve the existing E-Verify program.

Ensuring the safety and security of our Nation’s infrastructure is a critical part of this legislation. This conference report provides the necessary funding to the Transportation Security Administration and the Coast Guard to protect our Nation’s vast transportation network, including airports, seaports, subways, trains, and buses. With this funding, the TSA will be able to improve explosive detection equipment at airports, and the Coast Guard will be able to replace aging ships and aircraft, which is much needed, modernizing a force that is essential to our national security.

Madam Speaker, I have always praised the Federal Emergency Management program for the fine work it does in helping distressed communities. In my home State of Florida, we are frequently plagued with natural disasters, including hurricanes and flooding. These disasters profoundly impact Florida’s residents, particularly when so many individuals and families experience severe damage to their homes and communities.

I’m pleased with the funding levels indicated in this report for the fire-fighter grants, flood map modernization, predisaster mitigation, and emergency food and shelter programs. I know that the men and women at FEMA work hard and are dedicated to rousing the plight of those who have faced with the hardships of natural disasters.

At the same time, I’ve never been shy about making my voice heard on matters important to my constituents and all residents of Florida and our Nation that experience disasters. I have been outspoken on the need for FEMA to improve temporary housing.
us for that action that I, along with ROBERT WEXLER and others, began quite some time before they came to Congress. In order to enhance communication and relief operations, this is necessary in the event of a natural disaster.

Madam Speaker, I do want to address the provisions in this report relating to the detainees at Guantanamo Bay. I know that this body has been very focused on this matter, as rightly we should be, as President Obama has committed his administration to close the detention facility at Guantanamo by January of 2010. This conference report prohibits current detainees from being transferred to the United States, except to be prosecuted, and then only after Congress receives a detailed plan on the risks involved, the legal ration- for this bill or others to establish the policy that’s needed for detaining individuals who would be imperative threats or conduct themselves in a criminal manner against this Na-

I reserve the balance of my time.

Madam Speaker, several years ago I had the distinct privilege to bring to this floor, first, the rule bringing the legislation to the floor that created the Department of Homeland Security, and then the first rule for a Department of Homeland Security appropriations bill. Since then, the Department of Home- land Security has begun to mature. It has improved the process for which it was created, that is, a unified and coordina- tion of many departments related to the safety of the Nation.

As we know, the department was cre- ated in the wake of the attacks of Sep- tember 11, 2001, to help mobilize and to organize the government to the best of its ability, removed from further terrorist attacks, to protect the Nation’s borders, and to prepare for natural disasters. And thanks to our new concerted approach, I think we’ve made key investments to secure the United States from further terrorist attacks.

But clearly we must not let our guard down.

Just a few weeks ago, we heard about a disrupted terrorist attack in New York City. The Attorney General of the United States has called the plot, “one of the most serious in the United States since September 11, 2001.” That is why I am pleased that the under- lying legislation provides the Depart- ment with the tools and resources that it needs in order to continue to help to protect the Nation from other terrorist attacks.

We must continue our efforts to pro- tect the United States from deadly at-

The debate over Guantanamo, in my opinion, is missing the larger picture, and that is reform of our detainment policy. As I have main- tained, the problem is policy, not the place. Without a system of justice to deal with suspected terrorists, wherever they are held, we are left with a broken system that has been a signifi- cant recruiting tool for al Qaeda and other groups which threaten our Na- tion’s security. We need to deny them that image of America.

We need a judicial process that ac- counts for these three things: Number 1, protects our national security by holding and prosecuting those who have committed crimes or who pose an imperative threat to our country; number 2, upholds international standards of human rights; and 3, strengthens our Nation’s image as a country that up- holds the rule of law and does not re- sort to arbitrary justice, even while under threat.

This appropriations season has, so far, been the number of bills. Almost all with language relating to Guantanamo and a whole lot of that “not in my backyard” stuff. At some point soon, we’re going to need to move beyond trying to legislate this matter into appropriations bills and, instead, deal with what is reform and that is, new policies and guidelines to bring our national security needs in line with our historic national values.

I’m pleased to have introduced H.R. 3726, the Detainment Reform Act, which will move us forward on this matter, and I urge my colleagues and the President and his administration to give some vent to supporting this ef- fort, revising it, or doing what is nec- essary in order for this bill or others to establish the policy that’s needed for detaining individuals who would be imperative threats or conduct themselves in a criminal manner against this Na-

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systems, strong border security, a well-prepared and able FEMA, and so much more.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida, Madam Speaker, I am pleased and privileged at this time to yield 5 minutes to the distinguished gentlewoman from New York, the distinguished Chair of the Committee on Rules and my good friend, Ms. LOUISE SLAUGHTER.

Ms. SLAUGHTER. I thank my colleague for yielding.

Madam Speaker, there are few things that say more about our country and our trust in the public’s right to know than the Freedom of Information Act. It is one of the most powerful statements of openness and transparency that we have. It affords ordinary people the ability to peer behind the curtains of power and see inside the many bureaucratic edifices that define the Federal, State and local governments in this country. It is a tool for all of us—despite anything else that our government does in the name of the people, there should be no secrets.

Over the years, FOIA laws have been used for a wide range of purposes. FOIA helped to uncover the ugly truth about the use of Agent Orange in Vietnam, Laos, and Cambodia during the 1960s. And FOIA was also used to uncover data showing that Ford Pintos were built with serious dual system defects that made them more prone to fire and explosions.

In some ways, FOIA is simply a reminder to the public that there is an avenue to pursue if they believe the government is keeping a secret. At the heart of FOIA is the concept that the people’s right to know is more important than the government’s desire to keep things secret.

The FOIA laws in this country have enabled reporters and citizens from all spectrums of access to information and privilege that otherwise might never see the light of day. Signed into law by President Johnson in 1966, the FOIA laws allow for the full or partial disclosure of information and documents with only a narrow list of important exemptions.

And so it was with some dismay when I learned recently that the House and Senate conference on the Homeland Security appropriations bill had slipped in a provision that gives the government the discretion of making old photos of detainee abuse exempt from the FOIA laws.

This case has already followed a lengthy path beginning with a lawsuit filed by the ACLU against the Pentagon. Last spring, when it appeared that the lawsuit might go against the government, the administration responded by asking some Members of the House and Senate to insert language into the legislation to make sure that the lawsuit was settled.

Joining the ACLU against the Pentagon was the American Society of News Editors, the Associated Press, Cable News Network, Inc., the E.W. Scripps Company, Gannett Co., Inc., the Hearst Corporation, Military Reporters and Editors, the National Press Club, NBC Universal, Inc., The New York Times Company, the Newspaper Association of America, the Newspaper Guild—CWA, the Radio-Television News Directors Association, the Society of Professional Journalists, The Washington Post, and me.

Never mind that the photos in question likely have very little value given that a similar set of photos showing the abuse was released during the Bush administration. Despite some complaints that releasing photos would place service men and women in danger, the fact is there was absolutely no increase in violence or attacks after the previous detainee photos were released. I assume that if we were to release the new photos, the result would be the same. Americans were simply able to find out what was being done in their name.

Many observers argue that releasing the photos was actually a clear break from the abuses of the past and a signal to our allies and to everyone else that the days of this type of detainee mistreatment were over and that the United States is willing to come to terms with past practices. Indeed, we have said so.

In June, I and other House leaders prevailed and the FOIA exemption was dropped from the legislation. However, the conference committee to order the Administration quietly put it back into the bill this month. It’s hard for me to express how disappointed I am with that decision. I am sorry because I believed that we had turned a page from the cloud of suspicion and secrecy that marked the previous administration. It runs so counter to our principles and stated desire to reject abuses of the past.

The FOIA laws in this country form a pillar of our First Amendment principles. We have given the government the discretion to keep open what is open and transparent, but these laws also give us the right to know the photos was actually a clear break from the abuses of the past and a signal to our allies and to everyone else that the days of this type of detainee mistreatment were over and that the United States is willing to come to terms with past practices. Indeed, we have said so.

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The FOIA laws in this country form a pillar of our First Amendment principles. We have given the government the discretion to keep open what is open and transparent, but these laws also give us the right to know. We should never do anything to circumvent FOIA, and I believe our country would gain more by coming to terms with the past than we would by covering it up.

I hope the President will follow judicial rulings and consider voluntarily releasing these photos so we can put this chapter in history behind us.

Mr. HASTINGS of Florida, Madam Speaker, I especially appreciate the remarks of the distinguished woman, the Rules Chair, Ms. SLAUGHTER, and echo her sentiments.

I am now pleased to yield 3 minutes to my colleague from the Rules Committee, a good friend, JARED POLIS of Colorado.

Mr. POLIS. I would like to thank my colleague from Florida for the time, as well as Chairman PRICE for his leadership in bringing the fiscal year 2010 Homeland Security appropriations bill to the floor. It reflects the hard work of Chairman PRICE over the past year, and I am grateful that I have the opportunity to comment on the committee’s efforts here today.

I want to reiterate the gratitude that I first expressed towards Chairman PRICE and his staff during our colloquy earlier this year with Congresswoman ROYBAL-ALLARD regarding alternatives to detention.

This bill is about security and stability. One of the issues that we raised the profile of is alternatives to detention, a less costly way of detaining non-criminal inmates.

There really is a human rights crisis right in our midst in this Nation. We are holding over 30,000 noncriminal aliens, people like you and me. They lack documentation, but they have committed no criminal crime. They might have been speeding, been picked up from a speeding ticket; they could have been in the wrong place loitering at the wrong time.

And you and I and every other taxpayer are putting up to the tune of $310 a day, average cost $30,000. Many of them remain in detention for 6 months, 9 months. I had the opportunity to visit a detention facility in Aurora, Colorado. I talked to people who had been there a year and a half, 2 years. They are a long ways away from their families, a year and a half at taxpayer expense.

I would like to applaud the Obama administration for supporting alternatives to detention. Our bill funds alternatives to detention at $70 million, lowers cost using ankle bracelets, more humane, allowing people to remain with their families, $30 a day average cost. This provides a glimpse of what we can accomplish if we work together.

It also underlines the critical importance of passing comprehensive immigration reform. If we can pass comprehensive immigration reform, I know that in future versions of the Homeland Security bill we can save money and have a more humane bill and focus the bill on Homeland Security where it should be focused, which is keeping our Nation safe, not as a back door to dealing with the failures of our broken immigration system.

Thank you, Chairman PRICE, for your leadership in bringing the FY 2010 Homeland Security Appropriations bill to the floor. It reflects your hard work over the past year and I am grateful that I had the opportunity to support the committee's efforts to get here today. I want to reiterate the gratitude that I first expressed towards you and your staff during our colloquy with Congresswoman ROYBAL-ALLARD on detention alternatives earlier this year.

This bill is about security and stability. It furthers the need to secure our borders by guaranteeing the stability of our immigration system.

Thus, $122 million above 2009 levels is provided to U.S. Citizenship and Immigration Services for border enforcement. Examples of such important work that will be carried on thanks to this bill are many: $50 million goes to process refugee applications and asylum
Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I very much appreciate the contributions during this debate, enlightening our colleagues with regard to the merits of the legislation that we are bringing to the floor today.

You know, one of the, I think, most interesting aspects of the American representative democracy is that we differ from other representative democracies probably because our two parties are, have both coalitions. We have a two-party system by virtue of that; both parties represent different coalitions of thought on numerous issues.

So it's interesting that today, for example, while my friend and the distinguished chairwoman of the Rules Committee expressed an opinion contrary to the position maintained by the President of the United States on an important issue—and I think it's appropriate to do so—I commend the President of the United States for his position with regard to the release of detainee photos.

The legislation before us codifies the President's decision to bar the release of detainee photos. I commend the President because, obviously, his leadership and support on that aspect has been decisive in the inclusion of that provision in this legislation.

So our system is unique. This constant manifestation of our two great coalitions is fascinating to me as a student of comparative politics. It is another reason I am so proud of this body—the great sovereign Congress of the United States which represents the most sovereign and the freest people in the world, the American people.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, over the last few months, the American people have written and called their Members of Congress or they've made their opinions known at meetings throughout the Nation. They've asked their Members of Congress whether they will pledge to read bills before they vote on them. The reason is, I think, that people were outraged after finding out that the majority leadership forced Congress to vote on a number of sweeping and expensive bills without giving Members time to understand or to really even read the bills.

I remember a very glaring example of that when we on the Rules Committee were faced with an entire new bill on legislation that was known as cap-and-trade, clearly became a manager's amendment to the legislation at 3 o'clock in the morning, and a few hours after that, we were here voting on it. We were forced to vote on the final so-called 'stimulus' bill, on the omnibus appropriations bill, and, as I mentioned, on that cap-and-trade bill with less than 24 hours to read them—in some instances, as I mentioned before with regard to cap-and-trade, much, much less than 24 hours. Many people believe that in a way to run the House, and many constituents are rightly upset.

A recent survey found that over 80 percent of Americans believe that legislation should be posted online and in final form and should be available for everyone to read before Congress votes on legislation. You would think, Madam Speaker, that this would really not be an issue as the distinguished Speaker is on record as saying, "Members shall have 24 hours to examine the bills and conference reports before floor consideration." It's even on her Web site. Yet, often, the majority leadership have refused to live up to their pledge.

That is why a bipartisan group of 182 Members of this House has signed a discharge petition to consider a bill that would require that all legislation and conference reports be made available to Members of Congress and to the general public for 72 hours before they are brought to the House floor for a vote. So, today, I will be asking for a "no" vote on the previous question so that we can amend this rule and allow the House to consider that legislation—House Resolution 544, a bipartisan bill by my colleagues and friends, Representatives BAIRD and CULBerson.

I know that Members are concerned that this motion may jeopardize the Department of Homeland Security’s Appropriations conference report, but I would like to make clear that the motion I am making provides for the separate consideration of the Baird-Culberson bill within 3 days so that we can pass the conference report today funding the Department of Homeland Security. Then, once we are done, we would consider House Resolution 544.

Having said that, I yield back the balance of my time.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Madam Speaker, the men and women of the numerous agencies under the Homeland Security umbrella are dedicated and hardworking public servants who deserve the full support of this Congress or they've made their opinions known at meetings throughout the Nation. They've asked their Members of Congress or they've made their opinions known at meetings throughout the Nation. They've asked their Members of Congress whether they will pledge to read bills before they vote on them. The reason is, I think, that people were outraged after finding out that the majority leadership forced Congress to vote on a number of sweeping and expensive bills without giving Members time to understand or to really even read the bills.

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which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

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

**The Vote on the Previous Question: What It Really Means**

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

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

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

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

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

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

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

The vote was taken by electronic device, and there were—yeas 243, nays 173, not voting 16, as follows:

| YEA'S—243 |
|---|---|
| Abercrombie | Engel |
| Ackerman | Eshoo |
| Adler (NJ) | Edolphus | Despite |
| Altmire | Farr |
| Andrews (MD) | Fattah |
| Becerra | Bass |
| Beroen | Barron (NY) |
| Brown | Buerkle |
| Boren | Halvorson |
| Bonner | Boucher |
| Brady (PA) | Brown (FL) |
| Braley (IA) | Bright |
| Brown, Corrine | Brown (TX) |
| Butterfield | Capito |
| Capps | Cardiss |
| Caruso | Carrow |
| Carson (IN) | Castor (FL) |
| Chaffetz | Chandler (UT) |
| Chellie Pingree | Cole |
| Cicilline | Coffman (OH) |
| Cohen (NY) | Collins (NY) |
| Conyers | Cooper |
| Costa | Courtney |
| Cuculo | Crowley |
| Culier | Cummings |
| Dahlkemper | Davis (AL) |
| Davis (CA) | Davis (IL) |
| Davis (TN) | DeGette |
| Delauro | DeLauro |
| Dicks | Dingell |
| Dingelè | Doocy |
| Donnelly (IN) | Doyle |
| Doyle (PA) | Edwards (MD) |
| Edwards (TX) | Eliot-Lange |
| Ellison | Elsworth |
| Elzey | Maloney |

| NAYS—173 |---|---|
| Aderholt | Alexander |
| Casey | Carney |
| Crenshaw | Crowley |
| Davis (KY) | Davis (TN) |
| Davis (WA) | DeGette |
| DeGette | Dingell |
| Donnelly | Doyle |
| Edwards (MD) | Edwards (TX) |
| Ellison | Elzey |
| Elzey | Maloney |
| Scott (GA) | Scott (VA) |

**NOT VOTING—16**

Messrs. JOHNSON of Illinois, CONAWAY, and Ms. GRANGER changed their vote from ‘yea’ to ‘nay’.

So the previous question was ordered.

(Continued by unanimous consent, Mr. Hoyer was allowed to speak out of order.)
Mr. HOYER. Ladies and gentlemen, we had hoped to do an additional appropriation bill, but the subcommittee has not yet reached agreement. As a result, I wanted to let Members know that when we finish the business that is scheduled for today, which includes the water bill that we will be considering later today after the Homeland Security bill, we will then not plan to be here on Friday. I know that disappoints all of you.

It is disappointing to me because I am very focused, and we are working very hard with the Senate to try to get the appropriations bills done individually. I’m not a fan of omnibuses. I don’t think anybody here is either. But as a result of being unable to move the Interior appropriation bill, my view was that originally we had scheduled the water bill for tomorrow, but it is our belief that we can consider both of the bills during the week. We had hoped to do an additional appropriation bill later.

The vote was taken by electronic device, and there were—yeas 239, nays 19, as follows:

- Yea—239: Mr. CONNOLLY of Virginia. Madam Speaker, I demand a recorded vote.
- Nay—19:
  - Mr. ROYCE of California. The resolution, H. Res. 800, as amended.

The result of the vote was announced by the Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. The vote was taken by electronic device, and there were—yeas 239, nays 19, as follows:

174, not voting 19, as follows:

- YEAS—239
  - Mr. CONNOLLY of Virginia. Madam Speaker, I demand a recorded vote.

- NAY—19
  - Mr. ROYCE of California. The resolution, H. Res. 800, as amended.

The result of the vote was announced by the Clerk of the House.

EXPRESSIONS OF SYMPATHY FOR THE CITIZENS OF THE PHILIPPINES DEALING WITH TROPICAL STORM KETSANA AND TYPHOON PARMA

The Speaker pro tempore. The question is on the resolution, H. Res. 800, as amended.

Mr. ROYCE of California. Madam Speaker, I demand a recorded vote.

The Speaker pro tempore. The vote was taken by electronic device, and there were—aye 415, noes 0, not voting 17, as follows:

- Aye—415
  - Mr. ROYCE of California. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—aye 415, noes 0, not voting 17, as follows:
RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

The Speaker pro tempore laid before the House the following resolution as a member of the Committee on the Judiciary:

OCTOBER 14, 2009.

HON. NANCY PELOSI,
Speaker of the House of Representatives, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Judiciary Committee, effective October 14, 2009. It was an honor to serve you and Chairman Conyers as a member of this prestigious committee.

I look forward to continuing to serve on the Foreign Affairs and Financial Services Committees in the 111th Congress.

Sincerely,

BRAHSH SEEMAN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 834

Resolved, That the following named Member be and is hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON THE JUDICIARY.—Ms. Chu (to rank immediately after Mr. Quigley).

(2) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Ms. Chu.

Mr. LARSON of Connecticut (during the vote). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3612

Mr. BROUN of Georgia. Madam Speaker, I ask unanimous consent to remove Congressman SAM JOHNSON of Texas as a cosponsor of H.R. 3612.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina. Madam Speaker, pursuant to House Resolution 829, I call up the conference report on 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 ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 829, the conference report is considered read.

(For conference report and statement, see proceedings of the House of October 13, 2009, at page H1195.)

The gentleman from North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.
Mr. PRICE of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to present the conference report for the Department of Homeland Security appropriation fiscal year 2010. The conference agreement provides $24.78 billion for the Department, $2.64 billion, or 7 percent, above the fiscal year 2009 level.

I want to thank the distinguished ranking member, Mr. Rogerson, for his advice and counsel and in making this a better bill, and also his staff for working so closely and constructively with us. I want to highlight the work of all staff on both sides of the aisle who have helped us present such a strong legislative product to the Congress.

This is a critical year for the Department of Homeland Security, as it has weathered its first leadership transition with the new administration, in the midst of a global economic recession. The Department’s new leadership on its strong efforts to enhance our Nation’s security posture and its willingness to reach out to Congress to make adjustments and to promote change when needed.

This report, carrying the seventh annual appropriation for the Department since its inception, addresses the needs and challenges that this still-young Department faces. It also represents a considered approach to funding critical domestic security programs, and other core departmental missions within a bipartisan consensus on fiscal responsibility.

Madam Speaker, one can make an argument for increasing funding for many of the programs contained in this report. When discussing homeland security, worst-case scenarios often abound, as do advocates for fixing on one threat while downplaying others.

Our obligation, by contrast, is to take a balanced, realistic approach, to weigh risks carefully, and to set priorities and make prudent investments in smart, effective security. I believe this conference agreement supports the Department’s efforts to focus on the highest priorities for protecting our country and to prevent, prepare for, and respond to legitimate threats, whether natural or man-made.

To conserve time, Madam Speaker, I will highlight just a few items in the proposed agreement, items I believe are of interest to all Members.

First, the conference agreement provides the resources to support the readiness of our State and local partners, our first responders out on the front lines. This includes $830 million for firefighters, $807 million for the Urban Areas Security Initiatives grants and $340 million for emergency managers. It also includes over $900 million to strengthen FEMA’s operational response capabilities and to enhance the agency’s emergency management mission.

The conference agreement includes $1.5 billion for more effective efforts by U.S. Immigrations and Customs Enforcement to identify and remove illegal aliens who have committed crimes, a priority we share with the President and Secretary Napolitano. Of this total, $200 million furthers development of the Secure Communities Program, which provides a new approach for Federal immigration agents to work closely with State and local law enforcement, while maintaining the distinction between the traditional Federal role of enforcing immigration law and the law enforcement role of prosecuting criminal violations.

The conference agreement includes $800 million for infrastructure and technology to secure the border, with an emphasis on developing technological surveillance and improving tactical communications so our Border Patrol can make smart use of its resources to police an expansive border. It includes $40 million to minimize adverse environmental impacts of border infrastructure and operational, and maintains strong oversight requirements to ensure the Secure Border Initiative delivers as promised.

The conference agreement provides a total of $7.66 billion for the Transportation Security Administration to improve aviation security and efficiency. Two areas of note are over $1 billion available to deploy explosives detection systems at airports throughout the country that have less capable and slower screening systems, and $222 million for air cargo security so TSA can meet the August 2010 deadline for screening 100 percent of cargo in the hold of passenger planes.

This conference agreement continues to take steps to increase the Coast Guard’s contribution to national security, including protection of our waterways and those who use them and stemming the flow of illegal drugs into this country. Overall, this bill includes $10.1 billion for the Coast Guard, $170 million more than the administration requested. Most of this increase is to purchase materials for a new national security cutter and to complete the refurbishment of a heavy icebreaker that will help secure America’s interests in the Arctic. It also boosts support for the existing fleet, making investments above the administration’s request for backlogged vessel maintenance.

The conference agreement includes nearly $1 billion for cybersecurity programs, 26 percent above fiscal year 2009, to ramp up our protections for governmental computer networks and to bring on more professionals with cybersecurity expertise. In addition, DHS will be able to initiate new efforts to help those responsible for critical infrastructure and other private networks, reducing their vulnerability to cyberattacks.

Also, the conference agreement includes $120 million to promote legal pathways to U.S. citizenship, including the successful immigration integration program of U.S. Citizenship and Immigration Services.

The conference agreement includes $1.1 billion for departmental operations, up $90 million or 17 percent above fiscal year 2009, to improve DHS management and make it more cost-effective, to secure sensitive information, and to ensure that contractors and Federal immigration professionals, not by other contractors. The agreement provides $221 million to continue efforts to safeguard international commerce and to prevent the use of cargo containers to carry or deliver weapons and other threats.

It calls for the National Academy of Sciences to provide an independent evaluation of the Department’s safety, planning, and mitigation efforts in connection with this project.

In addition, the conference report extends authorizations for the E-Verify program and for visas for physicians serving in rural areas, religious workers, and investors, each of these by 3 years. These are all short-term solutions until comprehensive immigration reform can be considered by the authorizing committees and by the Congress.

Finally, I want to discuss two items that have been raised repeatedly, the release of photographs and videos of individuals detained by U.S. Armed Forces since 9/11, and restrictions on the administration’s ability to transfer detainees from Guantanamo Bay Naval Station to the United States or elsewhere in the world.

On the first topic, the conference report codifies the President’s decision to allow the Secretary of Defense to bar the release of detainee photos for a period of 3 years.

On the second topic, the conference report establishes strict safeguards on the movement of Guantanamo’s detainees, and if the administration chooses to address their cases in U.S. courts, this legislation ensures that that will be done with due consideration, planning, and forethought.

It prohibits current detainees from being released into the United States or any U.S. territory. It also prohibits the transfer of any detainee custody inside the United States only for the purpose of prosecuting that individual and only after Congress receives a plan detailing...
the risks involved and a plan for mitigating such risks, the cost of the transfer, the legal rationale and court demands, and a copy of the notification provided to the governor of the receiving State 14 days before a transfer, with a certification by the Attorney General that the individual poses little or no security risk.

Our bill also prevents current detainees from being transferred or released to another country, including freely associated states, unless the President submits to the Congress 15 days prior to such transfer the name of the individual and the country the individual will be transferred to, an assessment of risks posed and actions taken to mitigate such risks, and the terms of the transfer agreement with the other country, including any financial assistance.

It requires the President to submit a report to Congress describing the disposition of each current detainee before the facility in Guantanamo Bay can be closed. It bars the use of funds to provide any immigration benefits to Guantanamo detainees, other than to allow them to be brought to the U.S. for prosecution, and it mandates the inclusion of all detainees on the TSA No Fly List. These are provisions that have been supported on a bipartisan basis in Appropriations Committee markups and on the floor of this House.

Madam Speaker, the conference report before us today represents hard work in a cooperative and bipartisan spirit. It invests in critical government efforts designed to keep the American people safe. I strongly support the proposed agreement, and urge my colleagues to do the same.

Madam Speaker, I include the following for the RECORD:
### DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2009 Enacted</th>
<th>FY 2010 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
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<td>Title II - Security, Enforcement, and Investigations</td>
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### Fee Accounts

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<th>Conference vs. Enacted</th>
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### Immigration and Customs Enforcement

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<th>Senate</th>
<th>Conference</th>
<th>vs. Enacted</th>
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</table>

| Fee accounts                   | (299,000)       | (316,000)       | (318,000) | (304,800) | (304,800) | (+6,800)   |

### Transportation Security Administration

| Aviation security              | 4,754,518       | 5,310,850       | 5,265,740 | 5,233,328 | 5,214,040 | +459,522   |
| Emergency appropriations       | 1,000,000       | ---             | ---       | ---       | ---       | -1,000,000 |
| Aviation security fees - offsetting collections (nonaward) | -2,320,000 | -2,100,000 | -2,100,000 | -2,100,000 | -2,100,000 | +220,000 |
| Other fees - offsetting collections (nonaward) | (-275) | (-19,600) | (-2,700) | (-19,600) | (-275) |
| Total, Aviation security (net) | 3,434,518       | 3,210,850       | 3,165,740 | 3,133,328 | 3,114,040 | -320,478   |

| Aviation security capital fund | (250,000)       | (250,000)       | (250,000) | ---       | (250,000) | ---       |
| Surface transportation security | 49,606          | 128,416         | 103,416   | 142,616   | 110,516   | +60,910   |
| Transportation Threat Assessment and Credentialing | 116,018 | 161,999 | 171,999 | 171,999 | 171,999 |
| Fee accounts                   | (40,000)        | (28,000)        | (20,000)  | (47,620)  | (67,620)  | ---       |
| Transportation security support | 947,735         | 1,004,580       | 992,980   | 999,580   | 1,004,780 | +54,045   |
| Federal Air Marshals            | 819,461         | 860,111         | 860,111   | 860,111   | 860,111   | +40,630   |

### United States Coast Guard

| Operating expenses             | 5,654,925       | 6,216,188       | 6,240,523 | 6,256,788 | 6,223,888 | +368,963   |
| Overseas deployment and other activities | 139,503         | 241,503         | 241,503   | 241,503   | 102,000   |
| Defense function               | 340,000         | 340,000         | 340,000   | 340,000   | 340,000   | ---       |
| Subtotal, Operating expenses (incl. transfers) | 6,334,428 | 6,797,691 | 6,822,026 | 6,839,301 | 6,865,381 | +470,963 |
| Environmental compliance and restoration | 13,000          | 13,198          | 13,198    | 13,198    | 13,198    | +198      |
| Reserve training               | 130,501         | 133,632         | 133,632   | 133,632   | 133,632   | +3,131    |
| Acquisition, construction, and improvements | 1,494,576      | 1,363,980       | 1,347,480 | 1,597,580 | 1,537,080 | +42,504   |
| Emergency appropriations       | 98,000          | ---             | ---       | ---       | ---       | -90,000   |
| Alteration of bridges          | 16,000          | ---             | 10,000    | 4,000     | 4,000     | -12,000   |
| Emergency appropriations       | 142,000         | ---             | ---       | ---       | ---       | -142,000  |
| Research, development, test, and evaluation | 18,000          | 19,745          | 19,745    | 29,745    | 24,745    | +6,745    |
| Health care fund contribution (permanent indefinite appropriation) | 257,305         | 261,000         | 261,000   | 261,000   | 261,000   | +2,695    |
| Subtotal, U.S. Coast Guard discretionary | 8,503,810      | 8,367,743       | 8,607,081 | 8,877,446 | 8,779,046 | +275,236  |
| Retired pay (mandatory)        | 1,236,745       | 1,361,245       | 1,361,245 | 1,361,245 | 1,361,245 | +124,500  |
### DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)

**(Amounts in thousands)**

<table>
<thead>
<tr>
<th>FY 2009 Enacted</th>
<th>FY 2010 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>vs. Enacted</th>
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#### United States Secret Service

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<td>-100,000</td>
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<table>
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<tr>
<th>Acquisition, construction, improvements, and related expenses</th>
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<th>3,975</th>
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<th>3,975</th>
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**Total, United States Secret Service**

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<td>(241,503)</td>
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<th>(By transfer - contingent emergencies)</th>
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### TITLE III - PROTECTION, PREPAREDNESS, RESPONSE AND RECOVERY

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<table>
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**Total, National Protection and Programs**

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<td>93,381</td>
<td>107,481</td>
<td>93,381</td>
<td>-178</td>
</tr>
<tr>
<td>Federal Protective Service</td>
<td>---</td>
<td>1,115,000</td>
<td>---</td>
<td>1,115,000</td>
<td>1,115,000</td>
<td>+1,115,000</td>
</tr>
<tr>
<td>Offsetting collections</td>
<td>---</td>
<td>-1,115,000</td>
<td>---</td>
<td>-1,115,000</td>
<td>-1,115,000</td>
<td>-1,115,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>U.S. Visitor and Immigrant Status Indicator Technology</th>
<th>300,000</th>
<th>356,194</th>
<th>351,800</th>
<th>378,194</th>
<th>373,762</th>
<th>+73,762</th>
</tr>
</thead>
</table>

**Total, Management and administration (including transfers)**

<table>
<thead>
<tr>
<th>943,037</th>
<th>902,200</th>
<th>934,580</th>
<th>909,700</th>
<th>903,250</th>
<th>-39,787</th>
</tr>
</thead>
</table>

#### Grants and Training:

<table>
<thead>
<tr>
<th>State and local programs</th>
<th>3,105,700</th>
<th>3,867,000</th>
<th>2,836,000</th>
<th>3,087,200</th>
<th>3,015,200</th>
<th>-90,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency appropriations</td>
<td>330,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>-330,000</td>
</tr>
<tr>
<td>Firefighter assistance grants</td>
<td>775,000</td>
<td>---</td>
<td>810,000</td>
<td>810,000</td>
<td>810,000</td>
<td>+35,000</td>
</tr>
<tr>
<td>Emergency appropriations</td>
<td>210,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>-210,000</td>
</tr>
<tr>
<td>Emergency management performance grants</td>
<td>315,000</td>
<td>---</td>
<td>330,000</td>
<td>350,000</td>
<td>340,000</td>
<td>+25,000</td>
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</table>

**Total, Grants and Training**

<table>
<thead>
<tr>
<th>4,735,700</th>
<th>3,867,000</th>
<th>3,976,000</th>
<th>4,227,200</th>
<th>4,165,200</th>
<th>-570,500</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Radiological emergency preparedness program</th>
<th>-505</th>
<th>-265</th>
<th>-265</th>
<th>-265</th>
<th>-265</th>
<th>+240</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States Fire Administration</td>
<td>44,497</td>
<td>45,588</td>
<td>45,588</td>
<td>45,588</td>
<td>45,588</td>
<td>+609</td>
</tr>
<tr>
<td>Disaster relief</td>
<td>1,400,000</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>1,486,868</td>
<td>1,600,000</td>
<td>+200,000</td>
</tr>
<tr>
<td>(Transfer to Management and administration)</td>
<td>(-105,600)</td>
<td>(-50,000)</td>
<td>(-90,000)</td>
<td>(-50,000)</td>
<td>(-105,600)</td>
<td>(-90,000)</td>
</tr>
<tr>
<td>(Transfer to Inspector General)</td>
<td>(-16,000)</td>
<td>---</td>
<td>(-16,000)</td>
<td>---</td>
<td>---</td>
<td>(-16,000)</td>
</tr>
</tbody>
</table>

**Total, Disaster Relief (including transfers)**

<table>
<thead>
<tr>
<th>1,279,400</th>
<th>1,580,000</th>
<th>1,893,920</th>
<th>1,399,866</th>
<th>1,476,400</th>
<th>+290,000</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Disaster assistance direct loan program account: (Limitation on direct loans)</th>
<th>(25,000)</th>
<th>(25,000)</th>
<th>(25,000)</th>
<th>(25,000)</th>
<th>(25,000)</th>
<th>---</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct loan subsidy</td>
<td>295</td>
<td>295</td>
<td>295</td>
<td>295</td>
<td>295</td>
<td>---</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Flood map modernization fund</th>
<th>220,000</th>
<th>220,000</th>
<th>220,000</th>
<th>220,000</th>
<th>220,000</th>
<th>---</th>
</tr>
</thead>
<tbody>
<tr>
<td>National flood insurance fund:</td>
<td>49,418</td>
<td>52,149</td>
<td>52,149</td>
<td>52,149</td>
<td>38,680</td>
<td>-10,738</td>
</tr>
<tr>
<td>Salaries and expenses</td>
<td>107,181</td>
<td>107,320</td>
<td>107,320</td>
<td>107,320</td>
<td>107,320</td>
<td>+139</td>
</tr>
<tr>
<td>Offsetting fee collections</td>
<td>-156,599</td>
<td>-159,469</td>
<td>-159,469</td>
<td>-159,469</td>
<td>-146,000</td>
<td>+10,599</td>
</tr>
</tbody>
</table>

<p>| National predisaster mitigation fund | 90,000 | 150,000 | 100,000 | 120,000 | 100,000 | +10,000 |</p>
<table>
<thead>
<tr>
<th>Department of Homeland Security - FY 2010 (H.R. 2892)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Amounts in thousands)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>FY 2009 Enacted</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>Emergency food and shelter</td>
</tr>
<tr>
<td>Emergency appropriations</td>
</tr>
<tr>
<td>Cerro Grande fire claims (rescission)</td>
</tr>
<tr>
<td>(including transfers)</td>
</tr>
<tr>
<td>Appropriations</td>
</tr>
<tr>
<td>Rescissions</td>
</tr>
<tr>
<td>By Transfer</td>
</tr>
<tr>
<td>Transfer out</td>
</tr>
<tr>
<td>(Limitation on direct loans)</td>
</tr>
<tr>
<td>Total, title III, Protection, Preparedness</td>
</tr>
<tr>
<td>Response and Recovery (including transfers)</td>
</tr>
<tr>
<td>Appropriations</td>
</tr>
<tr>
<td>Rescissions</td>
</tr>
<tr>
<td>By transfer</td>
</tr>
<tr>
<td>Transfer out</td>
</tr>
<tr>
<td>(Limitation on direct loans)</td>
</tr>
</tbody>
</table>

**Title IV - Research and Development, Training, and Services**

United States Citizenship and Immigration Services

<table>
<thead>
<tr>
<th>Salaries and expenses</th>
<th>101,740</th>
<th>364,000</th>
<th>298,000</th>
<th>153,700</th>
<th>224,000</th>
<th>+122,280</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immigration examination fee account</td>
<td>(2,495,186)</td>
<td>(2,451,884)</td>
<td>(2,451,884)</td>
<td>(2,451,884)</td>
<td>(2,451,884)</td>
<td>-(43,302)</td>
</tr>
<tr>
<td>Fraud prevention and detection fee account</td>
<td>(31,000)</td>
<td>(38,348)</td>
<td>(38,348)</td>
<td>(38,348)</td>
<td>(38,348)</td>
<td>-(7,748)</td>
</tr>
<tr>
<td>H-1B Non-Immigrant Petitioner Fee Account</td>
<td>(13,000)</td>
<td>(13,000)</td>
<td>(13,000)</td>
<td>(13,000)</td>
<td>(13,000)</td>
<td>---</td>
</tr>
<tr>
<td>Fee funded programs</td>
<td>(2,539,186)</td>
<td>(2,503,232)</td>
<td>(2,503,232)</td>
<td>(2,503,232)</td>
<td>(2,503,232)</td>
<td>-(35,954)</td>
</tr>
</tbody>
</table>

Federal Law Enforcement Training Center

<table>
<thead>
<tr>
<th>Salaries and expenses</th>
<th>246,530</th>
<th>245,356</th>
<th>239,356</th>
<th>244,356</th>
<th>239,356</th>
<th>-7,174</th>
</tr>
</thead>
</table>

Science and Technology

<table>
<thead>
<tr>
<th>Management and administration</th>
<th>132,100</th>
<th>142,200</th>
<th>142,200</th>
<th>143,200</th>
<th>143,200</th>
<th>+11,100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research, development, acquisition, and operations</td>
<td>800,467</td>
<td>826,191</td>
<td>825,356</td>
<td>851,729</td>
<td>863,271</td>
<td>+62,784</td>
</tr>
<tr>
<td>Total, Science and Technology</td>
<td>932,567</td>
<td>968,391</td>
<td>967,556</td>
<td>994,929</td>
<td>1,006,471</td>
<td>+73,884</td>
</tr>
</tbody>
</table>

Domestic Nuclear Detection Office

<table>
<thead>
<tr>
<th>Management and administration</th>
<th>37,500</th>
<th>39,599</th>
<th>39,599</th>
<th>37,500</th>
<th>38,500</th>
<th>+1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research, development, and operations</td>
<td>323,200</td>
<td>326,537</td>
<td>376,537</td>
<td>326,537</td>
<td>324,537</td>
<td>+1,337</td>
</tr>
<tr>
<td>Systems acquisition</td>
<td>153,491</td>
<td>---</td>
<td>---</td>
<td>10,000</td>
<td>20,000</td>
<td>-133,491</td>
</tr>
<tr>
<td>Total, Domestic Nuclear Detection Office</td>
<td>514,191</td>
<td>366,136</td>
<td>416,136</td>
<td>374,037</td>
<td>383,037</td>
<td>-131,154</td>
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</table>

Total, title IV, Research and Development:

<table>
<thead>
<tr>
<th>Training, and Services</th>
<th>1,881,504</th>
<th>1,987,339</th>
<th>1,954,504</th>
<th>1,792,478</th>
<th>1,886,320</th>
<th>+(14,816)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee funded programs</td>
<td>(2,539,186)</td>
<td>(2,503,232)</td>
<td>(2,503,232)</td>
<td>(2,503,232)</td>
<td>(2,503,232)</td>
<td>-(35,954)</td>
</tr>
</tbody>
</table>

**Title V - General Provisions**

Enacted provisions:

<table>
<thead>
<tr>
<th>Sec. 547: REAL ID Grants</th>
<th>50,000</th>
<th>---</th>
<th>---</th>
<th>---</th>
<th>---</th>
<th>-50,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 547: REAL ID Information sharing and verification system</td>
<td>50,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>-50,000</td>
</tr>
<tr>
<td>Sec. 549: Rescission, TSA undistributed carryover</td>
<td>31,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>+31,000</td>
</tr>
<tr>
<td>FY 2009 Enacted</td>
<td>FY 2010 Request</td>
<td>House</td>
<td>Senate</td>
<td>Conference</td>
<td>Conference vs. Enacted</td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------</td>
<td>-------</td>
<td>--------</td>
<td>------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td>Sec. 550: Rescission of unobligated balances, A&amp;O.</td>
<td>-21,373</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>+21,373</td>
<td></td>
</tr>
<tr>
<td>Sec. 551: Rescission of unobligated balances, Coast Guard</td>
<td>-20,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>+20,000</td>
<td></td>
</tr>
<tr>
<td>Sec. 603(a): Rescission of emergency funding, FEMA Disaster Relief</td>
<td>-100,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>+100,000</td>
<td></td>
</tr>
<tr>
<td>Sec. 603(b): FEMA State and local programs, emergency appropriations</td>
<td>100,000</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>-100,000</td>
<td></td>
</tr>
<tr>
<td>Sec. 609: Federal share of disaster assistance, emergency appropriations</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
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<td></td>
</tr>
</tbody>
</table>

Subtotal, enacted provisions: 27,627

<table>
<thead>
<tr>
<th>FY 2009 Enacted</th>
<th>FY 2010 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 555: Fraud prevention and detection programs</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
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Rescission of unobligated balances:

<table>
<thead>
<tr>
<th>FY 2009 Enacted</th>
<th>FY 2010 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 573: Trucking Industry Security Grants</td>
<td>---</td>
<td>---</td>
<td>-5,572</td>
<td>-5,500</td>
<td>-5,572</td>
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<tr>
<td>Sec. 574: Analysis and Operations</td>
<td>---</td>
<td>---</td>
<td>-2,203</td>
<td>-5,000</td>
<td>-2,358</td>
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<tr>
<td>Sec. 575: Infrastructure protection and information security</td>
<td>---</td>
<td>---</td>
<td>-5,963</td>
<td>-8,000</td>
<td>-8,000</td>
</tr>
<tr>
<td>Sec. 576: Science and Technology</td>
<td>---</td>
<td>---</td>
<td>-7,500</td>
<td>-6,944</td>
<td>-6,944</td>
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<tr>
<td>Sec. 577: Domestic Nuclear Detection Office</td>
<td>---</td>
<td>---</td>
<td>-8,000</td>
<td>-8,000</td>
<td>-8,000</td>
</tr>
<tr>
<td>Sec. 578: TSA research and development</td>
<td>---</td>
<td>---</td>
<td>-4,000</td>
<td>-4,000</td>
<td>-4,000</td>
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<tr>
<td>Sec. 579: Coast Guard A&amp;I</td>
<td>---</td>
<td>---</td>
<td>-800</td>
<td>-800</td>
<td>-800</td>
</tr>
<tr>
<td>Sec. 580: Counterterrorism Fund</td>
<td>---</td>
<td>---</td>
<td>-5,600</td>
<td>-5,600</td>
<td>-5,600</td>
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<tr>
<td>Sec. 551: ICE, Construction</td>
<td>---</td>
<td>---</td>
<td>-7,000</td>
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</table>

Total, title V, General Provisions: 27,627

<table>
<thead>
<tr>
<th>FY 2009 Enacted</th>
<th>FY 2010 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriations</td>
<td>(100,000)</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>(-100,000)</td>
</tr>
<tr>
<td>Emergency appropriations</td>
<td>(100,000)</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>(-100,000)</td>
</tr>
<tr>
<td>Rescissions (including emergencies)</td>
<td>(-172,373)</td>
<td>---</td>
<td>(-13,738)</td>
<td>(-41,000)</td>
<td>(-141,274)</td>
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</table>

Grand total, Department of Homeland Security: 44,357,748

<table>
<thead>
<tr>
<th>FY 2009 Enacted</th>
<th>FY 2010 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriations</td>
<td>(41,356,618)</td>
<td>(44,190,938)</td>
<td>(43,750,480)</td>
<td>(44,087,240)</td>
<td>(43,937,012)</td>
</tr>
<tr>
<td>(Discretionary)</td>
<td>(40,069,873)</td>
<td>(42,825,693)</td>
<td>(42,389,235)</td>
<td>(42,726,000)</td>
<td>(42,575,767)</td>
</tr>
<tr>
<td>(Mandatory)</td>
<td>(1,286,745)</td>
<td>(1,361,245)</td>
<td>(1,361,245)</td>
<td>(1,361,245)</td>
<td>(1,361,245)</td>
</tr>
<tr>
<td>Emergency appropriations</td>
<td>(3,003,000)</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>(-3,003,000)</td>
</tr>
<tr>
<td>Overseas deployment and other activities</td>
<td>(139,503)</td>
<td>(241,503)</td>
<td>(241,503)</td>
<td>(241,503)</td>
<td>(+102,000)</td>
</tr>
<tr>
<td>Rescissions</td>
<td>(-81,373)</td>
<td>---</td>
<td>(-13,738)</td>
<td>(-41,000)</td>
<td>(-141,274)</td>
</tr>
<tr>
<td>(By transfer - contingent emergencies)</td>
<td>---</td>
<td>(241,503)</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>(By transfer)</td>
<td>(121,600)</td>
<td>(50,000)</td>
<td>(106,080)</td>
<td>(66,000)</td>
<td>(121,600)</td>
</tr>
<tr>
<td>(Transfer out)</td>
<td>(-121,600)</td>
<td>(-50,000)</td>
<td>(-106,080)</td>
<td>(-66,000)</td>
<td>(-121,600)</td>
</tr>
<tr>
<td>Fee funded programs</td>
<td>(4,326,331)</td>
<td>(4,281,232)</td>
<td>(4,298,132)</td>
<td>(4,208,032)</td>
<td>(4,287,652)</td>
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<tr>
<td>Aviation security capital fund</td>
<td>(250,000)</td>
<td>(250,000)</td>
<td>(250,000)</td>
<td>(250,000)</td>
<td>(250,000)</td>
</tr>
<tr>
<td>(Limitation on direct loans)</td>
<td>(25,000)</td>
<td>(25,000)</td>
<td>(25,000)</td>
<td>(25,000)</td>
<td>(25,000)</td>
</tr>
</tbody>
</table>
Mr. ROGERS of Kentucky, Madam Speaker, I yield myself such time as I may consume.

Let me begin by sincerely thanking Chairman PRICE for his partnership during this 2010 appropriations cycle. Through the transition in administrations, the House Appropriations Committee, as far back as the 2010 budget request and the truncated appropriations process, he has been fair and respectful and has been willing to listen to our concerns and accommodate the minority’s interests where possible. To thank the chairman for his friendship and his ability to work with everyone to write the best possible bill.

This subcommittee, Madam Speaker, since its inception in 1993, has a long-standing tradition of bipartisanship, a tradition that stands in stark contrast, I might add parenthetically, to the exclusionary tactics of the House’s Democrat leadership that trounced the rights of the minority and stifled debate during floor consideration of the House bill.

But in spite of some of that partisan mischief, I am truly grateful for Chairman PRICE’s efforts to maintain the long-standing comity that has defined this Appropriations Appropriation process as well as Chairman O’NEIL’s work to move this vital spending bill towards completion.

So I am thankful that we were able to hammer out an agreement in conference, for the most part. After all, the safety and security of our Nation’s citizens should be the number one priority of the Congress. This urgency is underscored by the recent terrorism cases being investigated in Colorado, New York, Texas, Illinois and North Carolina, as well as the persistent acts of terrorism and violence by radical extremists overseas.

What this terrorist activity tells me is that real security demands persist, and that. Eight years after 9/11 and 6 years after the Department was created, we must remain vigilant in addressing every threat and every vulnerability. I am pleased to see the conference report is willing to honor that commitment by properly resourcing our homeland security needs.

While I can’t say that I agree with everything in the conference report, I think it represents a fairly reasonable compromise on most of our homeland security priorities. However, there is a notable provision that I must respectfully take issue with that the chairman has referred to.

Section 552 of this conference report permits the terrorists detained at Guantanamo Bay to be brought to the U.S. for purposes of prosecution. Since the President announced the decision to close Guantanamo some 9 months ago, we have seen nothing, Madam Speaker, no plan, in spite of the requests by both sides, this subcommittee, this committee, no plan, no idea of how to dispose of the detainees remaining there, and no legal rationale for the prosecution, sentencing and incarceration of these terrorists wherever.

Instead, those detainees who pose a minimal security threat have been shuttled off to other foreign countries by way of backroom deals, leaving unproven and unaccountable terrorists potentially bound for American soil because no one else in the world will let them be brought to their soil. Apparently we have tried, to no avail.

So I for one can reason why we should afford enemy combatants who have been caught on the battlefield battling American soldiers, to allow them the same constitutional rights as American citizens or the same due process even as criminal defendants in the civilian courts of the U.S. and I see no reason why these terrorists can’t be brought to justice right where they are in Cuba before military tribunals, as we have in the past there. In fact, we know military tribunals work. We have completed the motion to instruct 2 weeks ago in this body, and the Senate’s near unanimous adoption of a total prohibition of detainee transfers to this country with the passage of their Defense appropriations bill just last week. Both bodies have spoken by huge majorities: Keep these detainees off sacred American soil.

This is a critical issue that I think we must get right, so I am disappointed that the conferees did not follow the convincing and bipartisan votes that both Chambers have taken over the past few weeks and deny these terrorists access to the United States.

Now, having said all that, and in spite of my opposition to the section, I believe that the base of this conference agreement will go indeed a long way towards the protection of our great country.

I once again thank Chairman PRICE for his consideration of our concerns and all of his good work throughout the year on this very important bill. I reserve my time.

Mr. PRICE of North Carolina, Madam Speaker, I yield 2 minutes to our valued colleague from New York (Mrs. LOWEY), a member of the subcommittee.

Mrs. LOWEY. Mr. Speaker, I rise in support of the conference report, and I want to thank our chairman, Chairman PRICE, for his strong leadership on this bill.

Assistance for our first responders is one of the most effective tools to protect our homeland, as evidenced by the Federal Government and the New York Police Department’s discovery of the plot to bomb the city’s subways last month. The bill provides $4.17 billion to identify and remove dangerous criminal aliens, bolstering border security with more than 20,000 Border Patrol agents, and securing our airports and transit system by providing $678 million more than in FY 2009 for the Transportation Security Administration.

So I thank the chairman and the ranking member for their work on this bill, and I urge my colleagues’ support.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the very distinguished ranking member of the Homeland Security authorization committee in the gentleman from New York (Mr. KING).

Mr. KING of New York. Madam Speaker, I thank the distinguished ranking member for yielding, and at the outset I want to commend Ranking Member ROGERS and Chairman PRICE for the outstanding job they have done on this bill. I certainly intend to vote for it. I will vote for it. I must say, however, there are three specific problems, three areas where I do have questions.

Number one is on the Secure the Cities program, which is essential to protect New York City from radiation, dirty bomb attacks. This House by an overwhelming margin approved an amendment by Congresswoman CLARKE and me which would have put $40 million in the bill for that. Instead, the conference that was reduced to $20 million. This is a shortfall which I believe can have damaging impact.

Secondly, on the issue of Guantanamo, I concur in everything that Ranking Member ROGERS has said. To me, it is wrong to bring terrorists, enemy battlefield combatants, to our shores for any purpose, even to stand trial, especially to stand trial, because I believe they should be tried in military tribunals.

Again, I bring up the issue of New York City, where I am certain a number of those involved in the 9/11 attacks who were involved in the 9/11 attacks will be brought to the Southern District of New York. To me, this is a timebomb
waiting to happen, to have those ter-
rorists in New York City for a pro-
tracted period of time before, during,
and after their trial.

Thirdly, on the issue of the fire-
fighter grants, the President cut them
by 70 percent. I know the committee
put that back in, but the level was
still lower than it was last year. This,
I believe, is going to impact negatively
on fire departments throughout our
country.

Having said that, Madam Speaker,
this is a fine bill. I look forward to sup-
porting it. I thank the committee for
the way they approached it in a bipar-
tisan way. As Congresswoman Lowey
said, our Nation is under threat. There
are threats every day. They have tar-
geted several cities throughout our
country. This bill goes a long way to-
wards resolving that.

But, again, on the issues of Secure
the Cities, Guantanamo and the fire-
fighter grants, I do have real issues,
real concerns. Having said that, I sup-
sport the bill.

Mr. PRICE of North Carolina. Madam
Speaker, I yield 2 minutes to another
fine member of our subcommittee, the
gentleman from New Jersey (Mr. ROTH-
MAN).

Mr. ROTHMAN of New Jersey. I thank
the chairman.

Madam Speaker, I rise today in sup-
sport of the conference agreement on
the 2010 Department of Homeland Secu-
rit y appropriation s bill. I want to thank
our distinguished chairman, Chairman
PRICE, and our distinguished ranking
member, Mr. ROGERS, for their out-
standing leadership on this bill, and
my colleagues on the subcommittee for
their outstanding work.

First, I would like to remind my col-
leagues that I come from one of the
most densely populated regions in the
most densely populated State in the
United States, northern New Jersey.
This area contains many high-risk ter-
rors, terrorism threats, and I understand
to our constituents, how vitally impor-
tant this funding is to our region’s and
our Nation’s security.

The bill provides, for example, our
first responders with excellent re-
sources for the training, equipment and
personnel we need to keep our commu-
nities safe.

It includes $60 million for emergency
operations centers, $810 million for local
fire departments, and $950 million to
protect high-risk urban areas from ter-
rorist attacks. It provides $300 mil-
lion for port security grants to stop the
flow of illegal drugs and weapons smug-
bling.

In closing, Madam Speaker, this bill,
the Fiscal Year 2010 Department of Home-
land Security Appropriations bill,
honors the commitment we made
to keep our ports safe and our borders
safe and all of our citizens safe from the
terror that lurks out there by indi-
viduals still seeking to do us harm.

Mr. ROGERS of Kentucky. Madam
Speaker, I yield 5 minutes to one of the
members of our subcommittee, and a valued member of our sub-
committee, the gentleman from Texas
(Mr. CULBERSON).

Mr. CULBERSON. I want to thank
Chairman PRICE.

The members of our subcommittee
have a good personal working relation-
ship. One of the things I enjoy most
about this wonderful committee on ap-
propriations is that there are no real partisan divisions between us. We
always work together for the good of the
country. We have always worked to-
gether without regard to our party
label. And this subcommittee, in par-
ticular, is one that has worked well to-
be elected. And as a result, the result
from a very severe terrorist threat that we
know we all face since 9/11.

I want to thank the chairman and our
ranking member for the support on the
conflictive to our Border Patrol; for Immigration and
Customs Enforcement funding; for Op-
eration Stone Garden, a very successful
program that allows cooperation be-
 tween local law enforcement agencies
on the border and our border patrol.
That program has been a great success.

My good friends Ciro RODRIGUEZ and
Henry Cuellar, we’ve worked together
very successfully in Texas in imple-
menting Stone Garden, as well as a program called
Streamline that the country needs to know is
working very well. If you cross the
Texas border between Lake Amistad and Zapata County, you will be
arrested, you will be prosecuted, you will be
depicted. And as a result, the crime
rate has dropped by over 70 percent in
Del Rio. We’ve seen a 60 percent drop in
the crime rate in the Laredo sector.
The local community, which is 96 per-
cent Hispanic, loves this program.

What is the benefit? Don’t like their
streets safer? As a result of simply using existing law and a little addi-
tional resources and using the good
judgment, the good sense and the good
hearts of uniformed law enforcement
officers on the border, we have secured
the border in Texas, and with the help
of the chairman and the committee
members, we’re working to expand that
up and down the border.

There are many great, good things
about this bill, but one very serious
concern that I have is that Mr. ROGERS
has already expressed is that this bill
puts into law a policy that has never,
in the history of this country, been fol-
lowed, and that is that as soon as the
President issues a plan to Congress for
the disposition of the prisoners in Guanta-
namo, 45 days after the Presi-
dent submits that plan, this bill explic-
tly authorizes the prosecution of
enemy soldiers in U.S. courts.

The security question is one thing,
but the one that really concerns me is
the fact that this bill gives explicit au-
thorization. For the first time in the
history of the country, it allows the
committee to have—pass this legislation as it is, it is, be authorizing
what we now know is going to be the
policy of this President for U.S. sol-
diers, for the first time in history, to
be police officers. Our soldiers in the
field, in addition to trying to protect
themselves and their friends, are going to
have—

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

Mr. ROGERS of Kentucky. I yield the
gentleman another 1 minute.

Mr. CULBERSON. Never before in
our history have American soldiers had
to worry about protecting the chain of
evidence. Never before in history have
American soldiers had to worry about
whether or not they were captured
from Guantanamo rights to enemy soldiers cap-
tured on foreign battlefields. Now, this
bill makes that explicit. In fact, Chair-
man OBÉY’s fact sheet that he has
issued on his Web site says this bill
will allow the transfer of Guantanamo
detainees except for legal proceedings.

Now, anyone standing in a U.S. court
in front of a U.S. judge is given all the
protections of the U.S. Constitution.

Now, that is what concerns me more
than anything else is that we are ex-
plicitly changing—this is a monu-
mental change in American policy. We
cannot and should not burden our sol-
diers in the field with having to worry
about the U.S. constitutional rights of
enemy soldiers.

Do you think Sergeant York read Mi-
anda warnings or was worried about
the constitutional rights of the Ger-
mans that he captured during World
War II? Do you think that the brave
men who landed on Omaha Beach were
worried about the constitutional rights
of the Nazis at Omaha Beach or Nor-
mandy? I mean, this is an extremely
important point that we have to raise,
and we need to make sure that all the
Members of the House are aware of it.

The Speaker pro tempore. The
time of the gentleman has again ex-
pired.

Mr. ROGERS of Kentucky. I yield the
gentleman another 1 minute.

Mr. CULBERSON. In fact, during the
conference committee meeting, my good
friend, the chairman, Mr. PRICE, made
it clear that this is the policy of the
majority that’s going to bring these—
you’ll want to bring these enemy sol-
diers back to the United States to be pros-
icuted in U.S. courts.

That means that these enemy sol-
diers will be clothed in the protection
of the U.S. Constitution. That means that enemy soldiers, these terrorists, can lawyer up at U.S. taxpayer expense. They’re going to be given Miranda warnings. U.S. soldiers are going to have to protect the chain of evidence, just like a police officer on the streets of Long Island or New York, and make sure that the chain of evidence is protected, that all their rights are protected, and that we have to prove beyond a reasonable doubt that these enemy soldiers committed whatever crime is criminal that they’re going to be prosecuted for.

Let me remind the Congress that in 1942 a number of German terrorists landed on the beaches of Long Beach and in Florida. In June of 1942, they were prosecuted in military tribunals—the U.S. Supreme Court ruled that’s the proper way to handle enemy soldiers captured on a foreign battlefield—and they were executed by the end of August 1942.

It is unacceptable to put this burden on U.S. soldiers. It’s a monumental and unacceptable change in American policy. We cannot let enemy soldiers lawyer up at taxpayer expense.

Mr. PRICE of North Carolina. Madam Speaker, I yield 3 minutes to another valued subcommittee colleague, Mr. RUPPERSBERGER of Maryland.

Mr. RUPPERSBERGER asked and was given permission to revise and extend his remarks.

Mr. RUPPERSBERGER. Madam Speaker, I stand in strong support of the Homeland Security Appropriations Conference Report for FY 2010. The security of our Nation is clearly our top priority. And this bill dedicates more money for homeland security when compared to 2009 levels.

Homeland security is not a Democratic or Republican issue. It is USA first—our community, our families, and our country. I want to thank Chairman PRICE and Ranking Member ROGERS, as well as our friends in the Senate, for their bipartisan and bicameral efforts in crafting this conference report. And I’d like to speak about two key issues, two key components in this bill: the Coast Guard and cybersecurity. But before I do that, I have to respond to my friend JOHN CULBERTSON’s comments. I disagree with his comments.

Number 1, as far as prisoners are concerned, there are circumstances that are so dangerous that would hurt our country, I would much rather have us control those prisoners. If we need to bring them to the United States of America to try them, I have more confidence in our court system and our prison system than some of the countries they go back to where they could escape and come back and do harm to our citizens. That’s step one.

The second thing I disagree with my friend about is the issue about Miranda rights in theater. Now, those of us who have been to Iraq and Afghanistan know that that is not the case. It started when a friend of mine—I am on the Intelligence Committee—and another Mr. ROGERS came back and said that he got information that soldiers were having to give Miranda warnings to people, to the enemy. That is not the case. We’ve had hearings. I’ve done my own due diligence, and it is not our men and women are required to do. So let’s get the facts straight. Let’s get the politics off the table, and let’s talk about this Homeland Security bill, how it affects and protects our country, our families, and that is very important and relevant.

Now, the Coast Guard. The Coast Guard of the United States of America, since 1790, has been a critical part of our Nation’s defenses. They handle everything from waterways to keep our country safe. I support the $8.8 billion for the Coast Guard included in this legislation. This is more than $275 million above the 2009 level. I am proud to represent the Coast Guard Yard at Curtis Bay in Congress in my district. The yard is in my district near the Port of Baltimore. The men and women of the yard do an excellent job maintaining and repairing the entire Coast Guard fleet.

Now I want to get to the issue of cyber. The second thing, and one of the most important issues that we’re dealing with as far as national security, is cybersecurity. I would support $383 million to address the growing threats to our Nation’s networks. Our Nation’s networks control much of what we do every day. They power our computers and our cell phones. They power the electricity grid, and keep watch on our Nation’s waterways to keep our country safe.

I support the $8.8 billion for the Coast Guard included in this legislation. This is more than $275 million above the 2009 level. I am proud to represent the Coast Guard Yard at Curtis Bay in Congress in my district. The yard is in my district near the Port of Baltimore. The men and women of the yard do an excellent job maintaining and repairing the entire Coast Guard fleet.

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

Mr. PRICE of North Carolina. I yield the gentleman an additional 30 seconds.

Mr. RUPPERSBERGER. Fifty-nine million customers in 150 countries would suddenly be unable to access their accounts, their debit cards or their money, credit cards. It would cripple the economy. Think of what an attack would do to our electrical grid system, our security, our national security.

This threat is real. We must Shore up our defenses. We must ensure that the Federal Government, the private sector, and our citizens beef up our cybersecurity efforts. This funding for cybersecurity will be a step in the right direction.

Mr. ROGERS of Kentucky. I yield such time as he may consume to the very distinguished ranking member of the full Appropriations Committee in the House, Mr. Lewis of California.

Mr. LEWIS of California. Madam Speaker, at the end of the bill, Mr. ROGERS of Kentucky will be presenting a bipartisan and bicameral motion to recommit the issue of detainees at Guantanamo Bay, Cuba. This motion to recommit is very much designed to implement that which was the motion to instruct that so successfully passed the other day. It presents the House bill S 1230, and I presume that the vote will reflect that pattern when we go to the motion to recommit. But first let me thank the gentleman for the time.

Mr. Chairman, in many ways, this conference report represents both the best and the worst of this Chamber’s storied history. On one hand, this conference report typifies the type of work that can result from strong bipartisanism. We are most certainly at our best when our bipartisan members work together in the professional manner that we’ve seen with Chairman PRICE and Ranking Member ROGERS. So I congratulate the two of them for their work.

With this language, Chairman OBEE and the Democratic leadership are trying to establish Congress’ de facto position on Gitmo detainees. And that position, in my view, is regrettable weak as well as flawed. To permit enemy combatants to come to the United States for the purpose of prosecution is a misguided and is potentially a very dangerous decision. Terrorists should not be treated like common criminals in the Federal court. These detainees are enemies of the State, and should be treated as such by being held and brought to justice right where they are: in a very well-established judicial facility at Guantanamo.

Both the House and the Senate have cast clear, bipartisan votes over the last 2 weeks that made it very clear where Members and the American people are on this issue. They do not want these terrorists brought to the United States for any reason. It is regrettable that the Democrat leadership’s flawed position on Guantanamo Bay detainees casts a shadow over what is otherwise a bipartisan, well-crafted conference report that will provide key resources for our security.

I appreciate the very, very good work of Chairman PRICE and Ranking Member ROGERS on this measure, but take considerable exception to Democrat leadership’s insertion on Guantanamo Bay detainees.
Mr. PRICE of North Carolina. Madam Speaker, I would like to yield 2 minutes to one of our hardest working subcommittee members, Mr. FARR of California.

Mr. FARR. Thank you very much, Mr. Chairman, for yielding. I appreciate the opportunity to address the House on the DHS appropriations bill.

I want to just first say at the outset, I am really surprised to hear, kind of shocked to hear, that they are taking an appropriations bill and trying to make it into something that it isn’t. We spend every year passing these appropriation bills, pointing out that you cannot legislate on an appropriations bill, you cannot make legal policy; it is about spending the money and the ways to spend that money, not on inventing new law.

This bill does not deal with how you treat prisoners in Guantanamo Bay. We ought to get over it and know that it doesn’t do that. What this bill does do, though, is address a lot of other issues, one of which is very important to this country. They’re talking about how to keep those prisoners out of our jails and out of our prisons. Frankly, there are some States that would love to have the revenue; they know that their court system can handle it. But that’s not the emphasis of this bill because what we really are trying to address is the biggest industry of all in this country, which is tourism.

Tourism relies on a lot of people from a lot of countries coming into this country. Just a few weeks ago, the entire House voted for a travel initiative bill to allow the United States to go out and advertise to get more tourists in here, and there wasn’t one single vote against it. So we do want to attract these people to spend money and come to our country. And we need the facilities when they come in, the facilities to give them visas when they go down to apply for those visas and certainly when they enter.

And one of the great things about this bill is it sets up the Western Travel Initiative, which essentially appropriates money into 46 of the busiest border ports—these could be airports, harbor ports, the kind of ways in which people come into this country from abroad—to facilitate getting them through the security and getting them through the customs and so on. That is a very important investment in the biggest industry in this country with the biggest payoff to our local communities.

So I want to point out some of the real positive things in here. This also allows for a tracking of all these visitors through the status indicator technology.

There are a lot of good things in this bill. I urge a “yes” vote on the appropriation bill. I urge a vote against any motion to recommit.

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

Mr. PRICE of North Carolina. Madam Speaker, I yield myself the remainder of our time.

Madam Speaker, I rise once again to urge support for this bill which fully worked out conference report. And since no debate is permitted on the motion to recommit, I do wish to say a few words about the motion and strongly urge its rejection.

The motion to recommit would derail $42.8 billion in Homeland Security investments, investments in critical efforts to protect the American people from the threat of terrorist attacks and natural disasters, and to secure our borders, ports and skies.

The motion to recommit would reopen the compromises made with the Senate that allowed us to provide $2.5 billion in additional resources for our homeland security efforts.

My colleagues would make no mistake, this motion to recommit will dissolve our conference and kill the bill. Now, that should be reason enough for voting against the motion, but let me talk about the substance of the motion as well. Because I do want to make certain that Members understand what we're dealing with.

The motion to recommit would dismantle the agreement that we on the majority side had with the minority in our 119 terrorism cases in which FBI agents have done this at Bagram and in other situations in order to preserve the quality of some evidence, but there has been no overall policy change.

In fact, the whole issue of Mirandizing terrorists on the field of battle shows a lack of understanding of what "Miranda rights" are. Miranda warnings are given prior to interrogation for the purpose of safeguarding a suspect's rights. It is a protection against a suspect's making self-incriminating statements. They are not a part of arrest or detention procedures. The courts have held that they do not prevent questioning about identity and that they do not apply in cases where public safety is threatened, such as on the field of battle or at the site of a terrorist attack. We don't interrogate on the field of battle. It's a red herring.

By the way, we're also not reaching the question of the future of military tribunals, but the ranking member's motion to recommit would very definitely shut off access to U.S. courts. We need to ask ourselves whether that is something we want to do in cases where that may be the most appropriate venue for prosecution.

My colleague seems to think that the President was in the White House, he or she would insist on this, and we need to ask ourselves whether that would be the best way of dealing with their case. I think it's fair to say that no matter what the President would want, we on the majority side had with the minority will have to insist on this, and we need to ask ourselves whether that would be the best way of dealing with their case.

This motion to recommit would guarantee, I'm afraid, no progress in resolving the status of detainees for a year. It goes against the basic American principles of due process and access to a fair trial. It goes against America's basic interests as well, the interest in closing Guantanamo—and that, I remind my colleagues, is an objective articulated by President Bush as well as by President Obama—our interest in closing down Guantanamo and in bringing related cases to an orderly conclusion.

The motion to recommit unreasonably and unwisely exalts these detained individuals above the most savage prisoners in the U.S., saying we just can't handle them, we just can't handle these dangerous people in our court system. This, I would say, emboldens the terrorists, perhaps even helps their recruiting efforts. We have tried, convicted, and punished people who are the worst of the worst in this country repeatedly, and we can do so again.

Similar provisions, Madam Speaker, were rejected by this body just last week in a motion to recommit the Defense authorization bill, and they should be rejected today.

Now, we heard a lot of arguments today about "Mirandizing" prisoners and reading them their rights on the battlefield. That is a red herring, unrelated to this bill. Legal protections are a matter for the courts; they are a matter for procedures on this side of the body. Our conference report does not reach these matters.

We have assurances, as a matter of fact, from General Petraeus that U.S. military forces are not and will not Mirandize detainees. The Department of Justice has said there has been no policy change nor blanket instruction issued for FBI agents to Mirandize detainees overseas. There have been specific cases in which FBI agents have done this at Bagram and in other situations in order to preserve the quality of some evidence, but there has been no overall policy change.

Mr. SMITH of Texas. Madam Speaker, I rise to signify the motions of the Appropriations Committee and on the floor. They're objecting to provisions that they, themselves, endorsed in the Appropriations Committee and on the House floor. They're objecting to our good faith safeguards on the movement of detainees to other countries and to the transparency requirements.

Mr. PRICE of North Carolina. Madam Speaker, I yield back the balance of my time.

We will, in fact, pass this bill today. We worked with our colleagues. We've debated the priorities. We've operated in good faith. We've accommodated interests by Members throughout this body. Now it is time to get on with it, to get past the political games, to get past the "gotcha" motions and motions, and to fund Homeland Security. This body has a responsibility to legislate. Let's get the job done.

Mr. PRICE of North Carolina. Madam Speaker, I urge my colleagues to vote "no" on this motion to recommit and to vote enthusiastically for this conference report.

Mr. SMITH of Texas. Madam Speaker, I plan to support the conference to H.R. 2892; however, I have serious concerns about some of the language in the conference report. Specifically, the conference report directs the Secretary of Homeland Security to "prioritize the identification and removal of aliens convicted of a crime by the severity of that crime."

If an individual is in this country illegally, they should be deported. We shouldn't wait for them to commit a crime before we remove them from the country.

Unfortunately, across the United States, illegal immigrant criminals are being released onto the streets and into our neighborhoods every day instead of being deported. In 2006, the DHS Inspector General found that most of the foreign-born criminal aliens in state and
local jails “are being released into the U.S. at the conclusion of their respective sentences due to the lack of [DHS] resources.”

In January 2007, 22-year-old Nashville, Tennessee, resident Joycelyn Gardner was killed by illegal immigrant Victor Benitez who was driving drunk, ran a red light and hit Gardner. Ms. Gardner was a student at Tennessee State University and planned to go to law school after graduation. Benitez had prior convictions for burglary, public intoxication, and resisting arrest. Are burglary, public intoxication, and resisting arrest convictions considered severe enough to warrant deportation under this conference report? Had Benitez been detected by immigration authorities before committing even his first few crimes, wouldn’t it have been better to deport him based solely on his immigration violations then?

American taxpayers deserve to be protected. They deserve to have those of us in Congress do everything possible to prevent them from becoming victims. And they deserve to have the laws of the United States followed by the enforcement wing of our government.

This misguided prioritization is not the only concern I have with the conference report to H.R. 2892.

The Senate bill provisions that made E-Verify permanent allowed employers to use it to check the work eligibility of current employees, required over 700 miles of pedestrian fencing along the southwest border and prevented funding from being used to rescind the “no-match” rule should have been retained in the conference report.

And some of the reports required by the conference report could be attempts to slow implementation of REAL ID and the deportation of illegal immigrants. Yet another report should have required a validation of the success of use of Alternatives to Detention prior to nationwide use of such alternatives.

So I am troubled by several provisions of the bill. However I appreciate the inclusion of the 3-year extensions of the E-Verify, religious worker visa, EB-5 Investor Visa Regional Centers, J-1 Physicians’ Waiver programs. These are good immigration programs that should be extended.

Mr. CALVERT. Madam Speaker, I would like to thank Chairman PRICE and Ranking Member ROGERS, and their staff, for crafting a very thoughtful Fiscal Year 2010 Homeland Security Appropriations bill. I especially appreciate the recognition of the Air and Marine Operations Center, also known as AMOC, which is located in my congressional district. AMOC has become the foremost aviation-oriented law enforcement and coordination center in the U.S. It plays an integral role in protecting us from attack and from human, drug and gun smuggling across our borders.

However, I was disappointed that the extension of E-Verify was reduced from the Senate language which would have provided for a permanent reauthorization at E-Verify. The House overwhelmingly passed a 5-year reauthorization last year and I think the American people would support a permanent reauthorization of E-Verify.

I would also like to commend Ranking Member ROGERS for his work on language pertaining to the closing of Guantanamo Bay.

While the bill prohibits the release of detainees into the U.S., the report does not go far enough to prevent prisoners from being transferred to or detained on U.S. soil. I maintain that the President must provide a disposition plan which includes a risk assessment for each of the detainees and the danger they pose to the American people as well as to the national security of the United States. The requirement to have the administration report to Congress on these matters is similar to that of my bill, H.R. 1069, which I introduced on February 13 in response to the administration’s January announcement that it would close the detention facility in Guantanamo Bay.

In closing, I reiterate my support for the conference report but with strong reservations about the majority’s actions that have severely restricted amendments and has shut down a once open appropriations process.

Ms. HARMAN. Madam Speaker, eight years after 9/11, there remains a very real, very serious threat of another attack on U.S. soil. The recent series of arrests—in Dallas, Chicago, Denver and New York City—underscores the need for continued resolve. The safety of the American people demands multiple layers of security—from intelligence to local police to the technologies that help us identify potential threats. Our duty as lawmakers is to ensure that all of those pieces are properly in place and constantly reevaluated.

A New York Post report this week highlighted a gaping hole in one of these layers—we still have no system in place to verify whether foreign visitors have left this country. Congress and DHS have known about this hole. In March, Secretary Napolitano joined me on a tour of the nation’s top airport and terror targets: Los Angeles International Airport, part of which is in my Congressional District. We walked through customs to observe the collection of foreign visitors' fingerprints upon entry and I pointed out the absence of an exit program. Secretary Napolitano committed her Department to addressing this issue in a timely fashion.

Work is already underway. DHS just completed a pilot project to test exit systems and will soon release a report on their findings. This bill provides $50 million to put an air exit system in place. It is imperative that DHS do so.

By collecting fingerprints when foreign passengers exit, we can match them with those collected upon entry and cross-check them with a range of databases—from the State Department to the FBI. This isn’t just data for the sake of data. It builds situational awareness and makes it easier for terrorism investigators to connect the “dots.” This kind of capability is a vital tool in the ongoing struggle to prevent the next attack on American soil.

It’s also clear that aviation and law enforcement agencies successfully thwarted recent plots, but that's no guarantee that they'll detect the next plot. A biometric system will provide them with better information that can more quickly identify potential threats. Four of the 9/11 hijackers overstayed their visas. It is exactly this type of thing that exit data will help us detect.

I would also like to thank the Conferees for including a 1-year waiver of the port crossing fee. Since 2005, the SAFE Port Act has provided hundreds of millions of dollars to secure U.S. ports. But tough financial times—and a decline in shipping—have made it difficult for ports to meet the 25 percent cost-sharing requirement. Officials at the Ports of Los Angeles and Long Beach have repeatedly told me just how burdensome the requirement is. It creates a disincentive for ports to apply for grants, without which fund vital efforts to mitigate threats cannot be funded.

Mr. HOLT. Madam Speaker, I rise in support of this bill.

The Department of Homeland Security Appropriations Act for 2010 continues to fund a series of important public safety and community preparedness initiatives. To help us better protect our borders, the bill provides $3.587 billion, $86 million above 2009, to fully support 20,163 Border Patrol agents—which has expanded by 6,000 since 2006. The bill also provides $537.3 million, $73.7 million above 2009, for the US–VISIT program. US–VISIT uses biometrics to track the entry of visitors to the United States. The bill directs that a total of $50 million be used to implement a biometric air exit capability so that we can determine if individuals have overstayed their visas.

Ensuring that 100 percent of air cargo is screened for explosives is essential to our efforts to thwart future terrorist attacks. To that end, the bill provides $122.8 million, including $37.3 million above the President’s request for 50 additional inspectors to ensure compliance with the 100 percent screening mandate set for August 2010 in the 9/11 Act. Regarding rail security, the bill builds on my previous work by providing $300 million to protect critical transit infrastructure, including freight rail, Amtrak and ferry systems in high-threat areas. I remain very concerned that Amtrak in particular has been extremely slow to make the kind of security upgrades that are necessary to make the system less vulnerable to the kinds of attacks that killed so many in Madrid, London, and Mumbai over the last 5 years, and I will continue to press Amtrak officials to quickly implement security improvements for the system.

I am also pleased that some key needs in my district are being met in this bill. The Township of Old Bridge will receive $500,000 to upgrade its emergency communications system, and the City of Trenton will receive $300,000 to help protect its water filtration plant from periodic Delaware River floods. Even as we take measures to protect our communities and critical infrastructure, it's important to remember that the most common calamities that strike our towns come from nature and other sources. We must ensure that our communities are prepared to meet the full range of threats they may face.

I am disappointed that this bill allows the Secretary of Defense to withhold indefinitely from public release photographs of potential detainees abuse by U.S. government personnel. The assumption that the release of the photographs would lead to increased violence against U.S. government personnel (civilian and military) overseas in the Middle East and southwest Asia. I would respectfully submit that our response to this may face. I regret that the conference did not direct the Attorney General to review the photos to determine if any do in fact show evidence of violations of either domestic or international law
with respect to the treatment of detainees. Using one law to shield from disclosure information that might be prosecutable under another law undermines the very foundation of our legal system and sends a clear signal to the world that we will cast aside our obligations under international law if it is politically expedient for us to do so. The best way we can protect our soldiers and civilians working overseas is to show that we will not tolerate the abuse of other human beings in our custody and that we will not hide our complicity in such acts behind politically expedient legal contortions.

Despite this serious flaw in the bill, I will support it and urge my colleagues to do likewise.

Mr. VAN HOLLEN. Madam Speaker, I stand in support of H.R. 2892, the Homeland Security Appropriations Act of 2010. This conference report represents Congress’ commitment to defending the homeland and the national security of our Nation.

State and local emergency managers and first responders are the country’s front line defense in times of crisis. Whenever ordinary Americans find themselves in harm’s way, State and local authorities are often first on the scene. Not only does the bill provide almost $4 billion for grants to assist State and local governments with emergency planning and equipment, the bill provides an additional $3.9 billion in grants for high-risk urban areas like the National Capital region for mass transit security, and fire and rescue programs.

This conference report recognizes State and local governments as full and equal partners in the effort to protect American citizens by helping ensure that they have the tools they need to get the job done.

The bill also provides important support for key elements of the domestic and international transportation, maritime and cybersecurity defense of the country. The bill contains funding to upgrade and maintain airport baggage handling and electronic cargo inspection systems in the Nation’s air and sea ports; the bill helps protect Americans and American ships abroad with food safety in U.S. Coast Guard operations; and the bill includes $397 million in funding for cyber security efforts to protect the nation’s cyber infrastructure against unauthorized access.

Americans turn to first responders and emergency managers for help in a crisis. This bill helps ensure that the resources are there when they are needed. I encourage my colleagues to join me in support of the 2010 Homeland Security Appropriations Act.

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

Mr. ROGERS of Kentucky. Madam Speaker, I am in my current form.

The SPEAKER pro tempore. The gentleman opposes the bill?

Mr. ROGERS of Kentucky. I am its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk reads as follows:

Mr. Rogers of Kentucky moves to recommit the conference report accompanying the bill H.R. 2892 to the committee of conference with instructions to the managers on the part of the House to not agree to any language allowing a detainee held at Guantanamo Bay, Cuba to be brought to the United States for prosecution or incarceration.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 193, nays 224, not voting 15, as follows:

[Roll No. 783]

YEAS—193

Aderholt, Mo.        Abercrombie, Alaska         Sullivan, Fla.
Adler (N.J.)        Ackerman, Calif.         Teague, Tex.
Adler, Mo.          Ackerman, Iowa         Testerman, Texas
Adkins, Tex.        Ackerman, Mich.        Thibodeau, Maine
Adkins, Tex.        Ackerman, N.Y.        Toll, N.Y.
Adkins, Tex.        Ackerman, Ohio         Turner, Ohio
Adkins, Tex.        Ackerman, Wash.        Wamp, Tenn.
Adkins, Tex.        Ackerman, Wis.        Westmoreland, Va.

NAYS—224

Acker, N.Y.         Alquist, Calif.         Williams (SC)
Adams, Del.          Allard, Colo.         Wilson (Ala.)
Adams, Del.          Allard, Colo.         Wyden (Ore.)
Adams, Del.          Allard, Colo.         Young (Fla.)

NOT VOTING—15


ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. There are 2 minutes remaining in this vote.
Mr. BOOZMAN changed his vote from ‘yea’ to ‘nay.’

The vote was taken by electronic device, and there were—yeas 307, nays 0, as follows:

[Roll No. 785]

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

WEBSTER, Piercy, G. K. (ME), Peter, J. \(16^{th}\) District of Columbia, Va., Frederick, Md., and Virginia

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2423, as amended, on which the yeas and nays were ordered.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

So the conference report was agreed to, as above recorded.

The vote was taken by electronic device, and there were—yeas 307, nays 0, as follows:

[Roll No. 796]

The vote was taken by electronic device, and there were—yeas 307, nays 0, as follows:

[Roll No. 797]

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

[Roll No. 787]
The title was amended so as to read: “A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ‘George P. Kazen Federal Building and United States Courthouse’.” A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2442, BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 830 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 830
Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2442) to amend the Reclamation Water and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes.

There was no objection.

The SPEAKER pro tempore. The gentleman from California (Mr. Miller), the gentleman from California (Mrs. Biggs), the gentleman from California (Mr. McNerney), and the gentleman from California (Mr. Vargas) are seated as members of the Committee on Rules, and the Chair recognizes the gentleman from California (Mr. Miller) to yield the customary 30 minutes.

Mr. MILLER of California. Madam Speaker, I am privileged to co-chair the House delegation to the Committee on Natural Resources. The rule makes provisions to hold a House hearing on the bill that I am co-sponsoring, H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

H.R. 2442 would authorize six additional water recycling projects for the Bay Area that would provide 7.2 million gallons of water daily and serve more than 24,000 households. Collectively, these projects will save 2.6 billion gallons of water per year in the region, offering a new water supply of treated wastewater for industrial and irrigation use.

Specifically, the Bay Area Regional Water Recycling Program Expansion Act of 2009 would authorize $38 million in Federal assistance under the Interior Department’s Bureau of Reclamation for the design, planning, and construction of these new water projects. It would also expand the authorization for two existing projects.

H.R. 2442 would stipulate that the Federal share of the cost of the projects not exceed 25 percent of the total cost and bars the Department from funding operation or maintenance of the projects. It is important to note that this legislation has been endorsed by the Association of California Water Agencies, commonly called ACWA, which includes every major agricultural and urban water agency in the State and represents the largest coalition of public water agencies nationwide.

Additionally, the WaterReuse Foundation, which serves more than 180 public water agencies, cities and major engineering and technology firms, has urged that we move expeditiously on the bill. These groups understand that no one wins when these kinds of local projects are held hostage because of the rule. The rule also provides one motion to recommit with or without instructions.

Madam Speaker, I first want to thank Chairman MILLER and Chairman STARK, as well as Representatives M Cejay, RHonda, B McHenry, N Lofgren, N Napolitano, and D Price, for their work on this bill and efforts to address the Bay Area waters’ needs.

I also commend Senators Feinstein and Boxer for introducing identical legislation in the Senate and their leadership on this issue.

As the elected Representative from Sacramento, and as a farmer’s daughter from the Central Valley, I understand that water is critical to our State’s economy and our way of life. After 3 years of drought, pumping restrictions and lost jobs from the valley to the coast, there is no doubt that improving the capability of water recycling will help address these problems and lessen the burden on the bay-delta ecosystem.

While recycling is not the only way to meet the Bay Area and California’s water requirements, it must be part of our comprehensive solution. Effective water use will help keep California’s agricultural water economy strong and the delta healthy, and ensure that the needs of northern California businesses, farmers and residents are not ignored.

Under the Title 16 water recycling program, H.R. 2442, would authorize six additional water recycling projects for the Bay Area that would provide 7.2 million gallons of water daily and serve more than 24,000 households. Collectively, these projects will save 2.6 billion gallons of water per year in the region, offering a new water supply of treated wastewater for industrial and irrigation use.
disputes over the operation of Federal water projects. We all know that there are some serious concerns about the water crisis in California. I was back home in my district over the weekend, Madam Speaker, and home was talking about a water deal trying to be negotiated by the legislature and the Governor.

From local and State levels all the way here to Washington, there are a number of different ideas about how to address our water issues in California. Some of them I prefer more than others, and some of them are preferred more than others by my colleagues on the other side of the aisle.

But one thing is for sure: limiting our State’s water supply by holding up recycling projects like those in this bill will not solve anything. In fact, it will only prolong our collective efforts to seek solutions to California’s water problems.

For these reasons, I strongly support the rule and the underlying legislation, and I urge my colleagues to do the same.

Madam Speaker, again, I want to thank Mr. MILLER and the committee for their work on this bill. I reserve the balance of my time.

Mr. DIAZ-BALART of Florida. I would like to thank my friend, the gentlewoman from California (Ms. MATSUI), for the time. I yield myself such time as I may consume.

Madam Speaker, the House considered, under suspension of the rules, H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. But the bill failed to get the necessary two-thirds to pass.

The reason that bill failed was not because Members objected to the substance of the legislation, but because the majority leadership brought forth the underlying legislation that provides for regional water projects for the San Francisco area for consideration by the House while blocking the House from debating the desperate need for water in another part of California, the San Joaquin Valley.

On numerous occasions, my colleague from California, Mr. DEVIN NUNES, has submitted amendments to the Rules Committee so that those amendments could be debated and voted on by the full House. His amendments would strike down objection of the December 15, 2008, biological opinion issued by the U.S. Fish and Wildlife Service and the June 4, 2009, biological opinion issued by the National Marine Fisheries Service. However, the majority on the Rules Committee routinely blocked consideration of the amendments, twice on the Interior appropriations bill and three times on the Energy and Water appropriations bill.

The reason Mr. NUNES has so steadfastly sought to have the House talking the restriction on those two opinions is that they have diverted water from the San Joaquin Valley, practically turning that area into a dust bowl.

Madam Speaker, why should Congress be concerned with what may look like a simple water issue? The valley is home to a $20 billion crop industry, and the region produces more in agricultural sales than any other State in the country. It can be argued that no agricultural industry is more productive and is, therefore, more important to our Nation’s food security. If we continue to allow the diversion of water from the valley, food prices are going to increase; and we are also going to put our food security, national security in jeopardy.

According to a recent University of California Davis study, the water reductions have led to revenue losses of over $2 billion, and this year will lead to 80,000 jobs lost. The area now has an unemployment rate of about 20 percent. Some of its communities have an unemployment rate of nearly 40 percent.

Today, the majority comes to the floor with a rule that the House will once again consider the Bay Area Regional Water Recycling Program Expansion Act without giving the House the opportunity to consider amendments, including those proposed by Mr. NUNES. That is unfortunate.

It is time that the House be given the opportunity to debate the San Joaquin Valley water issue.

I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I yield 2 minutes to the gentlewoman from California, a member of the Natural Resources Committee, Mrs. NAPOLITANO.

Mrs. NAPOLITANO. Thank you, Ms. MATSUI.

Madam Speaker, I rise today in strong support of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. The bill has received extensive review and bipartisan approval from the Subcommittee on Water and Power and was reported on a bipartisan basis favorably from the Natural Resources Committee.

I listened to my colleague, as I am also a Californian, I listened to my colleague on the other side, Mr. DIAZ-BALART, talk about the billions of dollars. Yes, there is a great need of assistance to the Central Valley, but it’s not all the San Joaquin.

The fact that the dam is wanting to put a million acre foot of water a year and additional storage, but right now you need immediate results and water recycling is one of the tools that you need. H.R. 2442 provides new water to the Bay Area in California. The recycling projects authorized will provide, as Ms. MATSUI pointed out, 2.6 billion gallons of water annually, enough to meet the needs of 24,000 families. Why do we stand against water for other areas? All of us need additional water in California.

Water is life. As we all are very well aware, the drought in California has taken a terrible toll on jobs all over the State, the economy and the environment of the Central Valley in California in particular. At a time when our Nation needs leadership and options to meet our water requirements, H.R. 2442 provides a tool to create more water for the Bay Area and, in the process, reduce the amount of water imported from the Sacramento and delta area.

This bill, and the projects it authorizes, will immediately address California’s water crisis through local action and provide economic relief through local creation. It will immediately address California’s water crisis, as Ms. MATSUI pointed out. However, it does provide a valuable and important tool.

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

Ms. MATSUI. I yield the gentlewoman an additional 30 seconds.

Mrs. NAPOLITANO. It does provide a valuable and important tool to stretch the existing water supply and address the critical water issues of our State. I urge strongly a ‘yes’ vote and encourage all Members to support this legislation. Water for our Nation is critical for all of our citizens and we, as legislative leaders, have to provide for solutions.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 3 minutes to my friend from California (Mr. NUNES).

Mr. NUNES. Thank you, Mr. DIAZ-BALART. I yield my good friend from Florida.

Madam Speaker, this water crisis has been created by the government. This bill that’s on the floor today provides water for San Francisco. I would love for San Francisco to have water.

But in the grand scheme of things, this is a 2-billion gallon project. We are losing 200 billion gallons out to the ocean because we simply won’t let the pumps run at historical levels.

This is a closed rule. It never should have been a closed rule, and we need to find out why is it that the majority keeps closing down these rules.

I think we may be getting close to the answer if we look back at a few things that were said a couple weeks ago at a public event at the Department of Interior. The distinguished chairman, who is the sponsor of the bill, the distinguished chairman of the Education Committee, took credit for what the distinguished chairman had brought forward. So it made me believe, well, maybe there is some coordination going on between the left-wing radicals and the fringe environmental movement, and how is that being coordinated from this body. These are questions that we need to know about.

So the shocking admission of coordination between the Democrats in the
House and radical environmentalists deserve our attention, and I want to ask a few questions that I hope can be answered at some point by some committee in this Congress.

The first is, how much money is going to fringe environmental organizations? Several billion dollars have been paid out to these fringe environmental groups that continue to bring these lawsuits forward, taxpayer dollars funding shutting off water to people.

Another question that needs to be answered: the bureaucrats at the government agencies, such as the National Marine Fisheries Service, are they involved? Have these radical groups been coordinating with the scientists and biologists over at the National Marine Fisheries Service? Because nobody in their right mind would say that these pumps are resulting in the death of killer whales. It is not believable.

Another question we need to figure out is the water czar that the Department has appointed, President Obama has appointed, has been active with these special interests in the past at the highest levels. He has served on their boards, and he has given them money. Are there more people at Interior that are involved with these environmental groups bring these lawsuits to court? And therefore, no amendments would be allowed. Because we need every opportunity to offer amendments and to vote on legislation that will bring water to our farmers, our farmworkers, our farm communities and our valley in the middle of this drought crisis.

My district is ground zero for this crisis. Towns from Mendota to Delano have 35 percent and more unemployment. There is no water, there is no jobs, there is no money for our farms and farmworkers to put food on their tables. Can you imagine what it would be like if you lived in a community where a third or more of your citizens had no jobs?

In the 1990s, I was working with the water districts, farmers, and urban and environmental groups to pass legislation that would help fix California’s broken water system. Unfortunately, we made little progress.

We tried to establish a water ethos that we would all get healthy together again. Clearly, we are not getting healthy in the valley. Our valley agriculture provides half the nation’s fruits and vegetables, and they are withering and dying out. Millions of acre-feet of water have been diverted from the valley, and unfortunately, the fisheries are not improving.

It is incumbent upon this body to come together and help us fix this problem. If we expect to get healthy together, we need a sustainable water supply for every region of California, and for Congressmen CARDOZA, RADANOVICH and myself, that begins with the San Joaquin valley.

Let us start anew. Let us start with leadership focusing on addressing California’s water crisis in the valley and not shying away from this crisis. Congressmen CARDOZA agrees with my statement.

Mr. LINCOLN DIAZ-BALART of Florida, Madam Speaker, yield 3 minutes to my friend from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman for yielding.

You know, I am a native Californian, born in Los Angeles. In fact, I am a fourth-generation Californian. My family was a Gold Rush family in 1849. If you look back in the history of California for those 180 years, it has always been about water, where there is water. Where we could get water in California there are jobs, there is economic activity. Turn those pumps on, and there is prosperity, there is opportunity. When we didn’t bring water to places in California, we didn’t have those things.

So this debate we are having now is not new for our State, but it is important for our State, and I understand why my colleagues from the Bay Area want this recycling program. As has been mentioned, that is not really the issue here.

As my colleague Mr. MILLER and I have discussed, in Orange County, where I come from, we have some of the world’s leading recycling programs. They work, they are effective, and we ought to do more of them in other places. What we want to find out is that there are other places where we need water in California.

Now, I don’t represent the Central Valley, but the Central Valley is the breadbasket of California, arguably of the country. There are jobs disappearing and there are businesses disappearing, and there are farms disappearing, because of a man-made water crisis. It is not because of a drought. It is not because the water is not there. It is because we won’t turn on some pumps 12 months a year to provide the water to those farmers so they can grow food for us and for the world, to create jobs, and to feed Americans and generate export for our economy. This water is provided by those pumps. 25 percent of the water in southern California and the L.A. area also comes from the Sacramento River Delta where those pumps come from.

The travesty of this bill is not what is in it; it is what is not in it. And what could have been in it is the opportunity to turn on those pumps, which have been 12 months a year for over 50 years. It is not like this is a new idea or new environment. It is to get that water for San Francisco, and that is great. But let’s get water for the Central Valley and the farmers in California, and let’s get water for southern California as well. Let’s not just deal with one part of the State. Let’s deal with the whole State.

So, Madam Speaker, I would ask that we reject this rule because of what it doesn’t have. Let’s give the Central Valley a chance. We need jobs. We need economic activity. Turn those pumps on. Turn this rule down.

Ms. MATSUI. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. GEORGE MILLER), the sponsor of this legislation.

Mr. GEORGE MILLER of California, Madam Speaker, yield.

Mr. MILLER. Madam Speaker, I ask for your support of the rule and the underlying legislation, and I want to thank Ms. MATSUI, Ms. SLAUGHTER, and the entire Rules Committee for their support.

Today’s bill responds to a request for assistance from the State of California and local water managers to expand the supply of water in our drought-stricken State. It does no more than that. It is good for our economy. This bill will create thousands of jobs. It will reduce the stress on our public and private fresh water systems. This bill expands the water supply of six Bay Area communities, including my own congressional district.
This bill authorizes additional water recycling through the successful Bureau of Reclamation's title XVI program. Title XVI allows local water managers to treat wastewater and use the clean recycled water for other purposes within their jurisdiction. This bill would call for 7 billion gallons of water per day to California's water supply, enough water to meet the needs of 24,000 households.

My bill is one of a series of water recycling bills that have been approved by the House this year and in recent years to expand the water supply in Republican and Democratic districts alike throughout the West and the Southwest. They have been passed without controversy, without amendment, without debate on the larger California water policy needs.

This year alone the House has passed by voice vote and overwhelming majorities five local water bills the same as this legislation to provide for this recycling. Why has the House done that? Because across the State of California, the water users in that State recognize the extent to which we can recycle and reuse water. We take immediate pressure off of the entire California water system: both the Federal system and the State system.

This is an investment in which there is unanimity that it must be made. When you talk about doing this, you are talking about helping the Central Valley, because you release the pressure. When you do this, you are talking about helping the Delta.

Clearly, the cities in southern California, believe this is important to their future. That is why the cities have put up the money to match the Federal effort. That is why my colleagues from both sides of the aisle have come forward and asked for this legislation. That is why they have been approved overwhelmingly on an unanimous bipartisan basis, because they are critical to the long-term water needs.

You cannot help the Central Valley if you cannot relieve the stress on an over-subscribed system. It is just that fact. The pumps are on. The pumps have been on for months. But what they would suggest you do is, you devastate the San Francisco Bay Area. We have already lost tens of thousands of jobs, retirees, from the stores, gas stations, from the tourist businesses, from the loss of the salmon running from Monterey, the midcoast, all the way up to the Washington border. Those jobs have been impacted.

This is not a good situation. That is why I said I haven’t lost many lawsuits that I have supported. The point was to check your guns at the door and see if we could work together. And this has agreement it has unanimous agreement of the water agencies across the State that this is helpful. This will make a difference. That is why they have supported all these projects.

We can start to work together, water agencies that today are down at the Department of the Interior trying to see if we could get things done that the last administration prohibited the Bureau of Reclamation from doing, such as entering new fish screens within the Delta. That would save 220,000 acre-feet of water. 250,000. Does that sound familiar in the valley?

But the last administration would not let the Bureau of Reclamation take those projects, even though they would be paid for by State funds. That is why I said I haven’t lost many lawsuits that I have supported. The point was to check your guns at the door and see if we could work together. And this has been approved overwhelmingly on a joint bipartisan basis that this is important to the Delta.

The water agencies across the West and the Southwest. They have been passed without controversy, without amendment, without debate on the larger California water policy needs.

We have the potential to do that, and these pieces of legislation are critical. That is why, up until now, the House decided on a joint bipartisan basis that those who do as we can to the Senate and hopefully get action and get these projects underway, because the cities have already put up the money, the engineering is done, the projects are cleared. That is why many think the legislation is needed, to get the stimulus money, because they are ready to go. They have been waiting to go. They have been waiting, in fact in many cases a number of years, because the administration wouldn’t put up the money until the stimulus bill of this year.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my friend from California (Mr. McCARTHY).

Mr. McCARTHY of California. I thank my friend from Florida.

As I listen to my colleague from California, I rise opposed to this rule. You cannot bring water to California when you bring another closed rule to the floor. You cannot bring debate to the floor when you don’t allow amendments.

Madam Speaker, the people of the Central Valley are being crushed with record unemployment from a man-made drought, from 14 percent to over 40 percent. Plain and simple, the majority that runs this House is failing to fix this problem. Jobs are being lost because the pumps were shut off.

At a time of crisis, when there is no excuse for partisanship, some appear to be playing partisan games at the expense of people's livelihoods. Instead of coming together as Republicans, Democrats and Independents, the solution to get the water flowing sits behind post office bills and this bill that would recycle water for use in San Francisco Bay.

I ask this simple question: why are we failing to take up a needed bill to turn the pumps on to get the water flowing again? This is not a liberal, conservative, moderate issue. This is a commonsense issue.

I yield 3 minutes to my friend from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I am here standing in support of Congresswoman NUNES and the California delegation that has spoken against this rule and for water for the Valley. And as I watched this debate unfold here on the floor, something about the depth of the emotion in the voice and in the eyes of DEVIN NUNES told me I needed to go see for myself, Mr. Speaker.

So in late August, I went down to the Fresno area and traveled the valley—most of the valley, not all of the valley—and I looked at 250,000 acres of man-made dust. And I know there are at least 600,000 acres of man-made drought in that Central Valley area, and I went up to San Francisco with a heavy heart. And I can tell you what I saw when I looked at that dust in the valley. I felt like that Indian in the commercial that saw his river full of junk and tires and the tear trickled down his cheek to think that man could do that to man. And they’re watering the lawns in San Francisco while we have a man-made drought and they’re taking out dead trees from orchards in California in the valley.

I also had a couple to look at the swamp Arabs in Iraq, and Saddam Hussein, years ago we’ll know, decided that he didn’t like the politics of the people in the south, the Shias in
the south that lived in that swamp, and so he shut off and diverted the Tigris and Euphrates Rivers and shut off the water and dried out the swamp Arabs in the south. And I visited that area. It was a political decision and a man-made drought for the swamp Arabs in Iraq, and I prove that we sent our American military in to turn on that water and reflood that swamp and give them back the lifeblood of the people in southern Iraq on the delta area there.

Here we have the valley, and this is a battle going on between San Francisco, the urban areas in California, and the most productive area in the world, and we have a man-made drought. We’re watering lawns in San Francisco and diverting more water to San Franciscans, who didn’t look to me like they were very dry, and throwing dust in the face of the hardworking people in the valley.

I can’t believe we can have a man-made tragedy of this magnitude and we’re told, check your guns at the door. Check your guns at the door when our water is dealt, and we have a closed rule that shuts off any debate other than on the rule itself, no amendments allowed, no vote being able to be forced. We can’t shape policy in this Congress if it’s being shaped up there in the hole in the wall.

I want to bring that debate down to the floor. And if you at least have enough courage to ask for an open rule and allow some amendments so the Members of this Congress can weigh in, and allow some amendments so the Members of this Congress can weigh in, and they can have their voice heard. We can turn on the water.

This is not about the minnow you’ll find and other species. It’s about a fight over the water. But a man-made drought, 40,000 acres, 40,000 jobs lost, shut off the water to the swamp Arabs, shut them off to the people down in the Central Valley. It is heartbreaking, Mr. Speaker, and this has got to stop. The voice of the people needs to be heard.

Ms. MATSUI. Mr. Speaker, let me just say that five amendments were submitted to the Rules Committee for this bill. All five were nongermane. Not a single amendment would be allowed on this bill under an open rule. I reserve my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SERRANO). The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifesting of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it’s my pleasure to yield 1 1⁄2 minutes to my friend from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I rise to strongly oppose this rule. As a former member of the Rules Committee, and currently as the ranking member of the House Natural Resources Committee, I want to address several arguments that have been made that try to justify blocking amendments to provide relief to tens of thousands of suffering people suffering an economic disaster in the San Joaquin Valley as a result of a man-made and government-enforced drought.

First, I want to specifically dispel the notion that allowing the House to vote on relief to these suffering communities wasn’t possible because amendments were nongermane. Mr. Speaker, it is entirely within the power of the House Rules Committee to allow debate on any amendment that it wishes and, conversely, to shut down debate on any amendment they do not want to see discussed on the House floor. The Rules Committee does, can, and regularly does, waive the germaneness rule. It simply refused to do so on this matter.

Second, the notion that the American people and the people of the country can’t find and other species. It’s about a man-made drought, Mr. Speaker, and this has got to stop. The voice of the people needs to be heard. We can turn on the water. When the cards are dealt, and we have a closed rule that shuts off any debate on any amendment they do not want to see discussed on the House floor. The Rules Committee does, can, and regularly does, waive the germaneness rule. It simply refused to do so on this matter.

Lastly, to the argument this is a California issue for Californians to resolve, I will note that the votes in the Rules Committee to block the amendments from being heard were by a margin of six “no” and five “yes.” All four Republicans voted to allow the amendment. As did Mr. CARDOZA from California, and a Democrat, but not one single one of Mr. CARDOZA’s Democrat colleagues joined him. We were told this is a California matter, and yet relief for the San Joaquin Valley is denied because of the votes of Democrats on the Rules Committee from New York, Massachusetts, Florida, Maine, and Colorado, who all voted “no” to block discussion and provide relief to the tens of thousands of people suffering in the San Joaquin Valley.

Mr. Speaker, I urge my colleagues to vote “no” on this unfair rule.

Ms. MATSUI. Mr. Speaker, we are in a drought. We are in a drought. That’s a fact. And this legislation will help ensure that future droughts in California will have less of a damaging impact. When water is used more efficiently, we can provide relief like the one we are currently experiencing become less severe because we have built in defense mechanisms.

We know that the drought, and not the Endangered Species Act or House leadership, is the real reason why so many individuals are suffering in California’s Central Valley. In fact, according to Ron Milligan, the U.S. Bureau of Reclamation operations manager for the Central Valley Project, the average water exports prior to 2008 were 5.7 million acre-feet. In 2009, the export fell to 3.6 million acre-feet. Of the 2.1 million acre-foot shortfall, 1.6 million is due to the drought. Only 500,000 of the decreased results are from the delta smelt ruling.

If anything, our colleagues who represent that part of the State should support H.R. 2442 as a means of fighting against the drought. They should also support it as a way to increase the amount of water available statewide for local agencies to access. I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1 1⁄2 minute to my friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I’m pleased that this bill will apparently benefit people in the San Francisco Bay Area with water. As I understand it, I think we have some leadership on the majority side that loves the San Joaquin Valley. This isn’t a case of having your cake and eat it, too. It’s a matter of water for San Francisco and none for the San Joaquin Valley.

Lastly, to the argument this is a California issue for Californians to resolve, I will note that the votes in the Rules Committee to block the amendments from being heard were by a margin of six “no” and five “yes.” All four Republicans voted to allow the amendment. As did Mr. CARDOZA from California, and a Democrat, but not one single one of Mr. CARDOZA’s Democrat colleagues joined him. We were told this is a California matter, and yet relief for the San Joaquin Valley is denied because of the votes of Democrats on the Rules Committee from New York, Massachusetts, Florida, Maine, and Colorado, who all voted “no” to block discussion and provide relief to the tens of thousands of people suffering in the San Joaquin Valley.

The arguments of germaneness and it’s a California only matter are simply excuses being used to try to hide the fact that the Democrat leaders who control this House don’t want to allow a vote on solutions and provide relief to the tens of thousands of people suffering in the San Joaquin Valley.

Mr. Speaker, I urge my colleagues to vote “no” on this unfair rule.
My friend Devin Nunes recruited me over 2 years ago. He had me look at this, and I saw how the smelt were being protected, and that’s fine. But the smelt, the 2-inch minnow, while people are starving, the land is starving, those people are starving, they’re losing their livelihood. When Devin brought this to my attention, it smelt badly back then. It smelt badly a year ago. It’s smelt badly all this year, and now, my friends, it stinks. It’s time to have open rules that allow us to bring water to everyone who needs it.

Ms. Matsui. Mr. Speaker, I just want to say that further investing in water recycling is sound public policy. This bill would allow the Bay Area to reuse water. This legislation would not mandate additional water transfers or adversely affect California’s Central Valley in any way. H.R. 2442 is a proactive step taken by our delegation to address California’s water situation in a positive way.

I’d like to yield 2½ minutes to the gentleman from Oregon [Mr. Blumenauer].

Mr. Blumenauer. I appreciate the gentleman’s courtesy in permitting me to speak on the rule. I was sitting here waiting to speak on the underlying legislation after the rule is passed because I think that it is an important ingredient towards dealing with a serious problem in California that affects us all, but I am compelled to come to the floor to support briefly the rule that is brought before us.

My friend from the other side of the aisle from Texas recently asked, wonders at what point the majority stops blaming the Bush administration. I would hope that at some point the minority looks at a lost decade of Republican stranglehold on reasonable environmental policy, not just for California, but throughout the West, that actually sets us back. We’re playing catch-up now on things that we should have done for years in water infrastructure and water policy.

Second, the notion that somehow we are wasting water because it flows into the delta and on into the Pacific Ocean, I will tell you, my fishermen in the Pacific Northwest don’t think that is a waste. They don’t think the smelt—which is a proxy for a collapsing ecosystem that is posing problems throughout the Pacific Northwest on historic fisheries and speaking to other environmental problems—is not a waste.

I find it amusing to hear some people come to the floor and talk about a man-made, government-made drought. For heaven sakes, look at what’s happening to the water levels; look at the areas there where they don’t even monitor what is happening with ground water. That is government-made control. The California legislature just tied itself into knots unable to advance sensible water policies.

There is a governmental failure all right, a governmental failure that at the Federal Government, the State government, and the local government we haven’t dealt meaningfully with these conflicts. Instead we have treated farmers, fishermen, the environment and salmon fishermen that rely on these sources, we have treated them shabbily. Well, now with the climate change and persistent drought and the fact that some people aren’t going to sit back and take it anymore, it’s coming home to roost.

I hope that there is more spirited and robust discussion about the reality. I hope California gets its act together on a State level.

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

Ms. Matsui. Mr. Speaker, I yield 30 seconds to the gentleman.

Mr. Blumenauer. And I hope that the Federal Government makes up for that lost decade.

We are in a situation now where water is the precious resource for going forward, and what we’re seeing here is a blip on the radar screen that is going to be affecting each and every State across the country. We better stop pretending that the drought is somehow government caused. We need to get our act together, get policies in place, protect the environment, be rational and be fair.

Mr. Lincoln Diaz-Balart of Florida. Mr. Speaker, I yield 2 minutes to my friend from California [Mr. Nunes].

Mr. Nunes. Thank you from Florida.

I just want to make sure that we set the record straight on this salmon fishing issue. A lot of people are probably watching out there and wondering, well, are these salmon fishermen really out of work? The truth is that the salmon fishermen can still fish; they just can’t fish for salmon. Meanwhile, we have been forcing fishermen to fish just can’t fish for salmon. Meanwhile, we have been paying them not to fish; several hundred million dollars in 2008. So where are these salmon fishermen that they cannot fish for salmon. Every other country in the world can fish for salmon, just us.

So not only are we not allowing the salmon fishermen to fish, we are also paying them not to fish; several hundred million dollars we have given the salmon fishermen so that they will not fish for salmon. Meanwhile, we have just been looking at that is because the government—us, this body—and others told the fishermen that they cannot fish for salmon.

Every other country in the world can fish for salmon, just us.

Mr. Speaker, I thank my friend from Florida.

I just want to point out that we are not allowing the salmon fishermen to fish, we are also paying them not to fish; several hundred million dollars we have given the salmon fishermen. Meanwhile, we have just been looking at that is because the government—us, this body—and others told the fishermen that they cannot fish for salmon.

So there is no correlation between these pumps that have run for 50 years and salmon fishermen not fishing, except for this: the government says, salmon fishermen, you can’t fish for salmon. The government also says, keep the pumps shut off so that people in the San Joaquin Valley don’t have any water and can’t grow any crops to provide Americans food. So this whole argument about the poor salmon fishermen is complete fiction.

I would like to know where my colleagues were—some of them who were in this body—in the 1980s when they ran every Portuguese American fisherman out of the San Diego area. There were several thousand mostly Portuguese fishermen, and nobody came to their aid. They fished for tuna. All those jobs were lost to foreign countries. And now all of a sudden we’re worried about the poor salmon fishermen? Bogus, absolutely bogus. Shameful on this body.

Ms. Matsui. Mr. Speaker, I reserve my time.

Mr. Lincoln Diaz-Balart of Florida. Mr. Speaker, with regard to the issue that’s been debated, one thing continues to come to mind: the merits of this issue, this water issue of such importance to people in the San Joaquin Valley in California, have been debated during this rule debate because there is no other option.

The substantive legislation, two amendments that Mr. Nunes came to the Rules Committee and asked to be authorized for debate by the House, have been defeated here and made in order. So there is no other option but during the time when we are debating the rule, the terms of debate for an underlying bill that will subsequently be debated, this is the only time when the American people have seen that some members who know this issue so intimately and feel it, appropriately, so passionately in representation of their constituents, it’s the only opportunity that they have to able to bring out the issue, to educate us. And it’s a shame because the Congress as a whole, the House as a whole, should be able to debate this issue and consider it and decide it.

Mr. Speaker, over the last few months, the American people have written and called many of us and made their opinions known at meetings asking us whether we pledge to read bills before we vote on them. The reason is that many people were outraged when they found out that the majority whomever was forced to vote on a number of sweeping and very expensive bills without giving Members time to understand or even to read the bills.

For example, we were forced to vote on the final so-called stimulus bill and on the omnibus appropriations bill, and on a cap-and-trade bill. I remember that one was presented to us at three in the morning in the Rules Committee, and a few hours after that we had it here on the floor. All those bills passed without Members being able to read them, having time to do so. That’s no way to run the House, and so our constituents are rightfully upset.

You would think that this issue of sufficient time to read legislation should not be controversial. The distinguished Speaker stated, and I quote, “Members should have at least 24 hours before floor consideration,” and yet that has not been the case time after time after time.

So 182 Members have signed a discharge petition at the front desk that...
would require all legislation to be available to Members of Congress for at least 72 hours before the legislation is brought to the House floor for a vote.

The rule before us today is a fair rule that allows us to make a strong Federal case for maintaining California’s economy, water supply, and our environment.

This bill was reported unanimously by the National Resources Committee on September 29. It was voted under suspension on September 30. It was introduced in May. There has been ample time for the minority to review this legislation. Now is the time to act on it.

The Bay Area Regional Water Recycling Program Expansion Act would lessen the limited demand for fresh water by the region and the State. It is critical that we avoid partisan debate and disagreements over water issues and pass this legislation.

Moreover, the House has already expedited similar measures for a bipartisan collection of congressional districts across California. The south Orange County recycling project was passed in June. In Mr. Calvey’s district. The Lake Hodges Surface Water improvements was passed in April in Mr. Bilbray’s district. The Calleguas Municipal Water District recycling initiative was approved in September for Mr. Gallegly. The Magna Water District Reuse proposal in Utah was passed for Mr. Chaffetz’s district. The Hermiston water recycling and reuse project in Oregon was passed for Mr. Walden’s district. And the Tule River Interim Development Act was passed by a vote of 417-3 in July for Mr. Nunes’ district.

Mr. Speaker, it is clear that local water projects typically have bipartisan support here in the House of Representatives. But the Magna Water District Reuse proposal in Utah was passed for Mr. Chaffetz’s district. The Hermiston water recycling and reuse project in Oregon was passed for Mr. Walden’s district. And the Tule River Interim Development Act was passed by a vote of 417-3 in July for Mr. Nunes’ district.

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messrs. childers and goodlatte changed their vote from "yea" to "nay." messrs. tanner and welch changed their vote from "nay" to "yea." so the previous question was ordered. the result of the vote was announced as above recorded. the speaker pro tempore. the question is on the resolution. the question was taken, and the speaker pro tempore announced that the ayes appeared to have it. mr. lincoln diaz-balart of florida, mr. speaker, on that i demand the yeas and nays. the yeas and nays were ordered. the speaker pro tempore. this will be a 5-minute vote. the vote was taken by electronic device, and there were—yeas 221, nays 193, not voting 183, as follows: [roll no. 787]
Ms. McCOllum, Minnesota
Mr. CARNAHAN, Missouri

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees 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. 3183) “An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.”

BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to House Resolution 830, I call up the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 830, the amendment printed in House Report 111–301 is adopted, and the bill, as amended, is considered read.

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

H.R. 2442

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bay Area Regional Water Recycling Program Expansion Act of 2009.”

SEC. 2. PROJECT AUTHORIZATIONS.

(a) In General.—The Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 370 et seq.) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by adding at the end the following:

SEC. 16. CCCSD-CONCORD RECYCLED WATER PROJECT.

(a) Authorization.—The Secretary, in cooperation with the Central Contra Costa Sanitary District, California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

(b) Cost Share.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

(c) Limitation.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

(d) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $1,800,000.

SEC. 16. CENTRAL DUBLIN RECYCLED WATER DISPOSAL AND RETROFIT PROJECT.

(a) Authorization.—The Secretary, in cooperation with the Dublin San Ramon Services District, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.
Mr. HASTINGS of Washington. Mr. Speaker, I rise reluctantly to oppose this bill. I say reluctantly, because I and colleagues on my side of the aisle do support water recycling. We think it’s a valuable tool for providing water to our farmers and communities across America, just as water storage is, Mr. Speaker, a tool for providing water for our communities.

Mr. Speaker, the Democrat sponsor of this legislation, and the manager of this bill, the gentleman from California, has said previously, and is correct, that Republican water recycling bills have passed this House. That’s correct. The question is, then, why is this bill different?

The answer is, Mr. Speaker, is very simple. When there is an economic disaster occurring in the San Joaquin Valley of California, when man-made and government-enforced drought has dried up farm after farm in that valley, with 40,000 workers unemployed, standing in food lines and ignored by the leadership in this House, when solutions to bring water and relief to this area have been blocked and stymied again by the leadership in this House, then a point comes, Mr. Speaker, when Members of this House have to say enough is enough.

The water recycling bill before us benefits the San Francisco Bay Area. The Speaker of the House represents the city of San Francisco, and one of her top deputies, who happens to be the sponsor of this bill, is also from the Bay Area.

This bill provides millions of Federal taxpayer dollars for the Bay Area while tens of thousands of their fellow citizens suffer economic devastation just a few hours south and inland in the San Joaquin Valley.

All that was sought by the two Republican Members from the San Joaquin Valley, with the express support, I might add, of one of their Members from California in the same area on the Rules Committee, was to have a chance, just a chance, to make their case on the House floor and to vote for a solution to this disaster in the San Joaquin Valley.

Mr. Speaker, they didn’t ask that the amendments that they wanted made in order be passed. They just asked for the ability to be heard so they could persuade others to perhaps vote with them. That is all any of us could ask.

Mr. Speaker, that chance has been denied. It has been blocked. Their amendments were deemed nongermane. It has been labeled as irrelevant to the bill before us.

Mr. Speaker, might does not make right when it comes to who controls the House because what the leadership is unwilling to do is potentially provide relief to those that have been hurt by...
Mr. Speaker, it’s on these grounds to Californians suffering from this devastating man-made drought.

And the relief that is being sought, I might add, Mr. Speaker, is not a bail-out. The amendments that were offered simply were a plea, and it was not a plea for stimulus funding or for any money. It was simply for an opportunity to allow the Federal Government to provide for water flow. It has been stated, also, that the Bureau of Reclamation as an important source of new water in California does affect all Americans. If this water recycling bill to benefit the San Joaquin Valley of California, then what of the farmers in the central Washington district that I represent? Hundreds of thousands of acres of farmland are irrigated in my district with water delivered by Federal pumps and from Federal reservoirs. I do not ever want to see the day that a government-enforced drought devastates these communities that I represent.

This isn’t the first instance when Federal policies have threatened to cut off water to tens of thousands of people. Earlier in this decade, the city of Albuquerque, New Mexico, was threatened with the loss of its water supply due to the presence of the silvery minnow. Congress acted rightfully to provide relief to New Mexico when the House and the Senate, in a bipartisan way, voted for a remedy to Albuquerque’s problem. Today, unfortunately, there is no relief to come to the San Joaquin Valley as relief did come to those in Albuquerque.

And the relief that is being sought, I might add, Mr. Speaker, is not a bail-out. The amendments that were offered simply were a plea, and it was not a plea for stimulus funding or for any money. It was simply for an opportunity to allow the Federal Government to provide for water flow. It didn’t cost anything. But yet it was not given an opportunity.

So, Mr. Speaker, if the House is going to provide authorization to spend tens of millions of taxpayer dollars to provide recycled water to the Franciscan Bay Area, then this House should be voting on legislation that brings relief to Californians suffering from this devastating man-made drought.

Mr. Speaker, it’s on these grounds, even though I support the concept of water recycling, it’s on these grounds that I have to stand here and urge a “no” vote on this bill.

I reserve the balance of my time.

Mr. Speaker of California. Mr. Speaker, I yield myself 3 minutes for the purposes of entering into a colloquy with the gentlewoman from California (Mrs. NAPOLITANO), the chairwoman of the Subcommittee on Water and Power.

Madam Chair, I appreciate your support for my legislation for helping to expand California’s water supply. Is it true when the House considered the water recycling bill for Mr. GALLEGELY of California just last month no amendments were sought by the minority and none were included, in his water recycling bill, and that was approved by a voice vote?

Mrs. NAPOLITANO. The gentleman is correct. The water recycling bill for California for Mr. GALLEGELY was approved by a voice vote by the House last month, and no amendments were asked for and none were included.

Mr. GEORGE MILLER of California. Madam Chair, is it also true that so far this year the House has approved five water recycling or water reuse bills for Members of the minority party and that no amendments at that time were sought for any of those five bills, that those five water bills were each approved under suspension of the rules, either by a voice vote or by a substantial majority vote?

Mrs. NAPOLITANO. True, the gentleman is again correct. So far this year the House has approved six water recycling or water reuse bills for Members of the minority party, and no amendments were offered by the minority or the majority to any of those five bills which, by the way, were Mr. ISAACSON’s, Mr. CHAFFETZ, and Mr. DREEF; and they were approved by a voice vote or by substantial majorities.

Mr. GEORGE MILLER of California. I thank the gentlewoman. Madam Chair, if I can pursue further, finally, is it true that when my bill, H.R. 2442, was considered by the Water and Power Subcommittee in the full Natural Resources Committee earlier this year, no amendments were offered by the minority or the majority and the bill was reported out by unanimous consent?

Mrs. NAPOLITANO. True, the gentleman is again correct. H.R. 2442 was approved by unanimous consent, and no amendments were offered by the minority or the majority.

Mr. GEORGE MILLER of California. I thank the gentlewoman for engaging me in this colloquy, and I also want to thank her for her groundbreaking work in bringing water recycling and reusing to the forefront of the consideration by the Bureau of Reclamation as an important source of new water in California and throughout the west and southwestern United States. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California, a former member of the Natural Resources Committee, Mr. CALVEERT.

Mr. CALVEERT. Mr. Speaker, under normal circumstances, the legislation before us would be approved without much attention or controversy. The bill simply authorizes water recycling projects, which I strongly support. However, we are not living under normal circumstances. We are living in the midst of a crisis. The ongoing water crisis in California has created an economic downturn up and down the State. Statewide, the unemployment rate has risen to more than 12 percent. In the Central Valley, regional unemployment has reached 20 percent, with some communities’ unemployment now over 40 percent.

California’s water crisis is the result of water conditions, on top of the federally imposed pumping restrictions that have been placed on our State’s critical water infrastructure. While the water pumping restrictions are undeniably hurting California’s water economy, there is no clear evidence that endangered species are actually benefiting from the measures intended to protect them.

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 man-made drought that is killing jobs in California. So what is the majority of the House doing to address the clear and obvious deficiencies in the Endangered Species Act? The answer is absolutely nothing.

The reality is that the leadership of the House is too afraid to allow an open and free debate on these policies because they know if reasonable people are given a chance, they would overwhelmingly reject failed policies aimed to protect fish and support efforts to give water to people who are struggling just to survive.

There are a number of bills sponsored by Members in the minority that would restore some common sense to our water and environmental policies. Perhaps if the Democratic leadership would allow these bills to come to the floor, legislation like this would be approved without much attention or much controversy.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I yield to my friend from California. Let me tell you why I say that if we would just allow some of these proposals to come to the floor, they would just be approved without any controversy.

I beg to differ. Suspending the Endangered Species Acts, overturning biops, dealing with issues that have been in the works for years to try and balance the equities would be noticed. It’s one of the reasons why the Republicans, when they controlled everything for 6 years, didn’t move anything remotely like that.

The American public, Native Americans, hunters and fishermen, the fisheries industry, they rely on some semblance of reality when we are dealing with water policy. I commend the gentleman for bringing forward something that is a constructive solution that can pass and isn’t going to be tied up in court for years. That’s not going to put people out of work. That’s, in fact, going to create jobs. It’s going to create water. It’s going to reduce the pressure.

Instead, we are hearing our friends from the other side of the aisle ignore...
the very real problems that we are facing today. This is not a man-made government-enforced drought. The water isn’t there. To overturn minimal protections for the environment, for the fisheries in the Pacific Northwest, for people at the end of these rivers is not a solution. We’re going to restore water that isn’t there.

It’s not going to help California that’s tied in knots. Its legislature can’t even deal with meaningful management of its own groundwater. We have a water crisis that is man-made and government created, and that is that we haven’t been serious about the management of water resources.

This is going to get worse because of climate change, global warming, and extreme weather events. We are going to be facing things like this in the Pacific Northwest with the disappearing snow pack, more strain on reservoirs, more conflict between cities and towns in rural areas between wildlife and Native Americans.

We have got to get serious. We have to get serious with legislation like this and being realistic about working together to create a framework for dealing with water. Let’s roll up our sleeves and do that together. In the meantime, let’s not demagog important legislation that will make a difference for water in California now, putting people to work and maybe, just maybe, starting an honest conversation for water in California now, and being realistic about working together to get serious with legislation like this with a nationwide water crisis.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California, the ranking Republican on the Water and Power Subcommittee of the Natural Resources Committee, Mr. McCINTOCK.

Mr. McCINTOCK. I thank the gentleman for yielding.

Mr. McCINTOCK, those who blame the drought for our problems ignore the fact that this is a very mild drought by historical standards. In fact, during much more severe droughts than the one we are currently experiencing, far more water flowed to the Central Valley than it does right now.

I wonder if the proponents would seriously deny that 200 billion gallons of water have been diverted from the Central Valley by these regulations. It’s more affordable that we’re recycling bills to benefit the pampered and privileged communities of San Francisco can sail through the House while 40,000 families have lost their jobs in the San Joaquin Valley because this government has diverted 200 billion gallons of water. In fact, to indulge one of the environmental left’s pet causes, the delta smelt.

But I would like to address some of the basic economics of these recycling bills. A generation ago the principal objection of our water policy was to create abundance. That was an era when vast reservoirs produced a cornucopia of clean and plentiful water on a scale so vast that many communities didn’t bother to meter it. That clean, cheap, and abundant water also made America the breadbasket of the world and the Central Valley of California the breadbasket of that State.

But the majority party has abandoned it. It has replaced it with a very different philosophy that the government’s principal focus should not be to produce abundant water, but rather to ration and recycle water shortages that government has caused. That’s rationing abundance as its primary objective.

The result is increasingly expensive water that now affects our prosperity as a Nation. By its own admission, this administration is no longer analyzing the costs and benefits of projects in the bill now before us. In committee, the administration admitted that it faces a $600 million backlog of 53 water recycling projects like these and still hasn’t bothered to prioritize them, let alone roll up our sleeves and figure out how to pay for them.

This bill provides a 25 percent Federal match for six local water recycling projects in the San Francisco Bay Area. It increases the maximum Federal cost share for two other projects. The total cost to American taxpayers for this bill is $38 million. According to sponsors, it will produce 2.6 billion gallons of water. That comes to about 8,000 acre feet.

Now, let’s do the math here. $38 million for 8,000 acre feet. That comes to $1,500 per acre foot. That’s just the Federal share. The total cost of these projects is four times that amount, or more than $18,000 per acre foot.

Now, let’s compare that to the capital cost of the nearby Oroville Dam. That was roughly $600 million in 1968, due to the inflation adjustment. It’s $3.5 billion in today’s money. That dam produces 3.5 million acre feet of water. In other words, the modern-day inflation-adjusted cost of the Oroville Dam, including its massive power plant, comes to about $1,000 per acre foot. The projects in this bill cost more than $18,000 per acre foot overall, including $4,500 per acre foot directly from the national Treasury, which, in case you haven’t noticed, is empty.

I raised these issues in committee. I did not actively oppose the bill, because the House has yet to set fiscal standards for recycling measures like this one. It needs to.

But I also must agree with Ranking Member HASTINGS and Congressman NUNES and others that it’s a travesty that we should vote for 2.5 billion more gallons of water for San Francisco while taking away 200 billion gallons of water from the Central Valley of California. At the same time that the Central Valley taxpayers are struggling with up to 40 percent unemployment rates, at the same time that all taxpayers are paying higher grocery bills as a result of these heartless water diversions, those same taxpayers are being asked to pay a super-premium subsidy to Bay Area water users, whose Representatives have endorsed this folly.

To add insult to injury, Mr. NUNES is not even allowed to offer amendments to restore water deliveries that would mean jobs for 40,000 unemployed California fishermen, without costing our Treasury a dime.

For all of those reasons I urge my colleagues to oppose this bill. Not only can we do much better; we could not possibly do any worse.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker and Members, this bill is about freeing up 2.5 billion gallons of water per day through recycling, water that would be able to be used throughout the affected areas in California. This reduces water demand for our State, again, 2.5 million gallons a day.

In other words, the modern-day inflation-adjusted cost of the Oroville Dam, including its massive power plant, comes to about $1,000 per acre foot. The projects in this bill cost more than $18,000 per acre foot.

At the same time, the farmers south of the delta have been receiving disaster funds for their water shortages, $95 million over the course of the last 2 years. The biological opinions, the illegal biological opinions that I mentioned, helped kill some 80,000 spawning salmon on the Klamath River and decimated the salmon fishery along the Sacramento River. Those fisheries in the Sacramento River saw their salmon populations go from 800,000 to 66,000 in just 3 short years.

Mr. Speaker and Members, fishing families have been put out of work in my district and up through and into Oregon. They have lost their homes, they have lost their savings, and they have lost their livelihoods. It’s not bogus, and it’s shameful to suggest that it is.

The heart of the issue that’s here today, the opponents of this bill feel very comfortable choosing one business as more superior to another. The opponents’ debate isn’t about solutions but rather——

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

Mr. GEORGE MILLER of California. I yield 30 additional seconds to the gentleman.

Mr. THOMPSON. Suggesting that some hardworking farmers are more important and more worthy than hardworking fishermen. That is wrong.

This bill will ultimately conserve 2.5 million gallons of water per day for
Mr. Speaker, I just want to say that when you talk about a bill that will produce 2.6 billion gallons a year, but you deny bills that provide 200 billion gallons this year for the Central Valley, no longer do you talk of the valley feeding the world; you talk of the valley being dry. You look at the rallies that are being created and you look at the faces in the rallies. They are a microcosm of America, from every walk of life. They come there with one sign, “Turn the Pumps on Act.”

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, California is in the third year of a drought and the farmers are hurting. But this bill actually helps that problem. I come from Silicon Valley, where half of our water comes from the Delta. I have heard the threat from San Francisco mentioned. They don’t get any of their water from the Delta. In fact, they don’t have any projects in this bill. But Silicon Valley gets half its water from the Delta, and the project that will flow to Silicon Valley to reuse the water we have from our groundwater sources are going to free up water for the Delta. It will free up water for the farmers and for the fishermen, and I count that a good thing.

We can get bombastic here, all of us. It hurts us when our constituents are hurt. But it is important to note that this is a solution. This is a solution. Silicon Valley doesn’t have any farmers of it. It really has any are in the third year of no season. Farmers are hurting, fishermen are hurting. But this bill actually helps that problem.

I come from the Central Valley, where unemployment is double digit. Some cities have 40 percent unemployment. But I don’t hear the coloquy from my friends on the other side of the aisle as to talk about bills that have been brought up. I would like to see a colloquy that talked about the bills that have been denied.

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I want to remind my friends on the other side of the aisle when we had the Rules debate from Franklin Delano Roosevelt. He once said, the Nation that destroys its soil, destroys itself.

I want to thank Mr. MILLER for his bill and his effort to address this issue and provide maximum flexibility. I urge my colleagues to vote against the motion to recommit and for the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, may I inquire how much time is left on both sides?

The SPEAKER pro tempore. You have 17 1/2 minutes remaining and the majority has 19 1/2 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from the southern San Joaquin Valley, Mr. MCCARTHY.

Mr. MCCARTHY of California. I thank my dear friend. Mr. Speaker, you talked about and listen to this debate, I have many colleagues on the other side that happen to be in the majority. They not only show it in committee by the number of one on one side and fewer on the other, but they show it when the bills come to the floor.

The idea that the power of the idea would win at the end of the day doesn’t happen here. They go to the Rules Committee and they deny an amendment to even come forward. They do a coloquy on the other side to talk about bills that have been brought up. I would like to see a coloquy that talked about the bills that have been denied.

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I want to remind my friends on the other side of the aisle when we had the Rules debate from Franklin Delano Roosevelt. He once said, the Nation that destroys its soil, destroys itself.

The pumps are off, the pipes are dry. The San Joaquin Valley, Mr. MCCARTHY.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself another 30 seconds.

But we have been denied that. I would just hope that there will be some opportunity later on for us to revisit that and have these potential solutions that were brought forward by my colleagues that live in these areas in a bipartisan way to be debated.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I, too, rise in support of H.R. 2442 and salute my good friend and colleague, Mr. MILLER, on his good work.

This bill will provide, as has been said already, 2.6 billion gallons of water per year to drought-stricken California, adding enough water supply to meet the demands for nearly 25,000 households, and it will also generate, either directly or indirectly, 3,500 jobs.

Mr. Speaker, attacking a water recycling measure that is designed to help all of California is truly counterproductive. The North Coast County Water District, based in Pacifica in my district, is part of a solution. “As we attempt to meet the demand of California continues to experience drought conditions, increased demand for water, and strain on the Delta ecosystem, alternative water supplies like those authorized in H.R. 2442 provide a long-term sustainable solution essential to California’s economy.”

The bottom line is that Republicans and Democrats alike agree that water
Mr. GEORGE MILLER of California.

The leaders in the Bay Area and the surrounding region have used their muscle in the past to actually get by other environmental laws. They destroyed not only the beautiful national park when they needed water, they subsequently exempted their water projects from the South and North Bay Water Quality Act. That is why they built the pipe, so they wouldn’t even have to have a river.

When the Bay Area needed to add to its runway, they exempted environmental laws to build a new airport in the beautiful San Francisco Bay, one of the greatest areas of California. But despite their own record, when folks a mere two hours away are bled dry of water, they have opposed a temporary waiver to allow not 2 billion gallons of water like this does, but 200 billion gallons of water.

I support these water recycling projects, but I oppose this bill because the author of this bill is the leader of the effort to slip billions of gallons of water that would serve the greater San Joaquin Valley, Los Angeles and San Diego. So absent the inclusion of language that will address this government-imposed drought, this bill should be rejected.

Mr. GEORGE MILLER of California.

I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Thank you very much, Mr. Chairman, for yielding.

I have no projects in this bill.

I have no benefit in this bill. I represent some of the greatest agriculture in the United States of America. And guess what? We don’t get a drop of that water from anywhere but the sky that it falls out of and all of the wastewater that we recycle, the largest recycling project in the United States and the world irrigation system.

You know what? You people that live in glass houses shouldn’t throw stones. You took a desert in the San Joaquin Valley, and using taxpayers’ money, you built all these public systems, damming up those rivers—and I’m glad Mr. NUNES is going to support us in tearing down the Hetch Hetchy dam—and dammed up those rivers to get all the water into the canals to take them into a desert. And what happened? It didn’t rain. All of a sudden you’re caught in a drought. So who do you blame? You blame everything. You blame the Democrats. You blame the water. You blame the sky. It didn’t fall out of the sky. But you blame every law that’s out there.

People who live in glass houses shouldn’t throw stones because what are you doing about recycling all the wastewater that you’re creating? You’ve always had that. Our communities have bailed up to the bar. They put their money up. This bill says you can’t use three-quarters of the money before you even come and ask for help from Washington. Frankly, it ought to be the other way around.

Recycling is so important we ought to be doing it in every community in the United States, and the government ought to be at two-thirds help and the community at one-third help.

This bill is a good bill. And don’t think for a second because the State of one State didn’t get enough rain last year that we ought to bury the whole thing trying to get recycled water. Guess what you do when you get that recycled water? You free up potable water that can go to other things. You can solve this problem, but we’ve got to solve it in a multiplicity of ways, and one of the ways to do that is recycling. This bill makes a giant step forward for a lot of communities in northern California.

I would urge an “aye” vote.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Speaker, I want to remind my Democrat colleague on the other side of the aisle that there were two Presidents that were instrumental in building the water projects that turned a desert into the most productive agricultural land in the world. One was named Franklin Roosevelt and the other was named John F. Kennedy. Last time I checked, they were both Democrats. That was back when the Democrats cared about providing jobs to people instead of serving their radical environmental friends in the Bay Area. My, how we’ve gone a long ways in this Democratic Party. It’s sad to see this.

Mr. GEORGE MILLER of California.

I have no further speakers, so I’ll reserve until time to close.

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

Mr. Speaker, I stood up and asked my dear friend from California (Mr. FARR) to yield, and he said he didn’t have time to yield, because I wanted to point out something that he had said and to clarify at least what I think is the interpretation of what he was saying.

He was saying that these water recycling bills are a 25/75 match, and that’s...
what the bill says. There’s no requirement, however, in this bill for those recipients of these Federal dollars to repay these Federal dollars.

On the other hand, I come from central Washington, the Columbia Basin Project of Reclamation was irrigated by Grand Coulee Dam, and while they were built by the Federal Government, it’s true, those monies have to be paid back by those irrigation districts. We don’t get a 25 percent cut out. So I just wanted to point that out. We’re not talking about apples and oranges, no pun intended on that.

So, Mr. Speaker, as I had mentioned earlier, the reason that I reluctantly oppose this bill is because of what it does not do. And of course what it does not do is to provide for an opportunity to address a very, very serious economic problem in the San Joaquin Valley of California.

As I mentioned on the rule, there were 23 Democrats that supported Republicans on this. This would indicate to me, I would hope, that there is growing support for having this addressed in a manner from the floor of the U.S. House of Representatives. I certainly hope that that is the case. And if opposition from me and others is a way to get to that point, I will be very, very proud of that.

But, Mr. Speaker, I have to stand up and reluctantly oppose this bill for the many reasons I said in my previous remarks.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to begin by thanking Chairwoman NAPOLITANO and Chairman RAHALL, the Chair of the full committee, and Chairwoman NAPOLITANO of the Subcommittee on Water and Power, for their support of this legislation for supporting the expansion of water supplies in drought stricken parts of the country.

At the end of the day, after all of the debate, this is legislation to provide for water reuse and recycling. Water reuse and recycling is desperately needed in our State of California. This is a policy that is supported throughout the entire State, including the valley, throughout southern California and northern California. Every part of the State understands the extent to which we can continue to create new supplies of water through reuse and recycling, that the entire State benefits.

Some folks, well, I was here in the drought and it wasn’t this bad. We’ve added almost 16 to 20 million new people to the State of California since the last drought. We didn’t do much about water policy during that time, but we’ve now put together a coalition from people who have battled over the years, Metropolitan Water District, Contra Costa Water District, L.A. County, San Diego County, the Central Valley.

Why are they coming together? Because they recognize how valuable reuse and recycling will be in the State of California going forward to meet the needs of its growing economy, of its diverse economy, of the importance of agriculture, of the importance of bringing new businesses to California, of developing and make sure we have clean water and make sure the technology industries throughout the State. That’s why this bill, this policy speaks.

It speaks to so many areas of the State. It speaks, this policy speaks to Orange County and San Diego County, L.A. County, Contra Costa Water District and Contra Costa County and Santa Clara County and Monterey County and Alameda County and San Joaquin County. Why? Because it’s important that we take the pressure off a system that’s oversubscribed not just in drought years but every year. But we can get by in a normal year. We can’t get by in the third year of the drought.

Now, my colleagues have suggested that somehow this is the bill in which they show their support for water issues. I find it rather interesting in February of last year when we passed the South Orange County Recycled Water plan for Mr. CALVERT there was no discussion of this. There was no suggestion of amendments. There was no suggestion that this was high noon on California water.

When we passed the Lake Hodges Surface Water Improvement Act in April for Mr. BILSHAY, no discussion of amendments set these issues here. They never asked for time. They never asked for amendments. They didn’t ask for a vote. They did it unanimously and by voice vote.

The Magna Water District for Mr. CHAFFETZ in Utah, no suggestion that we should take the Utah bill and battle it out over California water. No suggestion that somehow this is the decision that they chose not to snipe on any Republican bills. They just decided they would snipe on this bill.

But at the end of the day, at the end of this day, this is about the future of our State. It’s about whether or not we can continue to support economic growth, whether or not we can use the technology that’s now available to us to provide for recycling, to provide for reuse of water. This bill alone supplies enough water for 24,000 households.

That’s not counting the legislation that we’ve provided for southern California, for Orange County, for San Diego, for San Bernardino and the projects that are waiting.

This bill was criticized because there’s a $600 million backlog because the last administration would never release any money. We would have loved to have had the attention. We would have loved to have had the attention of the Bush administration’s Secretary of the Interior to help solve this problem. What did she do? What did he do? They let some Under Secretary wander around changing the science, so we lost 8 months, 9 months, we had to go back to redo all of the science because they changed it and they got caught at it. Criminal charges were pending at one point.

So what are we talking about here? The suggestion that somehow this all comes together around this bill is to forget history, to forget the inattention to this problem we’ve dealt with over the last 8 years, and to suggest that somehow that this can all be settled here. What this bill can do is make a major contribution to relieving the urban pressure on the system by creating this reuse and recycling of water.

And that’s what the projects that my colleagues on the other side of the aisle, that’s what they were contributing. This was one piece; we hope it grows. We think it will become more valuable.

It is bipartisan and has been from the very beginning. When I asked for stimulus money to go to recycling, I asked the administration, I said, do it on the
basis of their priorities, do it as they’re standing in line. Some cities have been waiting a long time for this; they may be further along. Just let them come as they come up in line.

The answer is simple: this is about whether or not people want to solve problems. You want to make political points, all well and good; but the circumstances won’t change, the circumstances won’t change across our State.

H.R. 2442 is supported by a number of agencies, municipalities and organizations, including: Association of California Water Agencies, Metropolitan Water District of Southern California, Central Contra Costa Sanitary District, Dublin San Ramon Services District, City of Mountain View, Redwood City, City of Palo Alto, WaterReuse Association, Bay Area Recycled Water Coalition, Delta Diablo Sanitation District, Iron House Sanitary District, City of Petaluma, Santa Clara Valley Water District, North Coast County Water District, and City of San Jose.

October 5, 2009.

Representative GEORGE MILLER, Rayburn House Office Building, Washington, DC.

DEAR Representative Miller: The Association of California Water Agencies (ACWA) is pleased to write in favor of H.R. 2442, legislation to expand the Bay Area Regional Water Recycling Program. As you know, ACWA’s 477 public agency members are collectively responsible for 90 percent of the water delivered in California for residential and agricultural purposes.

Since H.R. 2442 contains local projects with regional as well as national benefits, the legislation meets the criteria established in our blueprint “No Time To Waste: A Blueprint for California Water”. In particular, the projects in H.R. 2442 will allow for a direct response to help mitigate current and devastating drought impacts in California. In this regard, ACWA encourages the House of Representatives to move expeditiously and pass important water recycling project legislation.

As California’s water supply challenges multiply, the state demands your efforts to provide federal resources for local projects to assure water supply reliability. Thank you for sponsoring this legislation.

Sincerely,

TIMOTHY QUINN, Executive Director, Association of California Water Agencies.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, Los Angeles, CA, October 6, 2009.

Hon. GEORGE MILLER, Representative, Washington, DC.

DEAR Representative Miller: The Metropolitan Water District of Southern California is very pleased to support an increase in resources for the Bureau of Reclamation’s local water supply development program under Title XVI, as authorized by Congress. Metropolitan believes that local water supply projects and expansion of the Title XVI grant program are essential. This is especially the case as California continues to aggressively pursue comprehensive policy and infrastructure solutions to address the challenges of chronic drought and restricted water supply conditions throughout the state. The development of new and expanded local water supply projects is key to meeting these critically important water supply issues including projects such as the design, planning and construction of recycled water distribution systems, such as those included in H.R. 2442, which include regional and national benefits. Your continued leadership and efforts on California’s critically important water supply issues are greatly appreciated.

Sincerely,

JEFFREY KIGHTLINGER, General Manager

October 5, 2009.

Congressman GEORGE MILLER, House of Representatives, Washington, DC.

DEAR Congressman Miller: On behalf of the WaterReuse Association, a national association representing more than 180 public water agencies and 375 organizational members dedicated to the advancement of using limited water supplies efficiently and safely, I am writing to express our deep concern over the recent House floor debate on water projects eligible consideration and passage of Title XVI under Title XVI, as authorized by Congress. Local water supply development program for important water recycling projects whose purpose is to enhance the availability of a safe and reliable water supply to local communities, have become ensnared in the ongoing disputes surrounding restoration of the California Bay-Delta. We strongly urge the House of Representatives to move expeditiously and debate and pass pending water recycling project legislation including H.R. 2442. These projects will allow for a direct response to the impacts of the ongoing drought currently being experienced in California and other western states.

We appreciate that the drought has wreaked havoc on the lives of many residents throughout the state. Clearly, the events surrounding the operation of the federal and state water projects in California serve to spotlight the challenges created by the drought impacted by the recent commitment of Secretary of the Interior Salazar to increase efforts to put in place responses that will alleviate the impacts on the Bay Delta. However, we believe that a powerful tool exists to address water scarcity, namely water recycling projects that can create water supply in an environmentally protective and sustainable manner. With a small federal contribution, these projects have demonstrated that they can deliver water and reduce demand on limited water supplies. It is to no one’s advantage to hold hostage the authorization of these kinds of projects because of disputes over the operation of other water projects. Indeed, we believe it only serves to exacerbate the very problem all of us are seeking to re-solve—to reduce the impacts of the drought and provide safe, reliable, and sustainable water supplies to our communities, industries, and agricultural interests.

Again, we are supportive of time-consideration and passage of Title XVI water recycling project authorizations by the House of Representatives.

Sincerely,

G. WADE MILLER, Executive Director, WaterReuse Association.

October 5, 2009.


Hon. GEORGE MILLER, House of Representatives, Washington, DC.

DEAR Congressman Miller: On behalf of the Bay Area Recycled Water Coalition, a partnership of eleven public agencies committed to developing recycled water as a resource and providing drinking water to residents of the counties we serve in the San Francisco Bay area, I’m writing to thank you for introducing H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. As California continues to experience drought conditions, increased demand for water and strains on the Delta, alternative water supplies like those authorized in H.R. 2442 provide a long-term sustainable solution essential to California’s economy. The six additional water recycling projects authorized in H.R. 2442 would provide in excess of 7 million gallons of drought-tolerant water per day. This will result in reduced demand from Bay Area communities on scarce fresh water from the Delta. These projects will also support over 3,500 direct, indirect and induced jobs.

The Bay Area Recycled Water Coalition members remain committed to our proven partnership with the Federal Government to continue to work with you as we develop new water recycling projects for California.

Sincerely,

GARY W. DARLING, General Manager, Delta Diablo Sanitation District.


Congressman GROHR MILLER, House of Representatives, Washington, DC.

DEAR Congressman Miller: On behalf of the City of San José, I am writing to thank you for introducing H.R. 2442, your bill authorizing the use of federal funds to support additional water recycling projects in the San Francisco Bay area, and to lend our support for these important programs.

Thank you again for your steadfast support for these important programs.

Sincerely,

JOHN STUFFLEREAN, Director, Environmental Services, City of San José.
Mr. RADANOVIČH. Mr. Speaker, I am opposed to the closed rule and passage of H.R. 2442, the Bay Area Regional Water Recycling Expansion Act of 2009. My opposition to H.R. 2442 is not due to the projects authorized in the legislation—they are meritorious projects, worthy of consideration by this body. However, with the San Francisco Bay area, it is not the only area in California that needs additional water. Only 2 hours away from San Francisco, California’s Central Valley is literally dying of dehydration and yet this Congress has ignored every plea for help from the people of the valley and those of us fortunate enough to represent that region.

The San Joaquin Valley is the fruit-basket of the Nation, producing over half of the fruits and vegetables consumed in America. Ninety-nine percent of all almonds and walnuts are produced in the Central Valley, while over 90 percent of tomatoes, pistachios, plums and strawberries are produced in the State of California. However, without water for the farmers the whole Nation suffers. Without California’s agriculture production, there is a significant national security risk—we would be forced to import foreign produce that does not meet the same quality and food safety standards that California produce does.

Because of radical environmentalists and the actions of Federal agencies based on unreliable scientific data, the San Joaquin Valley is now suffering from a man-made drought. Hundreds of thousands of acre feet of water that was formerly delivered to the farmers in the Central Valley are being sent to the ocean in an attempt to protect a 3-inch minnow the Delta Smelt. Ironically, while the restrictions on pumping are doing nothing to stop the declining numbers of Delta Smelt, they are significantly contributing to the declining number of farmers and jobs in the San Joaquin Valley. Farmers must come before fish.

I offered two amendments to this bill which would have assured that the urgent needs of the San Joaquin Valley are met, through the Two Gates project in the delta and temporarily waiving the Endangered Species Act to increase water deliveries for storage in the San Franciso Bay area while denying projects that would not cost any taxpayer dollars and would benefit the distressed San Joaquin Valley.

Mr. Speaker, for these reasons I oppose both the rule and the passage of H.R. 2442 and urge my colleagues to join me.

Mr. CARDOZA. Mr. Speaker, I rise today in strong opposition to this rule. We have heard a lot of debate this year about California’s water crisis. We are suffering from our third year of drought, and the situation has been compounded with a “regulatory drought” that has restricted our ability to deliver water even when it is available. Over 40,000 people are out of work, and over 500,000 acres of some of the world’s most productive farmland have been fallowed, farmers are now standing in food lines, people are losing their homes, and more importantly people are losing their hope, all because of a lack of water.

The Federal Government is in part responsible for the regulatory drought, and it is time for the Federal Government to take action to address this crisis.

I support this underlying bill, Mr. Speaker. But quite frankly, I am completely fed up with the actions of Federal agencies based on unreliable and questionable science, the San Joaquin Valley is now suffering from a man-made drought. Hundreds of thousands of acre feet of water that was formerly delivered to the farmers in the Central Valley are being sent to the ocean in an attempt to protect a 3-inch minnow, the Delta Smelt. Ironically, while the restrictions on pumping are doing nothing to stop the declining numbers of Delta Smelt, they are significantly contributing to the declining number of farmers and jobs in the San Joaquin Valley. Farmers must come before fish.

Time and time again during this Congress my valley colleagues and I have offered bills and amendments to address the government created drought in the San Joaquin Valley and time and time again we have been denied the courtesy of a simple legislative hearing, let alone a markup or vote. After so many attempts to save California agriculture, I am left with no alternative but to believe that the Democrat leadership of this Congress, under direction from environmentalists, is bent on destroying the largest economic engine in California.

There has always been a lot of talk about special interests controlling policy decisions in Congress, and I would be remiss not to say that the elite environmental community is one of the largest and currently most influential special interests around. They have worked very hard and spent a lot of money to ensure that a 3-inch fish has more rights than the farmers and farm workers in my district. To me, and any American with an ounce of common sense, that action is absolutely unconscionable, but apparently not to the majority of Congress.

The water crisis in California must be addressed in a holistic manner and while I am more than happy to work with my colleagues on the other side of the aisle to work on long term solutions to California’s aged water infrastructure system, the people of the valley need help now. Therefore, I am opposing this bill because it contains $39 million worth of projects that benefit the San Francisco Bay area while denying projects that would not cost any taxpayer dollars and would benefit the distressed San Joaquin Valley. The water crisis in California must be addressed in a holistic manner and while I am more than happy to work with my colleagues on the other side of the aisle to work on long term solutions to California’s aged water infrastructure system, the people of the valley need help now. Therefore, I am opposing this bill because it contains $39 million worth of projects that benefit the San Francisco Bay area while denying projects that would not cost any taxpayer dollars and would benefit the distressed San Joaquin Valley.

Mr. Speaker, for these reasons I oppose both the rule and the passage of H.R. 2442 and urge my colleagues to join me.
Finally, this legislation is endorsed by many local government and water management organizations, including the Association of California Water Agencies, WaterReuse Association, Metropolitan Water District of Southern California, Central Contra Costa Sanitary District, Dublin-San Ramon Services District, City of Mountain View, Redwood City, and the City of Palo Alto.

In conclusion, Mr. Speaker, I support this bill because it will create badly needed jobs while replenishing clean water supplies. This legislation is another example of how the new majority is enacting the promise to chart a new direction for our Nation. I want to thank Chairman MILLER again for his leadership in crafting this extraordinary legislation that has my full support.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 2442. I yield the remainder of my time.

Mr. GEORGE MILLER of California. I urge all of my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired. Pursuant to House Resolution 830, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. All time for debate has expired. Pursuant to clause 7 of rule XVI, the previous question is ordered on the bill, as amended.

The question is on the motion to recommit H.R. 2442 to the Committee on Natural Resources.

The Clerk will report the motion to recommit at the desk.

Does any other Member wish to be heard on the point of order?

The SPEAKER pro tempore. The motion to recommit I have is pretty simple. In fact, what we have before us is legislation that is identical to legislation that this Congress passed in 2003 with overwhelming bipartisan support, so I would hope that you would make it germane.

The SPEAKER pro tempore. Are there any other Members that wish to speak?

Mr. GEORGE MILLER of California. Mr. Speaker, I insist upon my point of order. That action by the previous Congress does not make it germane to this legislation.

The SPEAKER pro tempore. The gentleman from California (Mr. GEORGE MILLER) makes a point of order.

Mr. Speaker, I appeal to the ruling of the Chair.

The point of order is sustained.

The question is, Shall the decision of the Chair stand as the judgment of the House?

The point of order is sustained.

Mr. NUNES. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table. The question was taken; and the yeas and nays were ordered. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of the bill, if arising without further proceedings in recommitting.

The vote was taken by electronic device, and there were—yeas 237, nays 176, not voting 19, as follows:

Mr. NUNES. Mr. Speaker, I move to table the appeal of the ruling of the Chair.
October 15, 2009

CONGRESSIONAL RECORD—HOUSE

BOREN, GRIFFITH, CHILDERS, BROUN OF GEORGIA, and GINGREY OF GEORGIA changed their vote from “yea” to “nay.”

Mrs. NAPOLITANO, Messrs. BERRY, SCHAUER and GRIJALVA, Ms. SPEIER, and Mr. KUCINICH changed their vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

Stated against:
Mr. FLEMING. Mr. Speaker, on rollcall No. 788, had I been present, I would have voted “nay.”

Ms. FOXX. Mr. Speaker, on rollcall No. 788, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 241, nays 173, not voting 18, as follows:

[Roll No. 789]

YEA—241

Abscondiacris (MD)
Acker (NC)
Aderhold (GA)
Adriano (NJ)
Adkins (TX)
Adler (NJ)
Ahmed (TX)
Alexander (TN)
Alexander (AL)
Allen (SC)
Allen (GA)
Allred (TX)
Allsbrooks (AL)
Allen (KS)
Allen (WI)
Allen (OK)
Allen (NV)
Allen (AZ)
Allen (CT)
Allen (NE)
Allsbrooks (NM)
Allen (ID)
Allen (ND)
Allen (OH)
Allen (WV)
Allsbrooks (VT)
Allen (VT)
Allen (AZ)
Allen (NH)
Allen (OR)
Allen (OR)
Allen (CO)
Allen (IA)
Allen (MN)
Allen (SD)
Allen (WI)
Allen (WY)
Allen (MD)
Allen (NJ)
Allen (PA)
Allen (UT)
Allen (TX)
Allen (CO)
Allen (CA)
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Allen (MN)
Allen (MT)
Allen (NC)
Allen (VT)
Allen (WI)
Allen (NY)
Allen (WV)
So the bill was passed. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on October 15, 2009, I was unable to cast votes, due to personal reasons. I was not present for rollcall votes 788 and 789. Had I been present, I would have cast a "nay" vote on the motion to recommit H.R. 2442 and I would have voted "yea" on final passage of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

PERSONAL EXPLANATION

Mr. BOYD. Mr. Speaker, due to personal reasons, I was unable to attend to votes this week. Had I been present, my votes would have been as follows: "Yea" on H. Res. 800; "yea" on H.R. 2892; "yea" on final passage of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

LEGISLATIVE PROGRAM

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

Mr. McCARTHY of California. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

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 until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business, and on Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. The complete list of suspension bills, as is the custom, will be announced by the close of business tomorrow.

In addition, we will consider H.R. 3585, the Solar Technology and Roadmap Act of 2010, sponsored by Gabrielle Giffords, and H.R. 3619, the Coast Guard Authorization Act of 2010. In addition, we may consider Senate amendments to the House unemployment extension legislation, assuming that the Senate approves it.

Mr. McCARTHY of California. Reclaiming my time, I thank the majority leader for that information. And knowing from time to time we do this, in watching the colloquy that you do with our whip, Mr. CANTOR, I know last week you told him not to expect the health care bill on the floor until the last week in October at the earliest.

Do you still think this is the case, the last week of October?

Mr. HOYER. I certainly think it’s the case. I tell you to expect it before the last week in October.

As I’ve indicated in the past, we intend to give 72 hours’ notice of having the bill posted for the public and for Members prior to bringing it to the floor. We are still working to bring that bill to a point where CBO can give us a final score. We believe CBO is going to take probably a week to maybe a little longer than a week. So it certainly won’t be before the last week in October, and it may well be the first week in November.

Mr. McCARTHY of California. I thank the gentleman.

I just want to make sure I heard correctly. You will wait until the bill is scored and you will allow 72 hours for the public to also be able to view and read the bill; is that correct?

Mr. HOYER. We will wait 72 hours after the bill is posted. Now, I don’t think I said that that necessity will be after the scoring. But essentially, we don’t think we’re going to post the bill until the scoring. If, however, for some reason there was something of a delay in scoring but we had the majority leader voted the bill, the 72 hours will run from the posting of the bill.

In addition, Mr. McCARTHY, what I indicated last week, and we still will hold to, if there is a manager’s amendment, we will also assure that there is 72 hours from the posting of the manager’s amendment. Now, if the manager’s amendment and the bill are posted at the same time, obviously that would be the same. On the other hand, the manager’s amendment is posted a day or so later, then the 72 hours would run from the posting of the manager’s amendment.

It is our intent to make sure that everybody has 72 hours to review whatever legislation and/or amendments will be considered on the floor.

Mr. McCARTHY of California. I thank the gentleman for that.

The only thing I would follow up to that is, asking, knowing some of the behavior on some of the other bills and some of the concerns that people had of when they were posted—some posted at 3 o’clock in the morning when the Rules Committee filed when it came to Energy and Commerce and the cap-and-trade bill—when you count the 72 hours, would this be like business hours? Like, if it’s late into the night, can we wait until the morning so people will have the ability to start the clock?

I yield to the gentleman.

Mr. HOYER. We’re not going to do 72 business hours. We’re going to do 72 hours. We’re going to have the full 3 days if people want to read the bill. If they want to read it at night, they can do that. If they want to read it on Saturday or Sunday, they can do that.

But it was a good try.

Mr. McCARTHY of California. I’ll just ask the gentleman, knowing the size that this bill will be, one, to make sure you have a number two, the amount that the American public has been engaged in this process from the town hall meetings that many people have had and the knowledge of what they have in going forward and knowing the changes that have been talked about; but three, not from a Republican side or Democrat side, but truly, when I sat and listened to the town hall meetings, one of the frustrations that people think process is wrong—is the transparency. And I applaud you for telling us the 72 hours. I would just ask the majority to be cognizant of what happens if you start the clock at 5 o’clock on Monday. I hear you start the clock at 3 o’clock in the morning. The public has a real concern about that, and we would as well.

Mr. HOYER. Will the gentleman yield?

Mr. McCARTHY of California. Gladly.

Mr. HOYER. I appreciate what the gentleman has said; however, the gentleman, I am sure understands, the overwhelming majority of this bill will have been on the Web site since July.

The overwhelming majority of this bill, it’s going to be a new bill and will have a new number. This bill has probably been the most transparent, reviewed bill in the 29 years that I have been in the House of Representatives, I will tell my friend. As you know, we’ve been working between the House and the Senate. I’ve had discussions with Mr. CANTOR and others on your side. We haven’t reached any agreement, as the gentleman knows. I’m sorry about that. But I want to say in all honesty, I can’t remember a bill in my 29 years in the House of Representatives that has had more review, more discussion, more people involved in town meetings around this country, more discussion in the media, and has been longer on the Internet for review from beginning to end than this particular piece of legislation.

So I think when we talk about transparency, this bill has probably been the most transparently considered bill that I have been involved in in my tenure here.

I thank the gentleman for yielding.

Mr. McCARTHY of California. I thank the gentleman.

I do agree with the gentleman that the public has been very aware of this bill. The gentleman is saying that the majority of this bill is going to be the same as H.R. 3200, but you may change the number, and knowing that the public has—

Mr. HOYER. Will the gentleman yield?

Mr. McCARTHY of California. I yield.

Mr. HOYER. I want to be accurate, and I want to characterize it as I did characterize it. Clearly, many of the proposals that came out of the Ways and Means Committee, the Energy and Commerce, Education and Labor Committee will be very much alike, or similar to what will be in the bill that is put together.
from those three committees. I think that would not come as a surprise to anybody.

Will there be, as we put these together, some changes perhaps from what was in the original three bills? There may be. My point was, and I think it is valid, is that the overwhelming majority of the proposals that would ultimately end up either in the Senate or the House bill have been available to the public for a long period of time. The HELP bill out of the Health, Education, Labor and Pension Committee of the Senate, or in the Senate Finance Committee, of course, has been a shorter time because they have just completed their work. But it is certainly not going to be H.R. 3200; it will be an amalgam, and it will have incorporated many of the additional thoughts and comments that we’ve received from the public during the month of August, September and franklin signed.

I thank the gentleman for yielding.

Mr. McCARTHY of California. I thank the gentleman.

The gentleman talks about the three committees, Ways and Means, the Energy and Commerce and the Education and Labor, and that bill that they took up was 3200. And you say there might be some other debate. Just to remind the gentleman, that bill didn’t take effect, the actions within health care, until 2014, but the taxes and the Medicare cuts took effect next year. So I just want to stress the point that we have 72 hours in making sure, in business as usual, that people can see it.

The gentleman says it is going to change, and you have public out there, and the public has knowledge of H.R. 3200, that they can be able to see whatever changes. So very cognizant of not being someone running the clock late at night while people are sleeping, I understand time difference. I come from California. But the most open transparency we could would really be one that would bring respect back to this House.

I thank the gentleman for talking about that.

I do have another thing I would like to talk to the gentleman about. You always hear rumors. That’s what’s nice to have this colloquy, to try to make sure we get them, if they are right or if they are wrong. I have heard rumors during the week of a plan to attach that D.C. voting bill that we all know about, the Department of Defense appropriation conference report. That would be of concern to me because it would be showing a propensity to use our men and women in uniform to carry controversial legislation, much like a debate we had last week. So my question is, do you think this conference report to come to the floor?

And the second part would be, will it include the D.C. voting bill as rumored?

I yield to the gentleman.

Mr. HOYER. I can’t tell you when it will come to the floor. As you know, the Senate just passed it recently, the latter part of last week or the beginning of this week, I think, and we have not appointed conference. So I can’t give you the answer, really, to either question, because we don’t have conference appointed as it relates to the D.C. bill, as you know.

We have talked about the Defense bill. We have an Armed Forces. The Armed Forces is dedicated to the defense of freedom and the preservation of democracy. We have lost over 4,500 troops in Baghdad, we can elect members of their parliament today because our young men and women, and some not so young, fought, and too many died so that the people of Baghdad could elect a voting member of their parliament.

It is somewhat ironic that in the symbol of democracy around the world, that our fellow citizens, some 600,000 of them, don’t have a voting representative in their parliament, the House of Representatives, people’s House. I think that’s an egregious undermining of the principles for which our men and women fight, for which we stand and to which we have pledged support of our Constitution. Now whether or not that will be included in this bill, it is about democracy. It is about participation. It is about respect.

I will tell my friend, I don’t know whether that’s going to be. I’ve heard some discussion about that myself. But whether it will I will tell my friend that I will continue to fight as hard as I can to try to figure out how I can bring that bill to the floor, get it to a vote, and give the people of the District of Columbia, our fellow citizens, the right to vote as the citizens in Baghdad can do, the citizens in Moscow can do, the citizens in every free country in the world except the United States of America, can do. I think that’s a blot on our democracy. I would hope that we would erase that blot as soon as we can in any way that we can.

I yield back to the gentleman and thank him for yielding.

Mr. McCARTHY of California. I thank the gentleman for his passion and the answer, but should I take it that that is still a possibility, then?

Mr. HOYER. Most things are possible.

Mr. McCARTHY of California. One thing I would offer to the gentleman, that I believe I am speaking, when you talked about the troops, I will never question your passion for the troops. I haven’t been in this House long. This is my third year. When I come into this building, I still get goose bumps just knowing what that philosophical difference. I think they are constructive. I think debates are constructive. But the one thing I firmly believe, when we talk about the Department of Defense, when we talk about the fact that we have men and women in harm’s way, we should never play politics with it.

I will make this pledge to you. When you talk Department of Defense and you talk about funding supplementals and others, I won’t come here as a Republican, I will come here as an American. And the more ability that we have to not put anything within that, I would guarantee you, you would have a much greater ability to work together to make sure our men and women have whatever they need to carry out whatever mission.

Mr. HOYER. Will my friend yield?

Mr. McCARTHY of California. Gladly.

Mr. HOYER. I appreciate that representation. I pose a question to my friend.

Would he help me bring the District of Columbia bill to the floor as a clean bill on the question of whether the citizens of the District of Columbia’s representative ought to be able to vote as every one of us can on this floor?

Mr. McCARTHY of California. If the gentleman from across the way in the majority would ever let me have the gavel, I would guarantee you, I could bring a lot of bills to the floor.

Mr. HOYER. That was not an answer to my question. Because I do not suggest to you, it was a serious question.

The reason the hate crime bill was on the armed services bill, which it shouldn’t have been, was because we couldn’t get 60 votes to bring it up on the floor. Notwithstanding the fact that the majority of the Senate and the majority of the House supported that bill.

The gentleman talks, very persuasively, my view. But bringing up bills in the proper order. The problem is, very frankly, we don’t have the Interior bill this week and we don’t have some other bills because frankly we can’t get 60 votes to consider them on the floor of the United States Senate. I think that is lamentable. It’s also unfortunate.

Mr. McCARTHY of California. I would add to the gentleman, I know you know numbers. You got elected as majority leader. You have more than 218. There’s 178 on this side. You have the power I never had when we were here to schedule this floor at any time. You have the power to schedule this floor. You have the power to move forward. When I asked you about at the very beginning as we talk about our troops, let’s make sure we have a very clean bill is the desire on this side of the aisle.

Mr. HOYER. Again, if you will yield, what I was responding to is your observation about a clean bill. My response was, would the gentleman work with me to perhaps get both of our sides to vote on a rule that provides for a clean consideration of whether or not the representative of 600,000 of our fellow citizens who live in the capital of the United States of America, the symbol of democracy throughout the world, but who do not have a voting representative, would my friend help me use the power I have to do this.

With all that power you think I have and with the gavel that you think we have, we haven’t been able to do that.
Would you help me do that?

Mr. MCCARTHY of California. To the gentleman, I will always help you work because you explain to me each and every day, and you show us each and every day from the committee to the bill, I took up today on the floor when it came to this floor. You have the power of the Rules Committee. If you can guarantee me that it’s an open rule when it comes to the floor and has open debate, the idea that the Founding Fathers, the idea that the dome of this building, the second time, when did they start building it? During the Civil War, not even knowing if this country would come together. But the idea that the power of this floor, that the idea would be able to work.

Mr. HOYER. Do you know who helped build this dome? Slaves. We thought that was wrong.

Mr. MCCARTHY of California. The only person who could actually put the very top together was a slave, because we bought the French, and they wanted more money to put the directions together. A slave sat inside and put that monument together. And that’s what this body was built on.

I yield to the gentleman.

Mr. MCCARTHY of California. I want an open rule. Is that unfair? We just talked about transparency, sir?

Mr. HOYER. I’m talking about the Defense bill and your concern about D.C. vote being added to the Defense bill. My retort to you, because you wanted the Defense bill clean to deal just with the subject matter of defense. That’s as I took your question. My response to you was, I think that’s a good point.

Would you help me, then, do the same for the D.C. bill, which also stands for democracy, clean, not obstruction of which are obviously very controversial, which are not consistent with considering simply the very simple, straightforward question, do the 600,000 citizens of the District of Columbia, American citizens, our neighbors, have the right as our citizens have, of having us have a vote that counts on the floor of the House of Representatives? That’s all I was responding to.

Mr. MCCARTHY of California. And I was telling you, I will be more than glad to help you as long as it is a clean bill, that you have an open rule, the way the American public believes this floor is supposed to be run, that people could have power of the idea, could actually raise an issue and raise a debate. I thank the gentleman for the colloquy. But the one thing I would like to lead in with is the last couple of questions. This week the House overwhelmingly voted for the BARNIE FRANK-authored Iran Sanctions Enabling Act, which you put out a press release about the strong message to Tehran that unless it abides by its international norms, its economic isolation will continue. On the same day we passed the Frank bill, news reports from Moscow indicated that Russia has no stomach for further sanctions against Iran.

Given your praise for the Frank bill and the fact that Russia feels unwilling to go along with new sanctions, is it your intention not to consider Chairman HOWARD BERMAN’s Iran sanctions bill this year?

Mr. HOYER. I expect to consider it. The chairman has announced that he expects to consider that, not next week but the week after. I have told the chairman, as I told Mr. CANTOR last week, that I expect to bring it to the floor shortly after it’s passed out of committee.

Mr. MCCARTHY of California. So should I assume by the end of October, or am I missing something?

Mr. HOYER. He says not next week but the week after. And whenever he reassures me I put it out shortly thereafter. So it could either be the last of October or the very first few days of November. So in 2 or 3 weeks at the outside.

Mr. MCCARTHY of California. Let me make sure I hear you correctly. The committee says, the chairman, it will pass out within the next 2 weeks approximately. And your pledge to the committee chairman was to bring it to the floor directly afterwards within that week?

I yield.

Mr. MCCARTHY of California. I don’t know whether I made a pledge. I am very much for this. I am a cosponsor of that. I want to pass it as soon as possible.

It’s been the chairman’s judgment as to when to bring it up. He is going to bring it up, and I am going to bring it as soon thereafter as is practical, which I suspect to be a matter of days. But if he passes it on Thursday and if we are not scheduled to be here on Friday, I don’t know that I will schedule the Friday. If it should be Tuesday, but I expect to pass it very shortly after it passes out of committee.

Mr. MCCARTHY of California. I will make this pledge: I know you asked me for help. I will help you with this bill, too.

Mr. HOYER. This bill, frankly, with all due respect, your help would be nice, but not needed. It’s the other bill I need your help on.

Mr. MCCARTHY of California. Well, I thought that I would put that offer out there to you. When you bring it, I will be there to help you.

I thank the gentleman for his time.

HOUR OF MEETING ON TOMORROW

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; and, further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, October 20, 2009, for morning-hour debate.

The SPEAKER pro tempore (Mr. KRATOVIL). Is there objection to the request of the gentleman from Maryland? There was no objection.

HANDS ON MIAMI’S MIAMI DAY

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the outstanding organization, Hands on Miami, for continuing to make south Florida a better place.

Hands on Miami is a unique community service organization created in 1993 that offers opportunities for all to become involved. This year, Hands on Miami will host Miami Day in conjunction with Miami-Dade College on November 7.

Since 1995, Hands on Miami has brought together residents from all over to improve our neighborhoods. It started with 800 volunteers and is now awarded 6000 volunteers than 30% partnered with United Way, schools and businesses. Ten years ago, Hands on Miami began the innovative Family Volunteer Program to encourage families to participate together in community service events.

As a wife and a mother, I know what a positive impact this effort can have by instilling the values of service at a young age. Let’s all sign up for Hands on Miami on Saturday, November 7.

IMPROVE HEALTH CARE AFFORDABILITY, ACCESS, QUALITY AND CHOICE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, we must improve health care affordability, access, quality and choice. We must not, however, pass a sweeping government takeover of health care.

We should just fix what is broken. Medical liability and defensive medicine costs are broken.

Mr. Speaker, we need tort reform. The economic and professional consequences of medical liability lawsuits are driving the practice of defensive medicine.

Here are the facts: medical liability premiums in the United States have reached $25 billion a year. The average award is $4.7 million. More than 95 percent of Pennsylvania physicians reported engaging in defensive medicine. I have cosponsored H.R. 3400, the Empowering Patients First Act, that provides tort reform. There will be no limit to actual economic damages to the patient. There would be a limitation on punitive damages, and they would be determined by a special health care panel that would have judges with health care expertise.

I urge my colleagues to support H.R. 3400 for a first step towards real health care reform.
RECOGNIZING THE MINNESOTA NATIONAL GUARD HONOR GUARD TEAM ON THEIR VICTORY

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

Mr. PAULSEN. Mr. Speaker, I rise today to recognize the Minnesota National Guard Honor Guard team for their victory at the Army’s recent National Guard Honor Guard competition in Fort Myer, Virginia.

The competition featured eight of the most elite honor guard teams from around the country, testing their knowledge, testing their abilities and performing military funeral honors, uniform items and other aspects of military honors. Properly honoring the men and women who have given their lives and service to the United States demands the utmost commitment, attention to detail, and training.

The Minnesota National Guard holds that trust in the highest regard, and their victory in this competition is a testimony to that fact. But as we offer our congratulations to the Minnesota honor guard team, let us also remember those who have given their lives in the name of the United States of America and continue today to recognize those that also work and serve to protect our country each and every day.

WE CAN’T BORROW, TAX, AND SPEND TO PROSPERITY

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

Mr. WILSON of South Carolina. Mr. Speaker, more Americans are looking for jobs, families are in crisis and facing the tragedy of foreclosure.

Yet, in Washington, Democrats continue to push their out-of-touch agenda, which will eliminate jobs and tax families and small businesses. Under the Democrat national energy tax, prices will skyrocket to heat and cool homes, drive cars and shop for food.

Under the Democrat Big Government health care takeover, senior citizens are under attack. Families and small businesses will pay more taxes as they are forced to navigate a sea of new regulations and mandates from a health czar.

In the meantime, Democrats are scheming new ways to borrow taxpayer dollars to top this year’s record $1.4 trillion deficit. Such actions will only increase the catastrophe of high unemployment.

We need to end this attack on senior citizens and small businesses. Both parties should work helping our small businesses get families back to work.

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

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.

U.N. HUMAN RIGHTS COUNCIL ONCE AGAIN POISED TO UNJUSTLY CONDEMN ISRAEL

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

Ms. FOXX. Mr. Speaker, this week the U.N. Human Rights Council is considering a highly biased and one-sided report on Israel’s defense against the attacks of Hamas this past January.

The council, which has been frequently discredited by its coddling of real human rights violators, is back to its favorite pastime, condemning the nation itself. I find it infuriating and insulting that these firms continue to reward incompetence and egregious risk-taking with taxpayer money. They have not only received billions in direct Federal bailouts to avert crises largely of their own making, but they also benefited from an array of Federal fiscal policies that have placed increased burdens on taxpayers and our deficit.

These companies must be held accountable for their decisions and for the Federal assistance that only too gladly accepted. That’s why I supported legislation to block these bonuses and to ensure that taxpayers receive a full refund. I will continue to press my colleagues and the administration to ensure that as Wall Street again enjoys profitability, American taxpayers also see some reward.

I want to commend Chairman FRANK and the Financial Services Committee for their hard work on the financial regulatory overhaul that is so critically needed in our country to prevent another crisis from happening. I anxiously look forward to seeing this legislation come to the floor very soon. It’s clear that our financial system demands commonsense regulation, increased transparency, and improved oversight.

Wall Street CEOs cannot run their businesses assuming that the fruits of success will be entirely theirs to enjoy while the cost of failure will be shared, will be the shared responsibility of the American people. Wall Street’s compensation plans can no longer benefit top executives at the expense of their companies, shareholders and employees, and ultimately the American taxpayer.

After all this country has been through, when we have an unemployment rate of 9.8 percent nationally, and especially when 12.8 percent of Rhode Islanders are unemployed, seeing that Wall Street has not learned its lesson is a tremendous disappointment. We have to take action now so that we don’t go down this road again.

AIG’S EXECUTIVE BONUSES

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

Mr. LANGEVIN. Mr. Speaker, I rise today to express my deep outrage over AIG’s plans to give $198 million in bonuses to their employees next March, especially after paying out $165 million in bonuses earlier this year. Meanwhile, Goldman Sachs is on track to provide a record payout to its executives by the end of 2009 and other firms will undoubtedly follow suit.

Let’s stop the games and get to the work of the people.

WE CAN’T BORROW, TAX, AND SPEND TO PROSPERITY

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

Mr. GOHMERT. Mr. Speaker, earlier this afternoon we heard the chairman of the Education Committee really fiery and passionate, fusing, looking over at this about Republicans playing politics and how this side over here had been playing politics with the water bill. There is nothing in the water bill. There is nothing in those bills that is about Republicans playing politics and how this side over here had been playing politics with the water bill.

What would be playing politics is when the chairman of the committee finds out that someone opposing the water bill from California has a motion to recognize the University of California, Irvine, for winning the NCAA national championship in men’s volleyball and pulls the bill because he opposes the chairman’s bill. My friends, that’s playing politics, and it is outrageous.

Let’s stop the games and get to the work of the people.

AIG’S EXECUTIVE BONUSES

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

Mr. POE of Texas. Mr. Speaker, I rise today to express my deep outrage over AIG’s plans to give $198 million in bonuses to their employees next March, especially after paying out $165 million in bonuses earlier this year. Meanwhile, Goldman Sachs is on track to provide a record payout to its executives by the end of 2009 and other firms will undoubtedly follow suit.

Let’s stop the games and get to the work of the people.
HAITIAN PEOPLE PURSUE STABLE, PROSPEROUS AND DEMOCRATIC FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. Ros-Lehtinen) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise with my long-standing commitment to assist the Haitian people in their pursuit of a stable, prosperous and democratic future.

During my trip to Haiti, I was reminded of the tremendous challenges facing that nation. The U.N.'s appointment of President Clinton as special envoy to Haiti has helped to keep a much-needed spotlight on Haiti. President Clinton's appointment of Dr. Paul Farmer as the Deputy U.N. Special Envoy for Haiti, adds an invaluable wealth of experience and knowledge to the U.N.'s work in Haiti.

As a founder of Partners in Health and the Institute for Justice & Democracy in Haiti, Dr. Farmer has demonstrated a selfless commitment to the advancement of health and democracy in Haiti for the past 20 years. I have witnessed firsthand Dr. Farmer's dedication to helping improve the lives of those in need.

He has strong south Florida ties. I am proud to call him a friend, along with our mutual friend, Jennie Block, who has also worked so hard on issues of concern to the Haitian community.

I understand that the conference on the Haiti Development Bank in Haiti went quite well. I was pleased to see that the United Nations voted unanimously this week to extend the authorization for the U.N. Mission in Haiti for another year.

I would also like to take a moment to express my condolences to the families of those who lost their lives in last weekend's plane crash during a U.N. mission. The U.N. mission in Haiti has helped to play an important role in bringing security and stability to some of the most dangerous neighborhoods in Haiti. I continue to support its mission and the many men and women from around the world who work to carry it out.

However, it seems that Haiti just can't get to the next step. From assistance to debt relief, from trade benefits to hurricane recovery, U.S. policy toward Haiti has run the gamut, but it is not achieving the long-term goals that we had hoped for for the Haitian people and that the Haitian people want for themselves and their nation.

I am pleased to know that our State Department is taking a closer look at some of the challenges we are facing in Haiti. Last week, Secretary Clinton's chief of staff and her point person on Haiti briefed Members on some of the initial findings of this review.

I am confident that this review will help us to better understand how U.S. assistance to Haiti can be better targeted and supportive of Haiti's own plans and goals; how assistance within the donor community can be better coordinated; how the U.S. can better engage the Haitian Diaspora in our assistance efforts; and, finally, how the U.S. can finally make our assistance sustainable so that outside efforts can ultimately be transferred into the hands of the Haitian government and its people.

It is crucial that the efforts made by the U.S., the U.N. and others are effectively coordinated to ensure maximum efficiency and effectiveness for the people of Haiti. Innovative microcredit and microenterprise programs would help to empower individuals, create self-reliance and create sustainability at the grassroots level. We should also look at the very small-scale renewable energy programs for impoverished rural villages and settlements that are not served by electric grids.

One of the immediate ways we can help the people of Haiti would be to encourage the administration to support the Haitians currently living in the U.S. Granting TPS to Haitians is the missing piece of a successful U.S. approach to supporting the people of Haiti in the short and long term. I will continue to work with my colleagues to encourage the administration to take this important step.

In addition, I will continue to support Haiti's inclusion in security initiatives, such as the Merida Initiative, to expand the arms of the U.S. military to support the Haitians and the U.S. effort against the narco traffickers.

Success in Haiti is in the U.S. national security interest, and we must work together to help address the many challenges we face and that our Caribbean neighbor faces day in and day out.

Pursuit of Affordable Health Care for All Americans

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

Mr. WEINER. Mr. Speaker, it is my pleasure again to come to the floor to talk about the issue that is capturing all of the national attention and a lot of attention of this body, and that is our pursuit of affordable health care for all Americans.

There has been a lot of discussion about this so-called public option, this choice people would have when they are searching for insurance when they don't have it, the idea being that if you have a public alternative, an option that doesn't rely on profits, that doesn't rely on high overhead, that consumers would have a chance to choose it if they don't have insurance through their own employers.

Now, it is interesting, because just this week we got an enormous boost, those of us who care about having a public option in the final bill, and it came from, of all places, the health insurance lobby. In a rare moment of candor, in a rare moment of telling us exactly what it is that they are going to do, they have told us something that should come as no surprise to anyone that has health insurance. They said they are going to keep raising rates.

So the idea that we are thumping their chest and saying they are going to keep doing it is not a surprise. But the fact that they were so honest about making it very clear that we need competition for the health insurance companies is refreshing.

They have made it crystal clear. The private insurance companies have said, you know what? If you don't have competition for us, rates are going to keep going up.

The public option, by the way, is not a mysterious thing. A lot of my colleagues here in the House of Representatives have it. Yes, they have Medicare. And I checked. Not a single one of them that is eligible for the government public plan we have today has it. No. Maybe it is because they are like the country, that says, you know what? Ninety-six percent of people say they like Medicare. They like the care they get. It only has 3.5 percent overhead, not the 30 percent overhead and profits that private insurance companies get.

They like it, but they don't want you to have it. They don't want you to have the plan that they have. So many Members of Congress who are saying, no, you can't have it if you are 55 or 56. It is only for us.

Well, that is not exactly true. It is for every single American who turns 65. It is a government-funded, single-payer, government-administered health care plan that every year we do a survey about, and 96 percent of people who are on Medicare say they like it.

You can do the following test: Knock on the door or go to a neighbor or stop someone at the diner who looks like they are 55. Ask them, would you like it if tomorrow you got Medicare? Watch their face light up. They would love it.

Now, we are not proposing that. The President is not proposing that. I know I would like to have a program like Medicare for all Americans. All that is being proposed in the public option is that people who don't have insurance through their work, people that don't have insurance through Medicare or Medicaid, that relatively small group of people, the 10 percent or so of the country, that when they go out and
shop for insurance with the subsidies we are going to give them, one of the options is not the insurance companies that said in this report they are going to raise rates 111 percent. That is it. That is what the big boogeyman is all about.

Let me show you this chart here to give you a sense for how unfrightening that concept would be. This is the $2.6 trillion of money we spend every year on health care. $2.6 trillion. I ask my colleagues, do you think we can do a little better for $2.6 trillion? We are getting such a great bargain?

Well, let’s take a look at this. These boxes here, Medicare, Medicaid, DOD, Veterans Affairs and Department of Health Services, are all single-payer, government-funded, government-administered health care plans. And every day I hear my Republican friends thumping their chest, you gotta protect Medicare.

Oh, yeah? But you don’t want to extend it to the rest of the country. Why is that? What is the big fear? The fear is, they are in a wholly owned subsidiary of this group right here. This is the private insurance companies, the ones that wrote this report that says that rates are going to go up 111 percent.

Now, in this $854 billion, do you know how much of that is profits and overhead? Take a guess. Up to 30 percent. And what some of us are saying is, if you want to cut into health care, maybe it is a place to start. Can you do it with about 3.5 percent overhead. That is the public option, and my colleagues don’t want them to have what we can do a little better for $2.6 trillion.

And what some of us are saying is, if you want to build a new economy, and the public option, you can do it with about 3.5 percent overhead. That is the public option, and my colleagues don’t want them to have what we can do a little better for $2.6 trillion. We are getting such a great bargain?

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

Ms. WATSON. Mr. Speaker, Hollywood has lost another star with the passing of Paul Burke at the age of 83. Paul Burke was best known for the role he played of Colonel Joe Gallaher in the TV series “Twelve O’Clock High.” He was also known for winning two Emmy nominations for his role as Detective Adam Flint on the critically acclaimed New York cop drama “The Naked City.”

Paul was born on July 21st, 1926, in New Orleans, son of prizefighter Martin Burke, who became a promoter and nightclub owner. While growing up, Burke’s family owned the popular French Quarter nightclub and restaurant Marty Burke’s.

After moving to Hollywood as a young man in the late 1940s, Burke studied acting at the Pasadena Playhouse for 2 years. Movie director Lloyd Bacon, a friend of Burke’s father, got him his first role, an unaccredited bit part in the Betty Grable musical “Call Me Mister.”

In addition to his wife of 30 years, Burke is survived by his three children from his first marriage, Paula Burke-Lopez, Paul Brian Burke, and Dina Burke-Shawkat; six grandchildren; and two great-grandchildren.

The Hollywood community, his family, friends and colleagues will miss him and his contributions to the entertainment industry.

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

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

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

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

CONGRATULATING THE NEW YORK YANKEES ON THEIR VICTORY OVER THE MINNESOTA TWINS

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

Mr. ELLISON. Mr. Speaker, as the proud Representative who represents the district of the Minnesota Twins, I made an arrangement with my good friend J.D. Serrano about the outcome of the Minnesota Twins-Yankees series, and on October 11th, the New York Yankees defeated my beloved Minnesota Twins in the American League Division Series.

Before I begin, I made the agreement with Representative Serrano with full expectation that the Twins would prevail. But that didn’t happen. So keeping my word, I just want to come to, quote-unquote, sing the praises of the Yankees. And, let me tell you, it is not going to be easy.

Ten times the Yankees and the Twins met this year, and ten times the Yankees were victorious. They were undoubtedly the better ball club this year, and I am sure that in the coming weeks, Joe Girardi will fulfill the promise he made when he picked his uniform number to bring the 27th championship to the Bronx.

Good luck to the Yankees. Congratulations. Your victory is further testimony to why you are the most storied baseball franchise in Major League Baseball.

HONORING THE LIFE AND SERVICE OF SERGEANT MICKEY HUTCHENS

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

Ms. FOXX. Mr. Speaker, it is with great sadness that I rise to remember the life and service of Sergeant Mickey Hutchens, a Winston-Salem officer who passed away on Monday surrounded by friends and family at Wake Forest Baptist Medical Center.

Sergeant Hutchens is a North Carolina hero. He gave his life protecting the public from a dangerous criminal. Sergeant Hutchens was shot last week while pursuing an armed criminal in Winston-Salem. With his passing, the Winston-Salem community grieves the loss of one of its finest.

He faithfully served on the police force for 27 years, putting his life on the line each day that he showed up for work. We owe him and his family a deep debt of gratitude for the ultimate sacrifice that Sergeant Hutchens made for the public safety.

Police officers and public safety workers like him are the key to safe communities that are often taken for granted. Great tragedies, like Sergeant Hutchens’ death, serve to remind us of the heroic work done each day by officers like him.

Sergeant Hutchens was more than just a faithful public servant. He was well-known as a man of impeccable character who was committed to maintaining his integrity at all costs. He was just the type of person you would want wearing the uniform of a police officer.

He lived a life dedicated not to just keeping his community safe, but also to his family and his church. He was a loving and dedicated father of two daughters, Jill and Leah, and a faithful, loving husband to his wife Beth. He was often found serving in his role as a deacon at Forbush Baptist Church.

Sergeant Hutchens left a noble legacy in his community. He lived to serve and protect others. His life is a true inspiration, and I pray that his death reminds us of the bravery and sacrifice of those keeping our streets safe each day.

Today, his family, friends and colleagues are in my thoughts and prayers.
The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO SERGEANT JOSHUA M. HARDT

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

Mr. MCLINTOCK. Mr. Speaker, I rise today to pay tribute to U.S. Army Sergeant Joshua M. Hardt of Applegate, California. He’s one of the fallen heroes of the Battle of Kamdesh, that remote outpost that was besieged and surrounded — and hopelessly outnumbered by more than 300 Taliban insurgents on October 3.

No soldiers in the history of our Nation have fought more valiantly or bravely than the defenders of Combat Outpost Keating on that day. In the end, they held their ground, they defended their flag and the honor of their country. But most importantly, they defended something that can never be abandoned as long as humanity exists. They defended against wrong, good against evil, freedom against tyranny in its most stark and defining form.

During the terrible winter of 1776, Thomas Paine, having watched many brave young men like Josh Hardt fall in defense of these same eternal truths, offered these words to try to make some sense of it. He said, “Heaven knows how to put a proper price upon its goods; and it would be strange indeed if so celestial an article as freedom should not be highly rated.”

Joshua Hardt knew that, and his family knew that. Through her tears, his mother told a local newspaper, “He was a very giving son. He went into the Army wanting to make a difference . . . wanting us to be safe . . . He expressed his desire to do more, to take more action, and to make a difference. He didn’t know a better way than to go into the military and to fight for every single person.”

And that’s exactly what he did. He fought for his Nation, he fought for his Nation’s values, and he fought for the freedom of a people half a world away. And he paid for heaven’s most expensive celestial article with his life, not for himself but for all of us.

I attended a Gold Star dinner recently, and I admitted to one of the hosts that I still don’t know what to say to the families. She said, well, just ask them about their sons.

So let me tell you a little bit about Josh Hardt. He was 24 years old. He’s...
remembered at Placer High School as an extraordinary athlete. He did his school so proud on the football field that they retired his helmet when he graduated. He was one of those big, halking kids who stand up for who’s being picked on.

I spoke with his wife and with his mother today and they both told me exactly the same thing: that he was first and foremost a family man, willing to do anything for his family and for his friends and for his country.

He joined the Army just 3 years ago. He’d already risen to the rank of sergeant and carried a chest of ribbons, including the Bronze Star. Perhaps the most eloquent testimonies to his service are the remembrances from younger soldiers that he’d taken under his wing to help. In fact, that was his next assignment, to come back to the States and help his returning comrades.

His football coach, Mark Sabins, remembered seeing him back home last year after the first tour of duty in Iraq and told us he expected him to be marrying a remarkable young lady, Olivia, and how energized he was about his work in the Army and his plans for a family and how he looked forward to a full and promising life ahead.

Instead, Joshua Hardt will return home tomorrow for the last time. His family and friends will come to mourn him and to honor him and to remember him. His community will hold him up as an example of all that is heroic and virtuous. His Nation will record his name onto its most hallowed rolls that he never be forgotten.

Centuries from now, flags will be placed on his grave every year as future generations gather to consider the cost of their freedom. And perhaps in Kamdeh, Afghanistan, they will gather around a monument where Outpost Keating once stood and give thanks for the men who paid everything to purchase for them so celestial an article as freedom.

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

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

SUPPORTING 287(g)

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

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

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

(Mr. WESTMORELAND 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 Tennessee (Mr. WAMP) is recognized for 5 minutes.

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

THE PROGRESSIVE CAUCUS

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

Mr. ELLISON. Mr. Speaker, my name is KEITH ELLISON, and I’m a Congressman from the State of Minnesota, and I’m honored to claim this Special Order, this 1 hour, for the Progressive Caucus to talk about the values of Progressive ideals, the values associated with a progressive America in which people are included and which we believe in valuing people, where we believe in civil rights, care for the Earth and creation, where we care about living in a world in which middle class people, working people, the hard-working people of America and the world can have a prosperous life and where people can do well.

The Progressive Caucus, designed and approved and combined together to signal to the American people that in Congress there is a body of Members of the Congress who are willing to stand up for the values that have made America greater than any other, values such as freedom, such as the weekend, such as work and safety laws, such as worker’s compensation, such as Social Security.

These are all progressive steps forward, such as civil rights, women’s rights, gay rights, such as the respect for all religious groups and religious tolerance in our country.

Recently, Mr. Speaker, our focus has been on health care because health care is such an essential component of what it means to be a class American trying to put food on the table for your family. Health care, if we can correct health care, the disparities in health care, the cost increases in health care, if we can correct health care in the years in the future, we can overcome the disparity of class. And then in the middle class, we can improve the quality of life for all Americans and thereby enact a piece of legislation that is on the order of the 1964 Civil Rights Act, the 1965 Voting Rights Act, the passage of the Medicare bill, which helps millions of seniors all around our country live a life of quality, and ended seniors who lived a life of poverty and of insecurity.

This bill, which is right within our grasp at this time, we are so happy to be able to step forward. And I just want to let you know, Mr. Speaker, that it’s an honor to be joined by such a courageous Congressperson as Congresswoman DIANE WATSON from the great State of California, who for years and years has been sticking up for progressive values, never backing down, always there for the American middle class and working class people.

And I am going to talk a little health care tonight. I am going to yield to the gentlelady to make a couple of introductory remarks, and then maybe she and I can have a little colloquy as we move on in the evening.

I yield to the gentlelady from California, DIANE WATSON.

Ms. WATSON. I thank you very much, Congressman ELLISON, for yielding to me. You are doing a marvelous job. I watch you every evening as you take the mic on the floor of the House to explain to the general public what a benefit health care reform is to all Americans.

And I want to say that we speak to all Americans and we say to them, we are presenting to you a reform of health care as you have known it in the past. Because in my own State of California, if you have insurance, your fees are going to go up someplace between $1,800 for a family of four annually. People are going without coverage because they cannot afford it.
We had an assembly outside of Blessed Sacrament in Hollywood several weeks ago, and there was a man who came up with a heavy Spanish accent. And he said, I am an American, I work four jobs. My 2-year-old daughter got sick. I could not even afford health insurance. I had to take her to the emergency room. I do hope that our House bill, H.R. 3200, will be recognized as a way to help reform health care because what we want to do is bring you to your own community accessible health care. We want it affordable; we want it affordable to cover preexisting conditions; and we want to say to you, if you get sick and you can’t work—and that’s happening very frequently with H1N1, people are getting sick, they have no sick leave, and it could really bankrupt most families. And so we say to you, even if you don’t have a job, you will be covered.

We are now justickering around the edges of a reform. We are going to get one now because it’s the right thing to do. Ms. WATSON, I am so glad that you are bringing information to the people every evening.

I want to say that I know in my own district there are a lot of people who cannot afford health care, but this one family in particular. And if we don’t reform health care, a lot of people will have to endure weeks of illness and eventually death. I’d like to bring to your attention the death of Marybell Bakewell, who was born on April 10, 1926 and died October 7, 2009 in Los Angeles. Her son is Danny J. Bakewell, who is now Chair of the Black Publishers Association. Mr. Bakewell, who lives in the southern California area, could pay for health care, but he could not save his own mother. Mrs. Bakewell, and she suffered a massive stroke from which she never recovered.

Marybell was a native of New Orleans and lived there 79 years of her 84 years of life. She finally left her beloved city after it was completely devastated by Hurricane Katrina. While living in New Orleans, she was a life member of St. Peter Claver Catholic Church, as well as a member of the Sisters of the Holy Family.

Mrs. Bakewell belonged to one of four generations of women and family who attended St. Mary’s Catholic School. Her grandmother, Mary Winier; her mother, Camille Brazile; Marybell Bakewell and her daughter, Pamela Bakewell, all were graduates of this esteemed institution of higher learning dating back to the turn of the century. Mrs. Bakewell was a diehard New Orleans Saints fan who loved to play cards and board games, especially with her main road warrior, Brenda Marsh-Mitchell.

Marybell Bakewell is survived by her two children, Danny J. Bakewell, Sr. and Pamela Bakewell, both prominent in Los Angeles civic affairs; her daughter-in-law, Aline Bakewell; eight grandchildren—Danny J. Bakewell, Jr., Brandi Bakewell, Sabrina Bakewell, December Bakewell, Jamie Brooks, Brandon Brooks, Fatima Elsify, Amira Elsify; six great grandchildren—Taelor Bakewell, Danny J. Bakewell, III, Devyn Bakewell, Bryce Bakewell, Donny Brooks, Jr., Delores Brazil; her nephew, Eric Brazile; as well as a host of cousins, family and friends.

This courageous matriarch will be missed by the Los Angeles community, her family and friends, and especially by me, Mr. Speaker. I had a grandmother who was born in New Orleans, grew up in a convent for 13 years, obviously left, but her sister became Sister Philomena. And so I have a great affection for her.

My point in bringing her obituary here is that, yes, this family could afford health care; but I’m telling you there are thousands of others, not only in my district in the State of California but across this country, some are something like 38 million, who need the government to help them survive when they have a condition or when they are declared terminal.

So I am hoping that in this Congress we are going to do the right thing and we will see that before the end years, we have Medicare reform as a program for all Americans.

I want to thank you, Mr. ELLISON, for your insight, your intelligence, your knowledge. And I want you to know on this floor every evening. You are bringing to the American people the important facts about what our reform will do.

So thank you very much, Madam Speaker. Thank you very much for the time. You can’t help Americans.

Mr. ELLISON. While the gentlelady yields back, let me thank her as well. The fact is that by bringing this important story about the Bakewell family—well known throughout the country, particularly in Los Angeles, but really all over—it shows that health care reform is something that everybody needs. It is not something that some people have to worry about and some people don’t; it’s something that all Americans have to focus on because none of us are immune.

If you don’t have health care, then you are among those 59 million Americans who are just going to bed every night hoping and praying that you don’t get sick; and if you do, you know you’re going to be in for a very difficult time.

And you may be among those 250 million Americans who have either employer-based health care or have health care through either Medicare or Medicaid or something like that, a government-run program. In that case, you know that your employer-based health care has seen premiums double in the last 10 years and are likely to double in the next 10 years. So no matter whether you’re among the uninsured who need change or the insured who need change, we all need change. And so it’s critically important that we bang the gong and keep it up and do not walk away from this back down on this important issue.

If I may—and I invite the gentlelady to ask me to yield at any time, but I just want to make a quick point before we do. I think we have been joined by the gentlelady from Maryland, DONNA EDWARDS, who is a clear voice on this issue, who has been creative, who has been consistent. And we just want to let the gentlelady from Maryland make some remarks as we begin this hour so that we can sort of get into our colloquy.

Ms. WATSON. Would you yield just a few seconds?

Mr. ELLISON. Certainly, Ms. WATSON. About 3 weeks ago, I was up in the Hollywood Hills at a reception, and there was a young man who was taking pictures of all of us. When I finished making a presentation about our health care reform, he came up to me and he said, thank you. He said, I was born, his muscular system, his skeletal system, as well as his vital organs started to deteriorate. Each one of the medications he takes monthly costs over $6,000. He does a copayment of about $696 a month. He said, I could not afford that without the insurance that I have, and I pay a high price for that insurance. I told you what the copayment was.

So here is a person who makes a good income and pays a great amount of his income on a monthly basis just to stay alive. And we can’t we have a program that will keep others alive regardless of their income?

And thank you, Congresswoman, for coming forth with your factual statements. I listen to you very intently. And as an attorney, you bring the truth and you speak it to power. And I thank you very much.

I yield back.

Ms. EDWARDS of Maryland. Well, I thank the gentlelady from California. And as an attorney, you bring the truth and you speak it to power. And I thank you very much.
thought that they were just evaluating a little bit of the plan and giving some data. They didn’t realize that it would be completely misconstrued by the health insurance plans in order to prove a point that’s not really a point. And so I wanted to call attention to that.

I think another thing that struck me this week, as we unmask the health insurance industry, as we see them for who they are, they’re interested in profits, that’s their motive. It’s not health care; it’s reform. It’s profit. And I decided that I would take a little peruse around the Internet and I looked up the lobbying disclosure reports for America’s Health Insurance Plans, the same group that released that bogus report.

[1800]

Here is what I found: For all of 2008, this group has so-called been very interested in health care reform spent $7.54 million lobbying against health care reform, and that was just for 2008. Then we turn just to the first—

Mr. ELLISON. Would the gentlelady yield?

What was that number again?

Ms. EDWARDS of Maryland. $7.54 million lobbying against health care reform in 2008. That’s before we even had a bill.

Now we’ve gotten our bill here in 2009 with our new President, who really is serious about reforming the health care system. We find that in the first two quarters of 2009—that’s this year—America’s Health Insurance Plans, according to their lobbying reports, which are available to the public at lobbyingdisclosure@house.gov, and anybody can go and look this up. America’s Health Insurance Plans actually spent for the first quarter of 2009 $2,030,000. That’s in the first quarter. That’s April to March.

Then in the second quarter, from April 1 to June 30, they actually spent another $1.87 million. That’s the total for just the first 2 quarters of this year.

This is while people were having their health insurance revoked and while 14,000 people a day were losing their health insurance. While all across this country people are losing jobs, America’s Health Insurance Plans decide that it would be a great idea to spend almost $4 million in the first two quarters of 2009 lobbying against health care reform. That just proves that the industry is so much more interested in its profits and in protecting its profits than it is in health care or in reform.

Now we decided that I would keep looking at those lobbying disclosure reports and I would advise people all across this country to go to lobbyingdisclosure@house.gov. They need to look it up for themselves because we’re not making this up. It’s right there, filed by their own general counsel. I looked. I said, Well, how many lobbyists does it take in one quarter to spend $1.8 million? How many lobbyists does it take to spend $2 million? How many lobbyists does it take to spend $7 million just in 2008?

I’m going to just tell you: They spent that money. Gary Bacher, he was lobbying for them; Carmella Bocchino; Elizabeth Brooks; Jill Dowell; Paul Eiding; Baron Foster; Lindy Hinman; Karen Ignatti, the woman whom we’ve seen all across the television screens of the country, talking about how health care conservatives are going to send premiums up and deductibles, and copayments skyrocketing; and Alethea Jackson. That’s one, two, three, four, five, six, seven, eight, nine lobbyists spending millions of dollars across Capitol Hill—at the House and then over at the White House. They’re lobbying against health care reform.

So those are the numbers right there, apart from what all of the other industries have spent, which includes the pharmaceutical industry and others in the health insurance industry, to try to defeat reform.

Do you know what really surprises me in all of this? For all of their advertising and good lobbying, they have beaten and battered and beaten the public health insurance option. Guess what? A majority of the American public actually knows that competition is good for the system. They know that it’s important to have a public plan to provide accountability, and they know that we need transparency and that we have to lower costs. So the public is actually not fooled.

You would think, if there were some good marketing people over with the health insurance plans that they actually wouldn’t be spending so much money, because they haven’t managed to convince a majority of the American public that a public health insurance option will be good for the system. So I’m actually grateful for the American public for being so smart, for seeing through the health insurance industry, and now for the industry itself, for actually exposing what they’re trying to do to America.

I know people are calling your office, the Congressman from Minnesota, and I know they’re calling my office, and they’re saying, You know what? I just got a letter in the mail saying my health insurance premium is going up 10 percent. My health insurance premium is going up 12 percent. They haven’t even used their health insurance this year, and their insurance premiums are going up.

So we see what the industry is doing. We know that we are inching our way to reform and that we are going to get there and that we will have a bill for the President of the United States to sign in law later this year than we’ve ever been before. So the insurance industry, true to form, is living out their promise in that bogus report that they released. They’re living out their promise by already starting to jack up insurance rates just to beat the clock—to beat the bell—to reform, but they’re not going to get away with it.

So I would say to those—what did I count, 9 or 10 lobbyists?

Mr. ELLISON. Nine.

Ms. EDWARDS of Maryland. Those nine lobbyists already this year have spent about $4 million lobbying against reform and $7 million in 2008 lobbying against reform. I’ll tell you what. If you add that up, by the time they finish this year, I’m guessing that they probably will spend something in the neighborhood—over the course of the last 2 years—about $15 million lobbying against health care reform.

I would dare say that the American public could take that $15 million and divide up what it would cost to provide a reasonable premium, say, under Medicare or a public health insurance option, and we would be insuring just dozens and dozens and dozens of families across America for what this industry has spent to fight reform. So we’re not going to be fooled, and we’re not going to be deterred, and we know that the public knows that a public health insurance option will be the best option to provide competition, to provide accountability and to make sure that we lower costs for all Americans.

So the insurance industry, just before Halloween, has been completely unmasked. They’ve revealed themselves, and we want to say to them, You know what? We’re on to you. We know what you’re about, and we’re not going to believe any more of your bullish, your bogus reports, and we’re going to trust the fact that you wouldn’t spend this money lobbying against something if you didn’t want to defeat it. So we’re going to bring that health care reform package to the House of Representatives through the Senate, on to the President and then deliver it to the American people.

With that, I would yield.

Mr. ELLISON. Well, the gentlelady is in rare form tonight. I really appreciate everything you laid out. Excellent.

I just want to add to your observation about the AHIP report, which is an acronym for America’s Health Insurance Plans. Here is what the people who really study the stuff had to say about this particular industry report. AARP had this to say: The report is “fundamentally dishonest” and “not worth the paper it’s written on.” Those are words of John Rother of AARP, executive vice president of policy and strategy.

You mentioned PricewaterhouseCoopers, which participated in preparing the report. They’re refusing to comment on the report. They’re like, Hey, we didn’t know. I don’t blame them, because it is deceptive.

Also, PricewaterhouseCoopers said Monday, AHIP, the report that we’ve been referring to, that industry report, has omitted key features of the bill while not taking into account other major features, such as the effect of subsidies for those
buying insurance. So they didn’t even tell their preparer the right information to consider.

Why would they not fully disclose and be transparent about that? The report threatened that if the bill became law we would see an increase in premiums for an average family of four by about $4,000 a year. Now, this begs the question: Who would be increasing these premiums? The very people who issued the report saying the premiums are going up.

Furthermore, the report says that the cost of private health insurance would rise by 111 percent over the next decade. Who would be increasing these premiums by 111 percent? The fact is the very people who are saying the prices will increase for buying health care insurance are the ones who are in charge and who are in control of raising these prices.

Reid Cherlin, the White House spokesman, said “this is a distorted and out-of-date report from the insurance industry and cannot be taken seriously. This so-called analysis appears on the eve of a vote that may eat into some of the insurance industry’s profits. It conveniently ignores policies that lower costs for those who have insurance, expand coverage and provide affordable insurance options to millions of Americans.”

I’m not done quite yet.

Deborah, director of White House Health Reform, says that she was surprised by the report because she had just met Mrs. Ignatti, the one who has been doing a lot of the selling of this on TV, and she vowed to work together. So that may be regarded as somewhat misleading. It’s important to remember that virtually every wild, erroneous claim made regarding health care reform has been debunked as false.

Let’s go back to the summer. I asked the gentlelady to take a walk back to America, Madam Speaker, that we were talking about death panels. This was all the rage—death panels. We were talking “death panels:” Yet, when you look at the bill, it’s simply Medicare saying we will compensate doctors to talk about end-of-life decisions, which is a good thing and a wise decision. It’s about dignity. Everyone wants that for their loved ones when they’re in their final days of their lives.

Also, we then heard about illegals. It’s going to be all about illegals. We debunked that myth.

Then we heard about a government takeover until somebody said, Wait a minute. Doesn’t government already administer Medicare? They’re doing pretty good. Ninety-six percent of respondents say they like Medicare, so maybe government knows a little bit about administering health care. Doesn’t government already administer Medicaid? They’re doing pretty good.

Sixty-three percent of doctors say both the public and private options are what they would prefer. Sixty-three percent reported that they would like both public and private options. That’s what the House bill is calling for. You have another 10 percent who said just a public option. That’s all we want. So, if you add the 63 and the 10, you end up with a full three-quarters of doctors who say they would like the public option.

So I guess my question to the gentlelady from Maryland is: Why does the public option keep coming up strong despite these relentless attacks—the $4 million, the $7 million last year? What explains this?

I yield to the gentlelady from Maryland.

Ms. EDWARDS of Maryland. I thank the gentleman for yielding.

It’s a pretty simple explanation. The American people are smart. They know it takes competition to bring down cost. They haven’t been able to trust their health insurers. Even though they may like their health insurers and may have been insured, they know they actually can’t trust them to keep down premium costs and deductibles and co-pays. So, like most issues, the American public is way ahead of even Congress, and they are definitely ahead of the health insurance industry.

I go back to these lobbying reports because one of the things that I noticed, if the gentleman would indulge me for just a minute, is that the health insurance industry knows that they had to cover all facets in order to debunk the need for reform, and so they didn’t just stop at lobbying the United States House of Representatives. They lobbied the United States Senate. They lobbied the executive office of the President. They lobbied the Centers for Medicare and Medicaid, Health and Human Services, the Department of Labor, the Department of the Treasury, the Federal Trade Commission, the Department of Education, the Administration, the Agency for Healthcare Research and Quality, and even the Internal Revenue Service. They are leaving no stone unturned in order to defeat health care reform.

And what does that mean? What does that mean for our small businesses? It means, if you’re a small business, you can’t compete at all. You have no leverage whatsoever. You have no bargaining power, and you are at the mercy of the health insurance industry. And it means that they can charge you whatever they want for you to be able to provide health care for your employees.

And the poor small businesses, they’re sitting out there saying, I want to provide health insurance for my employees, but I can’t afford it any more. It’s too expensive for me. I can’t take it when my insurance costs are going up 10 percent one year, 15 percent the next year, sometimes as much as 20 percent in one year just to cover their employees.

So if people really believe in the free market—and I do—if you really believe in the free market, then let it be free and let there be competition. And the way to do that in health care and get quality, affordable, accessible health care for all Americans is to make sure the public has the ability to choose from an array of the private insurers and the public plan. It’s like going to a marketplace, stacking up everything you want to choose, and making a selection.

So if the gentleman would indulge me for just a minute more, people are ready to make that choice, and now they’re counting on us in the United States Congress to come down to the
And so what I say is, with the kind of support that you demonstrate among doctors, as much as 73 percent of doctors, and this group of doctors saying they want at least a public plan and private options; with 62 to 65 percent of the public saying we want the choice of a public plan and private options; with people all across this country, our small businesses, saying. You know what? We in order to be able to provide affordable care for our employees because it's the right thing to do and it's what we want to do, so we want to take the burden off of our businesses. We want to ensure that we have greater competition, competitiveness in the global economy. And the way to do that is to make sure that we reform our health care plan.

Now, I know that the health insurance industry is going to go kicking and screaming to reform. And if you know what I say to that, Madam Speaker? I say let them. Let them kick, let them scream, and we're going to go to health care reform anyway.

Mr. ELLISON. I thank the gentlelady for yield. And I know that when you're hot, we've got to give you the ball, and you were. So thank you.

Just a few points.

I would like to point out that people have contacted us in the Progressive Caucus and different Members individually and let their views be known about how people feel. And I just want to point out that historically—and I think that there was a perception that the Progressive Caucus may have stood up for good values, may have fought the good fight, may have talked about inclusion of everybody, a society based on generosity, the beloved community, middle class prosperity, all of the good things. What happened? It came down typically sticking to the guns and saying, You know what? We're going to stand up for what we believe in, there was some doubt that that was the case.

And I just want to say that the Progressive Caucus has dug in for the American people. I am proud of what the Progressive Caucus has done. I am proud of the leadership that we've seen from the Progressive Chairs, Ms. WOOLSEY and Mr. GRIJALVA, because this perception that Progressives are going to cave has been dissipating because Progressives have been holding firm. This is the Progressive message. This is a Special Order of the Progressive hour.

And I just want to say that the Progressive Caucus has made it clear, the leadership has made it clear to the White House, made it clear on all fronts, that if you want our votes, you're going to have to do what's right by the American people; and that includes the public option which doctors want, which the public wants, which everyone wants. It was not simply a temper tantrum. It was not saying we want it because we want it. It was because the American people needed a public option. So the Progressive Caucus stuck to it and didn't back down. I think it's important to make this point. Because the Progressive Caucus really is a caucus that's unified not by religion, not by color, not by gender, but by values. And these values are really being reflected in the advocacy around the public option, around true health care reform.

I just want to make that point clear to the industry and to the American people—that at this point of the United States Congress—and my friends, the lobbyists and the naysayers who want to do anything to stand in the way of reform. And we cannot let that happen. This is too great an opportunity for us to fail at this point.

So I am actually counting on success. And if we were on a football field—and I love football, so I will talk about it. So if we were on the football field, we're inside the 10. I mean, I'm ready to deliver health care reform.

And I am ready to do that with our leadership in the Progressive Caucus. I am ready to do that with our leadership here in Congress and give the American people—not an individual Member of Congress, not a health insurance company, not an individual hospital or a doctor, but to give the American people the kind of reform that will lower their costs, provide competition, and give them quality care.

And so I think that we're right there. We're ready to go with this, and it's time for us to do justice for the American people and actually to deliver on a promise that all of us made to them in 2008 to deliver health care reform.

So I am going to go out and talk about health care reform some more, and we can spend some time. And I want the American people to actually spend some time doing a little research themselves. Don't just trust us here in Congress. Go find the information for yourself. Go to lobbying disclosure at house.gov so that you can see for yourself. And we can spend some time. And I think that we're right there. We're ready to go with this, and it's time for us to do justice for the American people and actually to deliver on a promise that all of us made to them in 2008 to deliver health care reform.

So I am going to go out and talk about what the health insurance industry is spending what the health insurance industry is spending on defeating reform. And then when you hear their lobbyists, you will know to set that aside and stay on the side of patients, on consumers, doctors, and all of us who want true health care reform.

And so Mr. ELLISON. If the gentlelady will yield, I just want to say, as the gentlelady is offering her observations, it's reminding me that we are at a propitious moment in history. The fact is we are at a moment of history. We are hearing the call of the public.
Clinton who really worked hard to try to get health care reform.

This fight is decades in the making, and we are closer than we have ever been. We have reported out five bills in the Congress, so we’re almost there. We’re very close, and so it’s important that the American people hang in there, that they continue to be hopeful and expect success and that it’s important to understand that success breeds success.

And as we pass health care, we will be able to really implement more policies that help working Americans, help the working class, the middle class Americans, help the environment, help us be a Nation that is at peace with the rest of the world, help us promote civil rights for all Americans and to leave no one out, to exclude no one, to stop policies of fear, of demonization, of exclusion. And this is something that offers very, very great promise for our Nation.

As I begin to wind down, I just want to make a few other observations that I think are very, very important, because I think it’s so critical that we keep our focus on where it really should be.

And I am one who, you know, believe that when a group of constituents vote a Member to this auspicious body, that that person has something to offer. But I also want to say that elections have consequences. When you cast a vote and you send one party or the other to represent you, you have the right to expect that that party is going to deliver. And the Democratic Party, led by progressives, is delivering at this time.

I want to also say that new policies clearly underscore that the congressional party opposite is not in touch with the American people around health care reform. A new poll from Quinnipiac just released today further illustrates that Republican leaders of Congress are out of touch with the American people.

Just this morning, a leader in the party opposite said the public option is dead. Madam Speaker, I have several communications today that were just so appropriate for this time of discussing health care. I spoke to a physician in Ville Platte, Louisiana, who spoke just how the only people that can actually control costs in health care is the patient. Because if you think about it, if patients come in and want a test and they don’t get the test, and there’s going to be a dissatisfaction, sometimes patients will go elsewhere, and they will get the test from another provider.

Secondly, I spoke to a small businesswoman who said that his premiums are going up by 27 percent. And the third thing, I wrote a letter to a former patient of mine, the widow of a man that I had died of cancer. I was struck that in each of these, a common consideration was the cost of health care. Indeed, as we speak about health care, we can never get away from the fact that cost is a driver of our discussions.

As we approach reform, there are three things we need. We need to have quality health care accessible to all at an affordable cost. When we say “cost,” the President acknowledges this, as well. The President has said that he will not sign a health care bill that adds one dime to our Nation’s deficit. Now, by that criteria, and he understands that we are, as a Nation, having a problem with the budget deficit, if we create a new entitlement and if that adds to our budget deficit, then we, as a Nation, will be worse off.

I work in a public hospital in Louisiana. And in that public hospital, whenever money is tight in the State, there tends to be a squeeze on the financing of the hospital. I can remember years in which we would wait to order a test until after the new fiscal year. And this happens when cost is an issue.

So as we look at our goals of health care reform, it is accessible, quality health care at an affordable cost. Now, if the President says that he will not sign a bill that adds one dime to our Nation’s deficit, we can understand why 8 of the five bills before us are essentially eliminated. Four of the five bills include the public option, and the public option has been projected to increase our Nation’s deficit.

Importantly, they are also projected to increase costs at 8 percent per year. Now, putting the five bills before us doubles cost over 10 years. So when the President says that we know if we do nothing, we know if we persist with the
status quo that costs will double in 10 years, four of these five reforms, on the face of them, according to the Congressional Budget Office, will more than double cost.

That leaves us with the fifth option which has received a lot of attention. That is the bill that is coming out of the Senate Finance Committee and which has come to be known as the Baucus bill. Now the Baucus bill is gathering our attention because according to CBO, initial estimates, it would save $81 billion. Wow. If we can actually control costs in that way, that’s remarkable. It should be something that we all get behind. This is being seen as a vehicle where the Democratic leadership in Congress can achieve their goal of having health care reform in the way that they wish to achieve it.

Now, let me pause for a second. We all want reform. When I speak to that small businessman who says that his cost is going up 20 percent in 1 year, we know that that is not sustainable. At issue is, will he do better if it is merely the taxpayer or the ratepayer? If we come up with something which more than doubles cost in 10 years, that’s reform about reform. It is merely changing a private insurance bureaucracy to a public insurance bureaucracy.

So we come back to the Baucus plan. Now the Baucus plan is significant because it supposedly will save us $81 billion in 10 years. But clearly there is an issue with it.

I say that because where do those savings come from? Who pays? Well, according to Speaker Pelosi who is, by the way, a Democrat, she says who pays this particular plan from the Senate Finance Committee? The savings come off the backs of the middle class. If you have insurance, you get taxed. There are $201 billion in taxes on health care plans with a 40 percent excise tax on insurance plans worth more than $5,000 for individuals or $21,000 for family policies. Families making less than $300,000 a year shoulder 67 percent of this burden. As it turns out, many of these people are union workers. Over years, union workers have given up wage increases in order to have more generous insurance benefits. By this, it makes it a bad situation. So the Senate finance plan will tax those benefits. And that’s why Ms. Pelosi says the savings come off the backs of the middle class.

So if you have insurance, you get taxed. But if you don’t have insurance, you get taxed. There are $4 billion in fines on the uninsured and $23 billion in penalties and fines for businesses whose employees enter the government exchange. So if you don’t have insurance or do not provide it, then you get $27 billion in taxes.

If you use medical devices, hearing aids or artificial hearts, you get taxed. There’s going to be a $38 billion tax on medical device manufacturers. If you take prescription drugs, you get taxed. There are $22 billion in savings that are achieved by taxing prescription drug producers.

Total, there’s $349 billion in new taxes on employers, individuals, medical device and drug manufacturers and insurance providers and families making in $200,000. If it is $200,000, $200,000 is a lot of money, but that’s also “or less” will pay 87 percent of the taxes. If the math holds, then about $350 billion in these taxes will come from folks who are middle class or just lower upper income, if you will.

Despite that, there’s still higher health care costs. According to the Congressional Budget Office, the independent arm of Congress, the premiums in this new insurance exchange which is created by this plan would tend to be higher than the average premiums in the current individual market. In fact, Mr. Elmendorf, who is the head of CBO, said that we note that piece of legislation would raise premiums on average. The premium increase in taxes on health insurance plans. So that tax, presumably, will be passed on to the person purchasing the policy, so that makes those policies more expensive. And ultimately, we know that taxes upon the pharmaceutical industry and manufacturers of durable medical equipment will be passed to the people that consume it.

So there are several other things that we will explore as we go through. I'm going to ask Congressman Gingrey, who is also a physician, as I am, if he would contribute to the conversation.

Mr. GINGREY of Georgia. Madam Speaker, I thank the gentleman from Louisiana, Dr. Cassidy, for yielding to me. I am glad to be with him and my other colleagues during this hour talking about this important issue of health care reform.

What Dr. Cassidy is talking about in regard to the Senate Finance Committee, I think, is very important. And we are constantly going back and forth trying to figure out what it’s going to cost and how it’s going to be paid for. One thing I would like for my colleagues to understand is that even if you can pay for something—and we’re talking about a lot of money here. The 800-something-billion-dollar estimate, I think, is far lower than the actual cost, which is probably more in the range of at least $1.5 trillion or more in 10 years. And of course we can make a case, and I’m sure my colleagues will do that, when you really score this plan that the Democratic majority, Madam Speaker, has in mind, when you calculate it, when it’s fully implemented in the year 2014, through the year 2023, then you’re probably talking about something that, in fact, would cost more like $2.5 trillion.

So we’re talking about huge numbers here. That’s why if you can pay for it, even if the President can fulfill his promise of not raising taxes or not adding one dime to the deficit, and all these promises he has made, that if people like what they’ve got, they can keep it and won’t be forced out of their current health insurance plan, the point is you’re paying for something that’s a bad plan.

Let’s think back 25 or 30 years ago. When somebody decided that they were going to go out and buy a new car, they figured out how to pay for that new car. Well, we’re not going to go out to eat but one time a month; well, we’re not going to take the family to the movies; we’re going to cancel our vacation this year, so we’re going to finally come up with the money, and we’ve got it, honey. We’ve got the money, and we can buy this new car, and we go out and buy an Edsel.

Now that makes a whole lot of sense, doesn’t it, my colleagues? No. It doesn’t make a bit of sense. It’s one thing to talk about paying for it, but if we are going to pay for something, if we’re going to make those kinds of sacrifices, let’s pay for the right thing. I hope my colleagues understand where I’m coming from on this.

We on the Republican side of the aisle know we need to reform our health care system. We can do it. We can do it in an incremental way, and we don’t have to break the bank in the process. We don’t have to throw the baby out with the bath water.

I want to not take too much time, because a number of my colleagues are here with us on the floor, and I want to yield back to the gentleman from Louisiana controlling time to his colleagues so that he can allow the others to talk.

We can do this. And if the President will abide by the promises that he has made, I’ve got a bill that I have introduced that is based on 10 principles, basically, saying no new taxes, no addition to the deficit, no government bureaucracy coming between a doctor and a patient, no rationing of care, and absolutely no denying coverage to people that have preexisting conditions and to anything that we do purchase is not an Edsel and that, in fact, we do bend the cost curve and lower the cost of health insurance to every American.
concerned is because this is, if you will, a schematic of where they have achieved their savings from.

One of these is an unfunded mandate on States to provide Medicaid coverage for folks for whom they do not do so now. That’s important, because Mr. Cassidy means that it is a State taxpayer that does it.

Even though they achieve savings and theoretically are not increasing the Federal deficit, they will be increasing State deficit. According to bill Surgeons, Arnold Schwarzenegger says that in California this unfunded mandate will be $8 billion a year. That’s in The Washington Post.

Now, they already have a $45 billion deficit in California. Governor Schwarzenegger is saying that it’s going to add to that $8 billion a year; in Tennessee their Governor says $5 billion; Texas $20.4 billion increased cost over 10 years; Arizona, $4 billion cost over 3 years.

My State of Louisiana, which has a $1.8 billion shortfall in Medicaid over the next 2 years, this will increase the Medicaid deficit by $940 million over 5 years. I wish our State was as wealthy as California, but in our State, $640 million up out of options is truly a tall mountain to climb.

We are joined tonight by Congresswoman LUMMIS, who is a former State treasurer from Wyoming. Congresswoman LUMMIS, will you please offer your thoughts.

Mrs. LUMMIS. I thank the gentleman for yielding and for holding this discussion about health care costs.

What we do know about the bill, and the gentleman’s chart shows some of the problems with it, Medicare cuts are going to be bearing a huge brunt of the expense of this new mandate.

There are $350 billion worth of Federal tax hikes, but those that combined are not enough. The Senate Finance Committee imposes a $326 billion unfunded Medicaid mandate on the States. Now, what that means, an unfunded mandate is when the Federal Government tells the States you will pay for part of this, and it will come out of your pocket.

Mr. CASSIDY. What we see on this previous slide is there is $81 billion, these are in billions, so there is $81 billion in savings. That’s how much it cuts the Federal deficit. The $33 billion you asked the Congressional Budget Office estimate, the independent arm of Congress. We would have to at least subtract $33 billion from that $81 billion if we are talking about total health care spending by a government entity. Fair statement?

Mrs. LUMMIS. Indeed. Furthermore. 33 States could see an over-30 percent increase in their Medicaid enrollment. Those kinds of increases, including my State of Wyoming, will hit States whose budgets are suffering now without these additional costs.

In my State of Wyoming, our Governor has asked his State agencies to propose budgets that are 10 percent lower than the last budget, and that includes cutting Medicaid options.

Mr. CASSIDY. That’s 10 percent now without the imposition of the unfunded Medicaid mandate; is that correct?

Mrs. LUMMIS. The gentleman from Louisiana is correct. This is not just coming from States like mine in Wyoming. The Governor of Pennsylvania, the Democratic Governor of Pennsylvania, has said, I think it’s an unfunded mandate. We just don’t have the wherewithal to absorb that without some new revenue source. Now, that would be a new revenue source in Pennsylvania in addition to the new revenue sources that the Federal Government imposes.

Mr. CASSIDY. New revenue source means State tax.

Mrs. LUMMIS. It does indeed. The gentleman from Louisiana is once again correct. The Governor of Tennessee, also a Democrat, has said he fears Congress is about to bestow the mother of all unfunded mandates. Unfunded mandates are orders from Washington that States will spend money that they do not have.

Mr. CASSIDY. I kind of like that, “mother of unfunded mandates.”

Congressman THOMPSON, you are from Pennsylvania, and we are speaking of Pennsylvania. What thoughts do you offer, regarding, for example, I see that this is the Medicaid population increase per State under this bill. By this, in Pennsylvania, you will go up 20 percent. What would that mean to the State taxpayers of Pennsylvania?

Mr. THOMPSON of Pennsylvania. Well, I thank the gentleman for coordinating this very important discussion this evening, and I thank the gentlelady from Wyoming for referencing the Keystone State.

Yes, Pennsylvania would be impacted tremendously by this. Certainly, expanding health care is a laudable goal, but this Federal mandate would require the increase in State Medicaid funding, an unfunded mandate. With this legislation, Pennsylvania would be required to increase State Medicaid funding by $2.2 billion over the next 10 years. Additionally, Federal subsidies for Medicaid would end in 2019, leaving States to pay the full costs of the Medicaid expansion. In Pennsylvania, the costs would be approximately $930 million in the year 2020 alone.

Now, Pennsylvania, my State legislative colleagues, they have had a challenging time. They just, finally, after months and months, came to a budget agreement. There was a budget crisis. It really illustrates how difficult it is for the State to maintain a balanced budget without increasing costs of government programs.

Mr. CASSIDY. Now, just so the folks understand this issue, in State government, State governments can’t print money. They have to balance the budget. I presume, in Pennsylvania as in my State.

If your population is going up, Medicaid population is going up by 20 percent, and you mentioned how much extra money will have to go into that, that will either come from higher taxes or lower services, for example, lower money spent for road construction, for secondary education, for colleges, etcetera; is that correct? Mr. THOMPSON of Pennsylvania. It’s going to come out of the pockets of the taxpayers. Here’s the rub with that: there are actually, as you read the Baucus bill from the Senate, there are exemptions, interestingly enough. One of them is for the State of Nevada. Nevada is on that chart, but I think Democrats and Republicans alike are aware of the damages that this bill will inflict on their States.

In the States, in the Senate version, for example, Senator Reid negotiated a deal to exempt the State of Nevada from any additional mandates in the health care legislation. Now, if this proposed legislation is too much of a burden for Nevada, what about the rest of the country?

Mr. CASSIDY. Governor Schwarzenegger says that this will add $8 billion in cost per year to California. In Texas they project over $4 billion per year. But these States will have to come out of pocket, and because Nevada has been able to swing a separate deal, they are protected from this cost, although these States are not.

Mr. THOMPSON of Pennsylvania. Well, they are not only protected, but the taxpayers in our States will be paying their bill.

Mr. CASSIDY. So the Californians and the Texans and the Louisianans will be paying for their own States, and they will be paying for Nevada too.

Mr. THOMPSON of Pennsylvania. A total of four States were exempted. Nevada is the one I know of.

Mr. CASSIDY. Well, this is where other States are, the growth in the Medicaid population.

I am going to ask Congressman BOOZMAN to speak. Arkansas’ Medicaid population will go up by 40 percent, and what will that do to your State finances?

Mr. BOOZMAN. Well, as the gentleman just said, our taxes will go up; and we will not only be paying Arkansas’s share, but we will be paying for those four States that have worked a deal.

I was struck. Will you go back to the chart that shows the Medicare.

You know, when you look at that chart, a tremendous amount of the pay-fors come out of Medicare, cuts to Medicare doctors, $240 billion. Right now, it’s not uncommon at all for me to get a call because I am an optometrist and practitioner in the area for a long time, and they say, my aunt’s moved to town and they are having trouble finding a Medicare practitioner now because people are cutting back on their hours and just refusing to have additional patient loads.

We are talking about cutting that $240 billion, $130 billion to the Advantage Program and 120 to the Medicare
hospital account, which really will devastate rural hospitals in particular, which really will affect my State a great deal. When you add all of that up, that’s close to $500 billion.

Medicare goes broke in 2017, 2018. You are asking yourself, is Medicare going to look like in 7 or 8 years? Right now, it’s a good program. Our seniors are doing well; they are getting good care.

But when you add 30 percent more population to that program, take away $500 billion of their resources, again, what is that program going to look like? What is that going to do to our seniors?

I had a senior call me today, an old coach of mine. He said, John, I don’t understand this. You know, we are the group that have paid taxes the longest. I have faithfully paid in—this gentleman is in his 80s. He said, I have paid in the longest, and you are going to penalize us the most.

I think that’s something that we really do have to consider.

Mr. CASSIDY. Your point being that some of these savings that are achieved to give us the reconciliation Budget Office evaluation of the cost of the Senate Finance bill are, if you will, the savings coming from $240 billion cuts to providers.

Now, Dr. ROE, you have practiced medicine in Tennessee for many years. Two questions for you.

Is Medicare payments to hospitals and physicians so much above their cost that you can decrease them this amount and not impact the ability of those folks to continue to see Medicare patients? I will start with that question.

Mr. ROE of Tennessee. Well, I think the mantra that you hear is we want affordable, accessible, quality health care. We pay for it, and what Dr. BOOZMAN was saying there briefly, if you look at the next 10 years, and you take $400, $500 billion out of the Medicare system, and you add 3 to 31⁄2 million people to the Medicare system, each year, and then in the Baucus bill after year 2 you cut providers by 24 percent, you do the math.

I mean, how can you provide more quality care to 30 million people with $500 billion less money? You do the math.

Mrs. LUMMIS. My own Wyoming medical center in Casper, Wyoming, gave me statistics that show that they are reimbursed 37 cents on the dollar for every Medicaid actual dollar that they pay out. That means that two-thirds, roughly, of the dollars that are paid to Medicaid-receiving patients are paid by someone other than the Federal Government.

We are already subsidizing the Federal Government. The Federal Government is already not meeting its obligation to serve Medicare patients.

Mr. ROE of Tennessee. We have done—there are two plans out there that have had beautiful experiments in the States. That’s Tennessee and Massachusetts.

What happened in Tennessee, in the early 1990s, we had managed care come along and the health care costs were escalating. We have a lot of uninsured Tennesseeans who were going to be left out to cover as many Tennesseans as we could. So we started a plan with eight different managed care plans to compete for business.

What happened between 1993 and 2004, budget year 10, budget years 11 budget cycles, is that the cost on spending, on Medicaid, which is TennCare, our exemption from the Medicaid system, went from 2.5 or $2.6 billion a year to $3.5 billion a year, over triple in cost.

Now, what do we get for that? Well, we got more people covered; and we found in this public option that 45 percent of the people who had the public option dropped private health insurance and went on the government plan. Well, that was fine for the person who got the care at that time.

But what happened, to make your point, is that the Medicaid system in our State pays less than 60 percent of the cost of actually providing the care. Medicaid, as a general rule, would pay somewhere between 80 and 90 percent of the costs, the uninsured somewhere in between, and the rest of it has shifted to private health insurance companies.

I can tell you exactly what happened in our State is that they almo3st broke the State. The Governor is a Democrat and who is doing a fine job, as is the legislature that’s Republican, are working together to try to solve this problem.

Now, how did they do it? How did they ration care? What they did was they cut 200,000 people from the rolls because the State cost.

What also is going to happen is our governor, and I have a letter from the governor right here, is extremely worried about the Bachus plan, and he has already scored that because he knows the next governor is going to have to deal with it. What he is looking at is at least $735 million over 5 years. And if this were to happen, if the State were to sue Medicaid, which Washington State and California have done, to freeze the rates so that you couldn’t lower the Medicare and Medicaid rates, that could be as much as $1 billion more for the State in an unfunded mandate.

Right now our State has no way to pay for it. We just don’t have it in Tennessee. And to show you we don’t, the governor and the legislature have had to cut off enrollment in the SCHIP plan, in our State it is called Cover Kids, because we don’t have the money for even our matching part right now.

Mr. CASSIDY. So, reclaiming my time, I would like to hear more the kind of experience I have had. If costs are not controlled, ultimately patient care suffers.

Mr. ROE of Tennessee. Look, just to get some more time, if you look at this, there is no way on this Earth, and I said when I came here I was worried, very worried, about our children and grandchildren, how they were going to do in this system. I am now very worried about our seniors, because I am afraid when you decrease the amount of resources, the amount of dollars, and add more people and cut the costs, the cut amount of money you are going to pay to providers, you will decrease access and you will decrease quality. It has to happen. Or, thirdly, our seniors are going to pay a whole lot more money for their health care, which they cannot afford.

In our area where I live in the First District of Tennessee, it is not an affluent area; it is a mountainous area of the State, and so many patients that I saw every year, a lot of widows that I saw lived on a fixed income, a small Social Security check, $500, $600, $700 a month. And maybe that’s what the SCHIP is, or whatever. They are just physically not able. What are we going to do for those folks?

Mr. CASSIDY. Absolutely correct. Texans will be devastated. I understand a lot of folks aren’t concerned about what affects Texans, but Texans are. But you have to look across the country at the way it affects overall the Nation, and this is devastating.

I wanted to follow up on something my friends were talking about with regard to the costs of Medicare and Medicaid. We had just heard earlier tonight from my friend from New York, that, gee, the actual overhead cost of Medicare is, he said 3.5 percent, and the overhead cost for insurance companies is 5 percent.

I don’t know where he is getting those numbers. The numbers that I have seen, the numbers I have gotten from reports here, I have got them in front of me, indicate it may be 3 percent or even Medicare average, but these are not the inclusion in their costs, and private insurance averages around 12 percent.

But Medicare, as this article notes, Medicare is devoted to serving a population that is elderly and therefore in need of greater levels of medical care, and it generates significantly higher expenditures than private insurance plans, thus making administrative...
to have a nurse or physician’s office call that patient, check their blood glucose levels, check their oxygen levels, see how they are doing, but we will pay tens of thousands of dollars to amputate their feet for a severe diabetic. That is part of the problem we face with Medicare.

Here are a few more. Not only do we not pay for disease management, Medicare Advantage does. Medicare Advantage pays to have someone belong to some sort of an organization where the patients are reviewed. It pays for vision and dental. But now the talk is, let’s cut Medicare Advantage because it costs too much and let’s somehow do these other things.

It doesn’t make sense. This is not evidence-based medicine. Evidence-based medicine says for patients who have a lot of complications, you treat those patients, you work with those complications. And yet what is happening here, the way this Senate bill or Health Care and Education said, at this is, it is cut’s Medicare Advantage so seniors do not have this.

Keep this in mind: Only 1 in 10 Medicare beneficiaries are traditional fee-for-service, providers. Let’s take traditional fee-for-service and provides many of the supplement benefits that Medicare Advantage does. That is where, when people say it rewards overuse, it is because that is the only thing sometimes it will pay for. It doesn’t cover all things, but it can actually reduce health care costs. The sad thing about this is that by reducing fees this much for Medicare Advantage, by refusing to pay the very thing that we acknowledge that science and medicare is telling us is going to work, instead what it is going to be is pay doctors less, pay hospitals less, put more burden on the patients, get $500 billion, and somehow miraculously out of the sky will come a more efficient health care system. It is true expense is much higher.

So when you are not really administering, when you have all of this going on, then certainly you are going to have a very low expense. But the true expense is much higher.

Mr. GOHMERT. And John Stossel had made that point well and referred to the Cato Institute, that 10 to 20 percent of private insurance administrative costs goes to preventing fraud because the private insurers care about it. Maybe not, but I can’t help but think, they know that as seniors, we have been through World War II, we have seen the evils that lurk in this world. We have gained great wisdom from our years. And they are willing to let this die off more than we are not around to try to get our wisdom across to the young people of what is at risk by this government takeover.

Mr. CASSIDY. Reclaiming my time, it strikes me really in one way there is nothing radical about this plan, because all these plans do is take the current top-down, bureaucratic-controlled system and they nationalize it. Now, it is not the same sort of, if you will, patient-centered, where patients are involved in their care, patients are involved in saving costs. It doesn’t involve that.

In a sense it is new wine in an old wineskin. All we are going to do is put the new wine of a nationalized, centralized, controlled type process, and without any of the things that you describe, which are, if you will, truly transformative things, the things that we would help lower costs by empowering patients and empowering the physicians to work with those patients.

Mr. BOOZMAN. Can I say something to the gentleman from Texas? The other thing that we have to remember in the administrative cost is that at least 10 percent is waste and fraud. So you have this very low administrative cost. Well, they are not doing anything.

Mr. CASSIDY. You are speaking of Medicare, if I may reclaim my time.

Mr. BOOZMAN. In speaking of Medicare, The President himself said, and I remember having this conversation at the White House as well, we will not pay a penny...
Mr. THOMPSON of Pennsylvania. Well, I thank my good friend for that question. Actually I go back to the position I left 2 days before I was sworn into Congress, and actually at that point I will take it to be my responsibility to two areas specifically designated in her Skilled Nursing and Hospice. I actually was a licensed nursing home administrator up to that point, working with individuals that really are the most vulnerable.

The people today that are in skilled nursing and services such as hospice, where they are able to die with dignity and with compassion, surrounded by family, whether it is in their homes or in a facility much like the one I worked in.

So it just, I would say, grieves me, but grieves me actually that this Senate health care bill, among the Medicare cuts that we see today, are slated for skilled-nursing facilities, which I can tell you nobody is getting rich in the skilled-nursing industry. It is challenging the day-to-day financial payments and requirements there. But the skilled-nursing facilities under this Democrat proposed bill are slated for cuts of $14.6 billion.

Mr. CASSIDY. Now, claiming my time, that is not an industry. That is a set of patients. Is that a fair statement?

Mr. THOMPSON of Pennsylvania. I think it is people's lives. You are right. This goes beyond an impact on industry, by principally on people's lives, and the lives of people who really are some of the most vulnerable folks that are in our country.

And then you turn to hospice services. There are people that are in their final days of life and they're looking for that opportunity to die with dignity surrounded by family and loved ones in a setting that is just very compassionate, and this bill is anything but compassionate. This Democratic bill that is scheduled for $11 billion in Medicare cuts to hospice.

Mrs. LUMMIS. Will the gentleman yield?

Mr. THOMPSON of Pennsylvania. Certainly.

Mrs. LUMMIS. You know, one of the most exasperating things about this whole health care debate in the last several months that's been unfolding is that we are not talking about the Democratic Party, from the majority party, will make matters worse than the status quo. But we don't have, as a minority party, the opportunity to show people how we can make matters better than the status quo.

And I would yield to our leader this evening to discuss some of those 40 bills that members in the minority party have sponsored that would make matters better.

Mr. CASSIDY. Reclaiming my time, I was speaking to that small business man today back home whose premiums have just gone up 27 percent, and he was unaware of the Republican options. And there's a wealth of those that says the only thing we can discuss are the Democratic-controlled bills as opposed to the other options.

There is H.R. 3400, which really encapsulates many of the things that Congressman MURPHY was speaking about earlier. Now, if we want to say that there are the essentials of health care reform, there's an article by McKinsey & Company which is very good. And it says the essentials are to reduce administrative costs, reduce the cost of chronic care, which is what Congressman MURPHY was talking about, and incentivizing patients to make value-conscious decisions so that when the patient actually becomes aware of the variable costs, she will make a different decision than if she feels as if it costs nothing more at all.

I know, Congressman ROE, you have experience with the health savings accounts. I wouldn't mind commenting on that.

Mr. ROE of Tennessee. Well, I appreciate that.

There's no question in our area we've had four different small businesses, including Johnson City, Tennessee, where I was mayor before I came here, that have actually flattened their premium increases by doing exactly what Congressman MURPHY was talking about. You change the incentives. BAE Corporation, Holston Munitions, they make C-4 and plastic explosives and so forth, and that company has 700 or 800 employees. They have not had a premium increase in 5 years in that company. How'd they do that? Well, they changed the incentives. If you were hypertensive and obese and smoked, it would cost you more for your insurance. If you got on their plan, their wellness program, and you stopped smoking, you exercised, and you lost weight, they would reward you financially. And guess what? They have kept their premiums down. Free Will Baptist Ministers, a small 150-person group has done exactly the same thing.

I've had a health savings account, and let me explain that to people out there who are scared away with this. In our practice, we have almost 300 employees who get insurance through our company, our business, our medical practice, and 84 percent of them have a health savings account. What that is is this: You manage the first dollars. The first dollars may be $3,000. Mine was $5,000. So I paid the first dollar for any health care, but it made me a great consumer. It also incentivized me to stay healthy, exercise, eat right. If you don't spend that money, guess what happens? You get to keep it, roll it over into next year like an IRA, and you can spend that on your health care the next year. And if you use it all up, then you're able to keep this money and buy long-term care with it or whatever you want to spend it on health care wise. If anything over $5,000, I had a catastrophic policy, so if I had a cancer or a car accident, some severe illness, it covered 100 percent. So basically what I was doing was I'm the insurance company. I'm managing my own care and my own dollars. It works extremely well. Under this plan, it does not work.

And before I stop, I wanted to pass along something that I found very fascinating in Massachusetts. In Massachusetts, they've done a great job of trying to cover their citizens there. There's a small company, if I remember correctly, that actually are in the business of buying insurance as an individual. So you have to purchase this insurance.

Harvard Pilgrim Health Care, from 2008 until 2009, found this out, that 40 percent of their new enrollees were enrolled for less than 5 months, and during that 5-month period of time, they averaged spending $2,400 a month on those folks. For the folks like the rest of us that just go out and pay our premiums, it was $350 a month. So what these people were doing is they were waiting till they got sick, then they bought the health insurance, and when they got well, they dropped it. So they paid the fee or the tax. Look, people will do what's in their best interest. They're smart, and they'll figure out what to do. So I would say what you make people or force people to do.

Tort reform. Very simple. You can save billions of dollars. Take away State lines. Allow co-ops or association health plans to be formed. Subsidize State high-risk pools. So if a patient of mine who came in and said, Dr. Roe, I was diagnosed with breast cancer over 5 years ago and I'm uninsured, make sure that patient, that woman can get affordable health insurance. Those are simple things we can do that everybody in this Chamber ought to be able to agree on.

Mr. CASSIDY. So, as opposed to the Senate finance plan which, frankly, I think punishes the middle class—again,
Speaker Pelosi says that the savings in this plan will come off the backs of the middle class. Instead, we’re offering a different sort of thing which costs are controlled by empowering patients. As Dr. Ardisn said, from Ville Platte, Louisiana, patients are the only ones that pay, they pay for their care, and so that would be our sense, empowering patients as opposed to putting the savings off the back of the middle class.

Mr. ROE of Tennessee, Dr. Cassidy, you know this, that if I had a patient that was pregnant diabetic and she came to me, I can tell her what to do, but unless she’s empowered to take care of her own blood sugar calculations, she’s not going to have a successful outcome. So we absolutely have to engage our patients in solving these problems. There’s no doubt about it.

Mr. CASSIDY. And claiming my time, to have some independent judgments, again, the Congressional Budget Office is the one that says that the Senate bill will have savings in cost of 8 percent per year, which more than doubles. Contrast that with the Kaiser Family Foundation study about health savings accounts, and they’ve found that a family of four with a health savings account and a catastrophic policy on top had a cost of insurance 30 percent cheaper than a family of four with a traditional insurance policy. So because the family is engaged, their costs are 30 percent cheaper, again, per Kaiser Family Foundation. That’s bending the cost curve.

Mr. ROE of Tennessee. Well, there’s no question that the American people are the greatest shoppers in the world. I mean, how many of us haven’t driven over five lanes of interstate to get gas 2 cents a gallon cheaper. I mean, we’ve all done that. Admit it. We are good shoppers and consumers, and health care ought to be the same way.

Mr. GOHMERT. I’ve driven further than that to get cheaper gasoline. I’ve driven a lot further. In fact, I’m a guy that when I get my gasoline and I turn off the pump, I will still make sure I get all the gas out of that hose into my car that I paid for. Americans do that kind of thing when it matters.

Mr. CASSIDY. Reclaiming my time, and that’s because you’re empowered, if you will. Now, what if someone else were filling up your gas tank? Do you think that if someone else were the responsible party as opposed to you, would it be the same dynamic?

Mr. GOHMERT. I doubt that if anybody’s got my credit card and paying for my gas that they’d go to that much trouble that I do when I’m paying for it. But I’ll tell you, to follow up on what’s been discussed here and mentioned savings accounts, even yesterday we had people across the aisle coming to this floor and saying, Republicans have no solutions. And I don’t care how many times they say it, it is still not true. As my friends have been talking about, we have some plans.

I have a bill that uses the HSA, the health savings account, as the method of getting health care back to track, of getting people back to the things they haven’t had in years, the coverage they hadn’t had in years, or ever. And we had people on the floor from across the aisle just saying yesterday and today that we want people to get on Medicare; we want people to have choice in what they need to read some of our proposals.

My bill, it gives seniors an option. You can stay on Medicare or we will give you money every year in a health savings account and pay for the catastrophic care to cover everything above that. You won’t need supplemental. You won’t need wrap-around, and we’ll give you that choice, because I know where they’re going to go, and when we incentivize the young like we do in my bill, they will have a say in that, to get the young people on there. So as they get older, they will have accumulated, most of them, so much in their HSA they’re not going to want anybody from the government interfering in their health care.

Mr. ROE of Tennessee. Would the gentleman yield?

Mr. GOHMERT. Sure.

Mr. ROE of Tennessee. When I go in, and I had a procedure done on myself a couple of years ago. I take this card right here, which is my health savings account, and it’s a debit card. And that day they get paid. I said, I want your best price. I want the lowest price you can give me right here when I pay you because you get your money, no insurance company involved, no anything. I’m paying today cash out of my health savings account.

Mr. CASSIDY. If I may reclaim my time, again, going back to the McKinsey & Company report that spoke about the three imperatives for health reform, one was decreasing administrative costs. I read a statistic that 40 percent of the overhead of a primary practitioner is related to billing. With that debit card, you just lowered that 40 percent to a minimal percent.

Mr. GOHMERT. If the gentleman would yield, another thing that does is it gets transparency back in the process. With this, you come in with an empowered HSA debit card and you tell them, as Dr. ROE did, give me your best price, and under my bill, it requires that they give everybody exactly what the prices are in advance. And if Blue Cross is getting that better price, they have to tell you that too. And then you would say, well, you either give me the Blue Cross price or I’m going down the street where they will. It gets competition back in when you get that transparency. We have that in our alternative, not getting the chance here on the floor.

Mr. BOOZMAN. The other thing I would say, and you all, the gentleman from Tennessee and you might talk about the importance of getting rid of these nuisance lawsuits. We got good news. I believe it was the CBO, somebody scored this week to the tune of many, many billions of dollars. That’s something that our side is pushing for to change company. Even the President, when he addressed us a few weeks ago, made mention of the fact that he’d been talking to his physician friends and this and that and that he felt like, you know, that there was something there. And he was looking at some of the solution that he offered is really no solution.

But why don’t you guys talk a little bit about the numbers, what that would do, and then also how that drove costs in your individual practices.

Mr. CASSIDY. Dr. ROE, as we try and come up with a plan which is patient centered, that controls costs, that expands care, OB–GYNs, which you are, have more problems—except maybe the neurosurgeons—with the cost of malpractice. Would you mind commenting?

Mr. ROE of Tennessee. Thank you. Let me just give you a little historical trip.

These crises, legal crises have occurred throughout various States in the Union, and it occurred in Tennessee in the mid seventies. All the companies who provided malpractice insurance left the State. So the doctors got together and formed a mutual insurance company, State Volunteer Mutual Insurance Company, where what we don’t pay out in premiums—I mean in charges and costs. We keep it and it comes back as lower. When I got my first malpractice premium in the seventies, it was $4,000 a year. The young physician who replaced me was $74,000.

Mr. CASSIDY. Excuse me, Congress- man. I’m sorry. $74,000 a year for malpractice insurance?

Mr. ROE of Tennessee. Yes. And I spoke to a neurosurgeon just yesterday who is over $100,000 a year just in Ten nessee. What happened in our State was the following: since the inception of that company, since the mid-seventies until now, that’s 35 years, over half the premium dollars we’ve paid have gone to attorneys, less than 40 cents have gone to the injured party, and 10 cents go back for reserves and running the company.

What we have in America is a terrible system to actually pay for injured parties. If we have injured someone in a medical malpractice event, we have no system except through the legal system, in which most of the money goes to the attorneys, both defense and plaintiff attorneys. We can’t actually pay for the injured party.

That is what’s wrong. And I would suggest that the attorneys have to be the ones who reform the system, that better helps the injured party, to compensate them. If we hurt someone, let’s compensate that person. Right now in
our State we have a terrible system to do that.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. ROE of Tennessee. Yes.

Mr. THOMPSON of Pennsylvania. We have a bill that we've made reference to that Republicans put forward, H.R. 3400, which specifically addresses tort reform, among many other things. That bill essentially would remove the burden on health care today, which I consider wasteful, and address the medical liability premiums; $26 billion annually in medical liability premiums. That's not a price tag that considers the cost of defensive practice, and I understand that. I mean, you invest anywhere from $200,000 to $500,000 coming out of school in loans, and because of lawsuits, and many times frivolous lawsuits, you can lose your practice and lose your home over the ordering of additional tests. That has to be in the neighborhood of somewhere over $100 billion costs from health care today.

H.R. 3400, which we have put forward, if that would come to the floor and our colleagues on that side of the aisle would join with us, we could eliminate over $125 billion in unnecessary costs from health care today.

Mr. CASSIDY. Reclaiming my time, we have about 1 minute left together.

We can say that we have really two contrasting visions: one is basically nationalizing the health insurance industry; and although scored as an $81 billion cost savings by the Congressional Budget Office, we have discussed that that's in part because of cuts to Medicare, which means cuts to health care for folks on Medicare, unfunded mandates on the States so that States will force their taxpayers to either pay higher taxes or cut the amount of money available for construction, education, and such like that, to achieve something which frankly seems illusory.

But if we contrast that with what the Republican Party is proposing, which is to put patients in the middle of the process, to say to patients, Listen, once you're there, you are empowered to not only direct your health care, but to control costs. And we have quoted data from Kaiser Family Foundation how that truly happens, as well as the experience of groups like yours with numerous employees.

So at the end we will say that Republicans' ideas, I think, will empower patients, whereas the Democratic ideas appear to empower government.

Thank you for joining us.

AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Madam Speaker, tonight I rise once again to draw the attention of my colleagues and the American people to Afghanistan. I say “once again” because over my 20-year career in Congress I have spoken many times and at great length about that distant and desolate country. My interests and involvement in Afghanistan in fact date back before I was elected to Congress. During the 1980s, I was a special assistant to President Ronald Reagan. While I was primarily a speech writer, I soon learned after arriving at the White House with Reagan's team at the beginning of his administration that the President's words, once they were crafted into the policy of the executive branch, become the policy of the executive branch.

As a speech writer, I not only would write the words, but would help determine what would be said. When I realized the influence I would have, I was in awe of where my life had led me. I had worked hard in Ronald Reagan's gubernatorial campaigns when he first ran for Governor back in California. Later on, I worked on President Ronald Reagan ran for President in 1976 and 1980. And when he won in 1980, I went with him to the White House.

I am still honored that President Reagan brought me to the White House with what I came to trust and give enough to hold such a position of writing his words and working with him on his speeches. And I really appreciate the fact that often enough President Reagan backed me up when the recommendations that I wrote were a little bit tougher than the policy statements that most of the senior staff of the White House wanted the President to say.

But I worked for President Reagan. I knew that. I didn't work for his staff; I worked for him. And I understood that he wasn't there to be President. He was there to make things happen, to change the course of our country, to redirect the confidence of our people from a downward spiral at that time to an upward thrust.

Those of us who worked for him knew firsthand that an unmistakable goal to which President Ronald Reagan was committed was to bring about a more peaceful world. That lofty goal was not going to be achieved by ignoring or downplaying threats or by sincere expressions of a desire for peace or by holding hands and singing kumbaya. Yes, part of Reagan's strategy to obtain a more peaceful world was rebuilding our military forces, this to deter aggression.

But let us look back and note that he rebuilt our military forces, but only on rare occasion did President Reagan send our troops into troubled spots in the far reaches of the world. He was hesitant to give the green light to use the military in such actions. He did so sparingly. He had a sense not to get us trapped into a prolonged conflict or a no-win situation.

He sent our marines to Lebanon for a specific mission. They were there to accomplish that mission, and they were supposed to leave within days.

Then President Reagan was convinced, over his better judgment, to keep the marines in that war-torn city, Beirut, as a stabilizing force—get that, a stabilizing force in the most volatile region of the planet. The result was, of course, 295 dead marines, a setback for our country, but a catastrophe for 295 American families who lost loved ones.

It was especially hurtful to me. I grew up in a marine family. My father was a lieutenant colonel in United States Marine Corps. I went to school and lived at Camp Lejeune and Cherry Point, North Carolina, when I was in eighth, ninth and 10th grade.

There my brother, who was also going to school with me, met and befriended a man who became his best friend, in fact, David Battle, who shortly after graduating from Camp Lejeune High School joined the Marine Corps. He was still 17 years old. Sergeant David Battle remained my brother's best friend.

And as Ronald Reagan was being inaugurated, right afterwards we went to Camp Lejeune and we visited with his family and with David Battle that was a sergeant at that time. He had been in the Marines all that time, two tours of duty in Vietnam, and he was looking forward in a few years ahead to retiring from the Marine Corps. And there had been a small boat which he was going to be working the rivers and estuaries in North Carolina, collecting seafood and oysters and clams. He had his life picked out for him. It was going to be a fine retirement. We were very close to that family.

Then I went up and joined the White House staff. A few years later, when the bomb went off in the Marine barracks in Beirut killing 295 of our people, I immediately sought out the list of casualties and Sergeant David Battle, his name was the first on the list of those who had been killed. I went to my office in the White House and I wept. At that point, I pledged to myself that I would never, ever cease to step forward and try to do something that didn't make sense and that would put our people in jeopardy.

President Reagan learned a bitter lesson; and to his credit, against the advice of some very aggressive national security advisers, President Reagan decided not to reinforce the decimated marine force in Lebanon. Instead, he pulled them out before we got stuck in a quagmire that would have been exploited by the Soviet enemy at that time, the Soviet Union. He took great care not to get us into a fight that we wouldn't be able to get out of.

Let me note, for all the name-calling suggesting Ronald Reagan was a warmonger for building up our Nation's military, Reagan's predecessors, both Republican and Democrat, sent our military into action far more often than did President Reagan. The liberation of Grenada from a bizarre and murderous Communist takeover—and that was just a very small, short operation—and in Lebanon, which turned
out so badly, that’s about as far as it goes in terms of Ronald Reagan ordering U.S. troops into harm’s way.

So sending American combat troops into battle was not how Ronald Reagan succeeded in making the world a safer place, a world where universal peace would be our chance. Well, nobody one, to accomplish that, Ronald Reagan built up our military might in weapons, quality of personnel, and advance technology. For example, his famous commitment to a missile defense system which even today looks like such an important investment to protect us against missiles from Korea or Iran, or perhaps China.

He improved our intelligence, which had been gutted in the 1970s. And, lastly, and most importantly, by implementing a strategy that became known as the “Reagan Doctrine,” he helped end the reign of Communist tyranny and made the world a safer place.

It was Charles Krauthammer who first identified that Reagan’s words and actions were part of a comprehensive strategy being brought to bear against Soviet communism, a strategy that had been outlined in his speeches. The Reagan Doctrine had nothing to do with the U.S. as a real target of lands and defeating an enemy. Reagan instinctively knew there were limits to what the power of government, even the Army, could accomplish; but he also understood the mighty power of people loving freedom. Ronald Reagan understood that struggling against tyranny, especially Communist tyranny, were America’s greatest allies. They would be our brothers and sisters throughout the world of people who were resisting tyranny, especially Communist tyranny.

The Reagan Doctrine, in short, was to achieve our goals of a safer world and a more secure world and a safer and more secure America by supporting and helping those struggling against tyranny, especially Communist tyranny, and presenting it to the President. This was the strategic role of the Reagan Doctrine was implemented by men like Dr. Constantine Mengers, who had been in the CIA. He was a great academic as well. At that time, he was working with the National Security Council of the White House. Yes, CIA Director Bill Casey was also significant in the success of the Reagan Doctrine—and yes, we have to admit Ollie North as well.

President Reagan, of course, was the real hero of this particular policy. He approved a strategy that the Soviet Union without sending our troops into action against Soviet troops or even coming into direct confrontation with Soviet military forces. We feared a nuclear war for decades. Reagan ended that threat, Communist tyranny was advancing when Ronald Reagan became president. He turned it around and laid the foundation of the Soviet Government in Russia. Afghanistan was the tip of the Reagan Doctrine spear.

So, our assistance to the Afghan resistance escalated, and as it did, I became more personally involved in this historic effort. In those days, Jack Wheeler would send us firsthand accounts of the frontline fight in Afghanistan. At times, he would bring Afghanistas, those Marxist Sandinistas lost their lives. It was an overwhelming loss for every family of Afghanistan. Several million were displaced, but all of them stood tall and stood up to the Soviet empire. We were proud to stand by such people.

Yes, Charlie Wilson, who used to be a Member of Congress and a member of the Appropriations Committee, played an important role in putting money—material support—to support these Afghan fighters. The helicopter gunships which supplied Stinger missiles, which are shoulder-held missiles that can take out airplanes or helicopters. There was a debate as to whether to provide them to the Afghan resistance.

The Reagan Administration personally made the decision, and the anti-aircraft weapons were sent. It changed the outcome of that battle in Afghanistan, and it changed all of history. Yet it was not just weaponry or even U.S. financing or support. It was the courage and sacrifice of the Afghan people that carried the day. A million of them lost their lives. It was an overwhelming loss for every family of Afghanistan. Several million were displaced, but all of them stood tall and stood up to the Soviet empire. We were proud to stand by such people.

When the Soviet Army retreated from Afghanistan, Soviet confidence crumbled, and a new world emerged free from the threat of a Russia controlled by a Marxist-Leninist dictatorship. It was wanted to Communist world domination.

It was an historic achievement which can be traced to the Reagan Doctrine but also to the blood and to the sacrifice of the Afghan people. How did we arrive at this enormous sacrifice that made all of us safer, this tremendous gift that we still enjoy? How did we repay it? We walked away and left a
crippled and wounded Afghan population to sleep in the rubble. We didn’t even provide them with an ample level of support to clear land mines that were planted all over their country, land mines that we had given them, mines that we had used to clear, that they could continue to blow the legs off of Afghan children.

To say America was guilty of ingratitude is to put it mildly, but President Reagan was gone by then. His term of office was over, and George Bush, Sr. was succeeded by his son, who was the same President who sent American troops all over the world and sent a huge number of deployments of American troops into battle, the same George Bush, Sr. who walked away not only from the Afghans but from the democracy movement in China, leaving them to be slaughtered both in Afghanistan and in Tiananmen Square. No, George Bush, Sr. was no Ronald Reagan.

As time passed, chaos reigned in Afghanistan. During the Clinton administration, our government took steps to do something about the mayhem in that country. Unfortunately, President Clinton’s team did exactly the wrong thing. What do I mean?

Once the commitment for the continued bloodletting in Afghanistan after the Soviets left and their puppet regime collapsed—what brought that on and continued that bloodletting was that, during the war, the American Government helped the Pakistanis through the Intelligence Service—that’s the ISI, the equivalent of our CIA—dole out our supplies, American supplies, to the various anti-Soviet Afghan factions. The ISI—that’s the Pakistani CIA—was then and is now a hotbed of radical Islam. Much of our military supplies, which were being channeled right through this group, ended up in the hands of radical, radical, the most radical Islamists—people like Gulbuddin Hekmatyar, Massoud, and other murderous Islamic radicals.

We could have and should have insisted on the direct delivery of U.S. supplies to the insurgent groups, and we would choose the insurgent groups. We did not insist on that. Instead, our own CIA punted. Even to this day, they say, Well, we couldn’t have looked at things for the future. You know, how do you expect us not to have a battle in the future when we’ve got a battle right now? No, you need to make a determination of not giving weapons to the worst radicals in Afghanistan. They could have made the determination that, in the long run, it wouldn’t have been in our interest, because there were many other moderate Afghan Mujahedeen groups who needed that support and who didn’t get anywhere near as much as these radicals did from the Pakistani CIA, the ISI.

Basically, the CIA is giving the ISI leverage, which was then used to promote Islamic factions. It was also used to secure the Pakistani dominance of Afghanistan, which has been one of the major reasons, dynamics, that has kept Afghanistan in turmoil for decades. So what happened? The situation got worse and worse. The chaos got worse and worse.

During this time, I was one of the few who did not turn my head and walk away. I knew there was only one way out of the insanity and chaos. Yes, there was a way out, but it was a path the Saudis and the Pakistanis did not want to take. There was one man revered by almost all of the Afghan people of every faith and every tribe. It was King Zahir Shah, the king who is in exile, who had led his country for 4 decades through peace and stability. When he was overthrown, Afghanistan ended up in decades of chaos and bloodletting and invasions on a massive scale.

During that time, King Zahir Shah, as he was deposed in a coup, ended up living in exile in Rome. I met with him there on a number of occasions in the 1990s. He was the obvious leader to bring peace and stability to his bloody country. It was obvious to the Pakistanis, who wanted to dominate and control Afghanistan, not so obvious to the Saudis who were doing the bidding of the most violent and anti-Western manifestations of Islamic fundamentalism. The Saudis did not bring the Clinton administration, whose goal was to go along with the Saudis and the Pakistanis.

I, personally, argued my case to Prince Turki, then the head of the Saudi Intelligence Service—that’s the ISI, the equivalent of our CIA—dole out our supplies, American supplies, to the various anti-Soviet Afghan factions. The ISI—that’s the Pakistani CIA—was then and is now a hotbed of radical Islam. Much of our military supplies, which were being channeled right through this group, ended up in the hands of radical, radical, the most radical Islamists—people like Gulbuddin Hekmatyar, Massoud, and other murderous Islamic radicals.

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I, personally, argued my case to Prince Turki, then the head of the Saudi Intelligence Service—that’s the ISI, the equivalent of our CIA—to give our supplies to the IRA. By and large, the Pakistanis had been very involved with supporting the anti-Soviet Mujahedeen during the war against the Soviet occupation. I begged with him and pleaded with everyone else who would listen. King Zahir Shah was a moderate Muslim leader who would bring peace and stability. No. What the Saudis and the Pakistanis wanted was a radical Islamic force that would supposedly unite the devout Muslims of Afghanistan but, more important, was anti-Western. It was theInsanity and chaos. Yes, there was a way out, but it was a path the Saudis and the Pakistanis did not want to take. There was one man revered by almost all of the Afghan people of every faith and every tribe. It was King Zahir Shah, the king who is in exile, who had led his country for 4 decades through peace and stability. When he was overthrown, Afghanistan ended up in decades of chaos and bloodletting and invasions on a massive scale.

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The 9/11 slaughter of 3,000 Americans was planned and set in motion by bin Laden’s al Qaeda terrorist network, then allied with the Taliban, which was headquartered there in Afghanistan and was operating freely in that country.

2000

On 9/11, I was given an incredible opportunity to utilize the knowledge that I had gained and the relationships I had built in that region over the many years. It was the opportunity to make a significant difference for my country at a time of great chaos and crisis.

Only a few days before, al Qaeda/ Taliban assassins had murdered Commander Masood. I had met with Commander Masood in Afghanistan in one of my several forays into Afghanistan during the 1990s. I visited him in a mountain hideout, his retreat, or his fortress you might say, and we talked for a long time. We had been in contact ever since the time in the Reagan White House when he sent his brother to see me. And we had negotiated and kept in touch verbally, but that was the first time I met him. Our friendship was already in existence, and by that meeting, it really was solidified.

And then Commander Masood in the days before 9/11—and we'd been looking forward to having this meeting in his territory with the King, Commander Masood was blown apart in an assassination scheme—of course, Taliban and al Qaeda scheme. And I remember then how much despair that I had that this great man who held such promise to be a leader of his country, like others who were killed during a war against the Russians and now the Taliban, so many young leaders killed in Afghanistan—a brave man, Abdul Hawk, lost his life.

But Commander Masood, I sat down in my office in total despair and I said, I got of myself, why did they kill him? Why did they do that now? I thought it out, and I realized that they had killed Commander Masood in order to prevent the United States from having an avenue to counterattack against them for something they did to us. Well, yes, that's what the schedule says. The day that I was supposed to meet her was 9/11. That day, the planes began flying into the buildings at 8:45.

So on that horrible day, 9/11, I understood what was happening, and I immediately began to provide information and contacts to the CIA, Defense Department, and the National Security Council. The team who had helped me during the years organizing an anti-Taliban coalition was now brought to play to help America plan its counterattack.

Charlie Santos, a confidant of Afghan Uzbek leader General Dostum, was a treasure house of information and direction for our government and part of my team during the years before. Ali Santoli on my staff ended up talking directly via satellite cell phones to village and tribal leaders. One of them, for example, was so-called warlord Ishml Khan, thus paving the way for the injection of our special forces troops.

Paul Berkowitz, who now works for me, then working for Chairman Ben Gilman, opened doors throughout the administration. Paul Behrends, a Marine major, a former member of my staff who had been in Afghanistan with me, was invaluable in the territory, was there to help. And Dusty Rhodes, an expert from the intelligence community, he was on my staff at the time and had very special skills that were incredibly important to helping us determine how to proceed.

I have never sought much credit for the small but significant contribution my team made after 9/11. It's like saying Reagan had framed on his desk: "There is no limit to what a person can accomplish if he doesn't care who gets the credit."

Well, our military originally wanted to send in heavy American Army divisions into Afghanistan; basically, what we did in Iraq. They would be supplied by depots located in the northwestern provinces, provinces of Pakistan where that invasion would have been staged from. It would have been a disaster had we done that. The northwestern provinces are the most anti-American territories in the world, which, right now, people are struggling against Taliban control over those areas.

Our team managed to convince America's decisionmakers to come at Afghanistan from the north through Uzbekistan, and most importantly, to let our Afghan coalition do the fighting. Most of those making this decision on which way to go—whether to send in the big heavy divisions or not—had never even heard of Tarmez, which is an Uzbek city on the Afghan border that later served as our staging area.

They had, of course, never been at the northwest provinces, nor did they know about the strategically important Afghan city of Mazzar-e-Sharif, which was later turned into the site of the defeat of the Taliban. I had been to those cities. I had been to those places, and our little team knew the territory and the forces at play. And luckily, some high-level decisionmakers at the DOD and the CIA and, yes, the National Security Council listened to us.

Too many Americans don't fully appreciate the fact that it was an army of Afghans—that was called the Northern Alliance—that defeated the Taliban and the terrorists from their country. Only about 200 U.S. military personnel were there at the time. Only 200 men, boots on the ground, yes. Only 200 men were there of American military personnel. And we gave the Northern Alliance financial assistance and supplied them the arms and the ammunition and, most importantly, the air cover they needed to defeat the Taliban.

We also promised to rebuild their country, and that's how the Taliban—with all those millions of people who were immensely more powerful than they are today—that's how they were defeated after 9/11.

So 7 years have passed, and it appears now that America is pulling defeat out of the jaws of victory. American political restructuring and military firepower has not been working, and it should be of no surprise that it's not working. We can defeat any army and dislodge any tyrant or regime. We cannot conquer or subjugate a people, who, after all, are viewed as occupiers and not liberators, we lose.

The people of Afghanistan are devout Muslims. Yet after 9/11, large numbers of them came to our side and fought against and defeated the Taliban and al Qaeda Muslim extremists. Oh my, how history repeats itself.

After promising to rebuild their war-torn country, after the victory over the Taliban, we then, instead of keeping our word, moved on and committed ourselves to freeing not from the Saddam Hussein dictatorship and helping those people. That commitment dramatically undercut our ability to make the kind of effort and expenditure of resources that the brave Afghan people had a right to expect at that time.

Well, they fought the Russian Army and helped end the cold war, and it was an enormous price that they paid to do that. Then after 9/11, they joined us again to fight radical Islam's grip on their country, which had been used as a base for the attack that slaughtered 3,000 Americans. The Afghans are brave and honorable people. We have to do justice by them. We have
to yet pay back this debt that we still owe them.

Instead, over the years, we have sent our military with its incredibly sophisticated weapons into Afghanistan. When the Taliban were driven out, 90 percent of Afghans loved them and they were doing the fighting against the extremists. Now, years later, our troops are doing the fighting and the hearts of the Afghan people are turning against us.

Afghanistan is a country of 4,500 villages. Each has a militia. Either the villages are with us or they’re against us. We’ve made the age-old mistake of thinking this society of villages and fiercely independent people can be pacified and controlled by our forces or those of a central authority in Kabul. Trying to impose centralized government power on these villages rather than approaching them as friends who are there to help has turned friend into foe, ally into enemy. They’ll be with us or against us. They will be with their friend, and if we do so, we will occupy or control its people. We can be fierce, but we can’t be against it.

What would have happened if somebody had been in a position to influence enormously important decisions after 9/11, I believe I am here at this moment to try again to influence a decision that will have horrendous negative consequences if not made with an understanding of Afghanistan and its people.

Today we are facing a decision to send not to send 35,000 more combat troops into Afghanistan. Thirty-five thousand more troops, by definition, means Americans will do more fighting. It is a wrong strategy, a strategy that will not work and will cost too much financially and cost too much in terms of the lives of our military personnel. A better plan is to re-earn the loyalty of these brave and long-suffering people.

Afghan children are the most beautiful children in the world, but this country has the world’s highest infant mortality rate. It tears at the heart and soul of these people that they’re losing their children. Let’s help them change that.

The money needed to finance sending 35,000 more combat troops into Afghanistan is a mind-boggling 35 billion—that’s “billion”—dollars per year. A commitment of even a small portion of this would bring life-elevating progress throughout that land of 4,500 villages. It would win the goodwill of those villages and their militias. After that, they could become a real asset. They would be a real force against radical Islam. And yes, we need to re-earn the loyalty and gain the loyalty of our Afghan allies. After 9/11, we disarmed the Northern Alliance. We need to re-arm them, and we need to rebuild a solid friendship with those people.

Building a central army, however, in Kabul is not going to defend against Taliban insurgents. Sending in more U.S. combat troops is not the answer, nor is just building up a central army in Kabul. Reaching out to the villages and tribal elders and establishing local militias, perhaps buying their goodwill if need be, these are the things that will work. And it will cost a pittance compared to $35 billion more per year for 35,000 more troops who may end up turning off the people of Afghanistan rather than enlisting them to our side.

Owning our enemy by arming and financing local and village leaders was a strategy that worked against the Soviet Army, and it worked against the Taliban after 9/11, and it will work again. Let us admit that our goals in these last 7 years, that the goals that we have actually tried to put in place these last 7 years were wrong. The goals were wrong. Not just the implementation. The goals were wrong.

Honest and decent centralization, perhaps representative, in government in Afghanistan should have been the goal. Decentralized, honest and decentralized, perhaps representative, government in Afghanistan should have been the goal, not creating a central power, the fallacy that you can have a real central power only if you have a government in charge in the capital that then controls the rest of the country. That was a total illusion, and it was wrong. It was never something we could have accomplished.

Instead, what we wanted to do instead of a decentralized government, we wanted to establish a national power, and we wanted to have national power wielders with whom we could do business. Karzai was never someone who had any loyalty of the Afghan people.

□ 2015

He was not a political force in that country. We forced Karzai on the Afghan people after 9/11, and we forced the king into a more subservient role when he returned rather than a role where he could have selected true Afghan leaders to help rebuild their country, leaders that would have been honest instead of what we have now in the Karzai administration, which is nothing more than a kleptocracy, gangster regime.

In the United States our schools are run locally. Our police are run locally. Our criminal justice system is run at the State or local level. What would have happened if everybody had come into our country during the American revolution and said, No, we have to re-configure it so that all the power’s in Washington and all the appointees are going to be in Washington D.C., and that’s where all the power is going to be and you’re going to have to have a centralized government. Our Founding Fathers would have revolted against that, because that wasn’t consistent with how we knew that freedom was going to be preserved; it wasn’t consistent with representative government and democracy. No, we wouldn’t have done that.

Well, let me just note, what we’ve got there in Afghanistan and what we’ve tried to establish in Afghanistan is a Kabul-based centralization of authority. How can we expect the people of Afghanistan to accept something—centralization of power—which is totally contrary to their own decentralized society which they have had for thousands of years, especially when the centralized authority that we’re trying to foist on them has been corrupt and in no way reflects the consent of the governed?

Members of parliament there are elected in a slate. The people there in that country don’t have individual districts that represent them, individual congressmen who are elected from individual districts. They aren’t even elected at specific villages. No, there is not one person in that government who most Afghans could identify as someone for whom they voted for to represent them, not in the parliament, not in the Kabul government, because there’s no congressmen that are elected. They’re elected as a provinicial entity. It’s a slate and almost all of the villages, nobody knows anybody on the slate because the slate is dictated politically from Kabul which, of course, is a corrupt center of power.

Do we expect the Afghan people to just accept orders from people who they haven’t voted for, whom they don’t know? And the corruption and the ineptitude of that central authority, of course, which we have foisted upon them is not an acceptable alternative. We’re not giving them an acceptable alternative. No wonder why the Taliban is being considered. All this means is that local people have no honest system to settle disputes, to determine rights or to organize the effort that’s needed to elevate the condition of this suffering and poverty-stricken people. These people are devout, but they’re not fanatics. But they will acquiesce again to the Taliban Islamic regime. It’s at least better than a kleptocracy as compared to visiting crooks who are claiming the right to make decisions that have the finality and power of law but people whom they don’t even know who they are, much less have voted for them.

What we do now is what we should have done originally. Let the local villages appoint their own elders to positions of local authority. Let them pick a wise person who they know to be a judge and make decisions for them locally. Let the village militias become part of a National Guard. Give them uniforms, give them guns and ammunition, give them communication gear,
and use the central army to back them up, not to disarm them for fear of their sympathies.

Yes, the U.S. can remain a major military force in Afghanistan, but we cannot and will not succeed if we believe our central government, foreign fighters in a foreign land, can bring a recognizable military victory. Adding more troops feeds the illusion that we can win some kind of victory if we just exercise more power and send more military men in. The Taliban and al Qaeda are inseparable from al Qaeda, that is just so much nonsense. But the Taliban need not come back. There is opposition to the Taliban if we offer a tangible, believable, base up the militias in the towns and villages across that desolate country and let these militias do the fighting. We can and should help establish a militia system and back them up, from the air or on the ground if necessary. But it will be the Afghans, not the Americans, who are on the front lines of this effort.

How much will it cost us to deploy 35,000 more troops? $35 billion. What I'm talking about is a strategy that would cost a minuscule amount of that and have a much greater chance of success. Let's stand down these troops. Let's let these 35,000 American military personnel stay home with their families. And let's send to the Afghans a portion of that additional troop cost would be.

Every time in the past we got to this situation, it was either send those troops and spend the money for them or not send them and just give them a little bit. Now let's give them a substantial infusion into their society of wealth and expertise that can help build that society. That will be so much cheaper and more cost effective, and win the loyalty of Afghan leaders at the village and provincial and tribal level that can get us over the hump. Now that's certainly better than spending money to send people over there to kill more Afghans. We can be their partners in building and improving the life of the Afghan people. And it will bring change to that country and have a much greater chance at success.

Let me end this tonight with one last story, which I just want to mention. Before I came to Congress, I actually went into Afghanistan with an Afghan military unit, a mujahadeen unit, who were fighting the Soviet Union. And I had met so many of these leaders, I told them one day that I would join them in a great battle if I had left the White House. And so I went to the battle of Jalalabab as part of a small military force. All we had were AK-47s and rocket-propelled grenades. I had a beard. I was Afghan. I was just one of the team, one of that unit. Our job was to protect and to work with a rocket unit that was about to attack and give them protection, about to launch rockets into a Soviet position outside the city of Jalalabad.

As we marched to the battle of Jalalabad, it was late at night and the bombs and things were going off, you could hear the explosions and see them; and I was with about 120 Afghans by that point, worming our way through the miles and miles of battle. I had one young Afghan lad, perhaps 16 years old, an AK-47 over his shoulder, came up to me and said, "I understand that you're in politics in America." I said, "Yes, I am." He said, "Well, are you a donkey or an elephant?" I said, "Well, I'm an elephant." He said, "I thought you were." And as we talked, I said to him, "Well, tell me, what do you plan to do with this war with the Soviets is over?" And as we marched toward that battle, he said, "I want to be an engineer or an architect. I want to rebuild my country. I want to rebuild my country. And I know, with your Americans, we can do that." I don't know whatever happened to that young man. He may never have survived that battle. I left after a week and I was back here in the safety of our country. I only could have died of diarrhea or by drinking bad water. He could have stepped on a land mine. A Russian plane napalmied one part of the group that I was with. He could have died in something like that. But that young man, 16 years old, is now probably 40 years old. We owe him a lot. We hope that he's still that idealistic, that he wants to work with Americans to rebuild his country and to see that his family has a better chance even though life now has passed his generation by. I didn't have to pass his generation by. We should have done our duty by them. We have a chance to do that again, to remake that, to redo that and to do what's right, and it will be successful for us and the people of Afghanistan. Let us not send more combat troops there. Let us not put more of our people at risk or have our people killing more Afghans in the name of obtaining some illusory victory. Let us reach out and win the loyalty of these people who have shown their loyalty to us time and again. We can do that now with just a minor expenditure. Give us $5 billion to rebuild that country and to help build a militia system so they can protect themselves. That is what America is supposed to be all about.

That young man had a dream. That young man now is 40 years old, hopefully somebody who still has faith in us, we need to reach out to him and the other young people of Afghanistan and say we can make this a better world. We are willing to work with you to do that. We respect your society and structure and your traditions, and it's not in any way contradictory to what America believes in local government and democracy, and people choosing their own government and those people who make laws for them.

It's time for America to stand for principle. I hope that my Republican colleagues will understand that every time someone in the military—and I respect General McChrystal. Just because he is in the military, he does not have "the plan" that will necessarily bring about the type of change in a society or another kind of dynamic rath than the kind we've had. Many times military officers don't understand that. We should stand up after thinking about it and doing what is
right and listen to those of us who have been in Afghanistan over these years to try to have a policy that's a positive policy that can succeed, and not just looking for an illusionary military victory that will always be out of our grasp.

Thank you very much, Mr. Speaker. I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. BOEHNER) for today and the balance of the week on account of her step-daughter's wedding.

Ms. MCCOLLUM (at the request of Mr. HOYER) for today on account of official business in the district.

SPECIAL ORDERS GRANTED

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

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

Mr. LANGFORD, for 5 minutes, today.

Mr. WINTER, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

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

Mr. MCLINTOCK, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, October 22.

Mr. WOLF, for 5 minutes, today.

Mr. JONES, for 5 minutes, October 22.

Mr. MORAN of Kansas, for 5 minutes, today, October 20, 21 and 22.

Mr. BURTON of Indiana, for 5 minutes, October 20, 21 and 22.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. WAMP, for 5 minutes, today.

Mr. BOOZMAN, for 5 minutes, today.

Ms. FOXX, for 5 minutes, October 20, 21 and 22.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table, and, under the rule, referred as follows:

S. 1694. An act to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes; to the Committee on Energy and Commerce.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, October 16, 2009, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

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

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</thead>
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<td></td>
<td>Arrival</td>
<td>Departure</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
</tr>
<tr>
<td>HON. HOWARD L. BERMAN, Chairman, Oct. 5, 2009.</td>
<td>20/16</td>
<td>20/18</td>
<td>Mexico</td>
<td>699.50</td>
<td>(1)</td>
<td>699.50</td>
</tr>
<tr>
<td>HON. LOUISE MCINTOSH SLAUGHTER, Chairman, Oct. 7, 2009.</td>
<td>20/18</td>
<td>20/20</td>
<td>Nicaragua</td>
<td>337.32</td>
<td>(1)</td>
<td>337.32</td>
</tr>
<tr>
<td>HON. HOWARD L. BERNARD, Chairman, Oct. 5, 2009.</td>
<td>20/20</td>
<td>20/22</td>
<td>Jamaica</td>
<td>775.68</td>
<td>(1)</td>
<td>775.68</td>
</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.
EXECUTIVE COMMUNICATIONS, ETC.

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

4118. A letter from the Vice Chair, Defense Nuclear Facilities Safety Board, transmitting the report on the development of the Chemistry and Metallurgy Research Replacement (CMRR) Project, pursuant to Public Law 110-417, section 3112; to the Committee on Armed Services.

4119. A letter from the Secretary, Department of Energy, transmitting a report on the Strategic Petroleum Reserve 2008 Emergency Test Exchanges; to the Committee on Energy and Commerce.

4120. A letter from the Acting Director, Office of Civilian Waste Management, Department of Energy, transmitting the Office’s report entitled, “Optimizing the Department’s Efforts to Improve the Effectiveness of Administration for Native Americans Projects for Fiscal Year 2007”; to the Committee on Energy and Commerce.


4122. A letter from the Chairman, Federal Trade Commission, transmitting the Commission’s Strategic Plan for Fiscal Years (FYs) 2009 to 2014, as required by The Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

4123. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Amendment of Class E Airspace: Monroe, MI [Docket No.: FAA-2009-0052; Airspace Docket No. 09-AGL-1] received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4124. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Amendment of Class E Airspace: Lewisport, KY [Docket No.: FAA-2009-0706; Airspace Docket No. 09-ASO-26] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4125. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Amendment of Class E Airspace: Binghamton, NY [Docket No.: FAA-2009-0202; Airspace Docket No. 09-ASO-18] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4126. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace: Clanton, AL [Docket No.: FAA-2009-0625; Airspace Docket No. 09-ASO-19] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4127. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace: Clinton, IA [Docket No.: FAA-2009-0665; Airspace Docket No. 09-ASO-4] received September 19, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4128. A letter from the Secretary, Department of Transportation, transmitting the second of five reports required by Section 1220(c) of the Energy Security and Investment Act of 2009 (Recovery Act) detailing the Department’s progress; to the Committee on Transportation and Infrastructure.

4129. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace: Sarasota, FL [Docket No.: FAA-2009-0662; Airspace Docket No. 09-ASO-21] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4130. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace; Saluda, SC [Docket No.: FAA-2009-0903; Airspace Docket No. 09-ASO-16] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4131. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace; Hertford, NC [Docket No.: FAA-2009-0705; Airspace Docket No. 09-ASO-25] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4132. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace; Tompkinsville, KY [Docket No.: FAA-2009-0603; Airspace Docket No. 09-ASO-18] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4133. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Establishment of Class E Airspace; Binghamton, NY [Docket No.: FAA-2009-0202; Airspace Docket No. 09-ASO-18] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4134. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule—Modification of Class D and Class E Airspace, Establishment of Class E Airspace: Binghamton, NY [Docket No.: FAA-2009-0202; Airspace Docket No. 09-ASO-18] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4135. A letter from the Acting Administrator, General Services Administration, transmitting informational copies of prospectuses that support the General Services Administration’s plan to issue 2010 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.


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. GORDON of Tennessee: Committee on Science and Technology. H.R. 3385. A bill to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes; with an amendment (Rept. 111-302). 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. ADERHOLT:

H.R. 3316. A bill to extend temporarily the reduction of duty on polyethylene H1878; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 3316. A bill to suspend temporarily the duty on man-made shells used in the manufacture of sleeping bags; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 3317. A bill to provide the Securities and Exchange Commission with additional authorities to protect investors from violations of the securities laws, and for other purposes; to the Committee on Financial Services.

By Mr. KANJORSKI:

H.R. 3318. A bill to amend the Investment Advisers Act of 1940 to require advisers of certain registered investment companies to register with and provide information to the Securities and Exchange Commission, and for other purposes; to the Committee on Financial Services.

By Mr. GORDON of Tennessee (for himself, Mr. HALL of Texas, Ms. GIFFORD, and Mr. OLSON of Texas):

H.R. 3319. A bill to extend the commercial space transportation liability regime; to the Committee on Science and Technology.

By Mr. WU (for himself, Mr. SMITH of Nebraska, Mr. GRAYSON, and Mr. MOORES of Kansas):

H.R. 3320. A bill to reauthorize Federal natural hazards reduced programs, and for other purposes; to the Committee on Science and Technology, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, and Mr. BUYER):

H.R. 3321. A bill to prevent States from limiting employers from using auto-enrollment for employee health insurance coverage; to the Committee on Education and Labor.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, Mr. BARTON of Texas, and Mr. BUYER):

H.R. 3322. A bill to permit employers to provide contributions and assistance to certain employees who purchase individual health insurance; to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, 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.
H.R. 3823. A bill to amend titles XIX and XXI of the Social Security Act to make certain changes to the State Children's Health Insurance Program and the Medicaid Program, and to the Committees on Energy and Commerce.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. FITTS, Mr. BLUNT, Mr. BARTON of Texas, and Mr. BUYER):

H.R. 3824. A bill to allow States to establish interstate compacts for the purpose of expanding health insurance options; to the Committee on Energy and Commerce.

By Mr. BRIGHT:

H.R. 3825. To amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases; to the Committee on Ways and Means.

By Mr. BIGGERT (for herself and Mrs. CAPPS):

H.R. 3826. A bill to amend title XVIII of the Social Security Act to provide payments under the Medicare Program to licensed health care practitioners for unscheduled telephone consultation services in the case that such payments are determined to be cost and quality effective; 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, for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 3827. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identification, or marital status of any prospective adoptive or foster parent; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Mr. KINK, Mr. LEHNER of New York, Mr. GERLACH of Wisconsin, Mr. NEUERBAUER, Mr. PAUL, Mrs. CAPITO, Mr. MANZULLO, Mr. SESSIONS, Mr. PUTNAM, Mr. MCCOTTER, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. ROE of Tennessee, Mr. EHLERS, Mr. UPTON, Mr. KING of New York, Mr. JONES, Mr. LAMBORN, Mr. CHAFFETZ, Mr. BACH, Mrs. BACHMANN, Mr. BARRETT of South Carolina, and Mr. HENRY):

H.R. 3828. A bill to temporarily suspend the approval or certification of any housing counseling agencies of ACORN or its affiliates and to prohibit General of the Department of Housing and Urban Development to conduct an audit of any assistance provided by the Department to ACORN and its affiliates, and for other purposes; to the Committee on Financial Services.

By Mr. BRADY of Pennsylvania:

H.R. 3829. A bill to amend title 23, United States Code, to reduce the amount of Federal highway funding available to States that do not enact a law prohibiting the use of certain communication devices while operating a motor vehicle, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FORTENBERRY:

H.R. 3830. A bill to direct the Secretary of Health and Human Services to develop an individual chronic disease prevention and wellness achievement matrix; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY:

H.R. 3831. A bill to amend the American Recovery and Reinvestment Act of 2009 to eliminate the phase out of the Medicare hospital budget neutrality adjustment factor; to the Committee on Ways and Means.

H.R. 3832. A bill to enhance the effectiveness of United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran to include refined petroleum, require the Secretary of Defense to develop and maintain viable military options to prevent or deter a nuclear weapons capability by the Government of Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Armed Services, Ways and Means, and 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 Mr. HALL of New York:

H.R. 3833. A bill to amend title XVIII, Parts A and B, of the Public Health Service Act, and title XVI, Part A, of the Social Security Act, to provide for enhanced benefits for survivors of Federal public safety officers killed in the line of duty; to the Committee on Oversight and Government Reform.

By Mr. HIGGINS (for himself, Mr. HINCHLEY, Mr. MASSA, Ms. MOORE of Wisconsin, Mr. MAPFREI, Mr. LEE of New York, and Mr. HOLT):

H.R. 3834. A bill to amend the Internal Revenue Code of 1986 to enhance incentives for renewable energy projects in high solar and wind resource areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 3835. A bill to amend the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to strengthen protections against the wrongful removal of individuals from the official list of eligible voters and the wrongful denial of applications for voter registration, and for other purposes; to the Committee on House Administration.

By Mr. ISRAEL:

H.R. 3836. A bill to authorize the Secretary of Energy to provide credit support to enhance the availability of private financing for clean energy technology deployment; to the Committee on Energy and Commerce.

By Ms. KILROY (for herself, Mr. CUellar, Mr. Thompson of Mississippi, Mr. Pascrell, Mr. Clarke, Mr. DeFazio, Mr. Norton, Mr. Sires, Ms. Jackson-Lee of Texas, Mr. Cleaver, and Ms. Tipton):

H.R. 3837. A bill to amend the Homeland Security Act of 2002 to provide for clarification on the use of funds relating to certain homeland security grants, and for other purposes; to the Committee on Homeland Security.

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

H.R. 3838. A bill to amend the Violence Against Women Act of 2000 to strengthen protections against the wrongful removal of individuals from the official list of eligible voters and the wrongful denial of applications for voter registration, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROONEY (for himself and Mr. MCMAHON):

H.R. 3839. A bill to amend title 10, United States Code, to authorize the reimbursement of mental health counselors under TRICARE, and for other purposes; to the Committee on Armed Services.

By Mr. RUPPERSBERGER (for himself and Mr. THORNBERY):

H.R. 3840. A bill to strengthen certain provisions relating to the Committees on Armed Services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHRADE:

H.R. 3841. A bill to amend the Internal Revenue Code of 1986 to repeal carryover basis for decedents dying in 2009, to increase the estate tax exemption to $1 million, to reduce the maximum estate and gift tax rate to 45 percent; to the Committee on Ways and Means.

By Mr. SCHRADE (for himself and Mr. DRINIAH):

H.R. 3842. A bill to amend the Internal Revenue Code of 1986 to provide a one-time homebuyer tax credit; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 3843. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to publish redacted medical quality-assurance records of the Department of Veterans Affairs on the website of the Department; to the Committee on Veterans' Affairs.

By Mr. TIAHRT (for himself, Mr. WAMP, Mrs. BACHMANN, Mr. BARTLETT, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. BOOZMAN, Mr. CHAFFETZ, Mr. EIHERS, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOODLATTIE, Mr. GRAVES, Mr. HELLER, Mr. HERGER, Mr. INGLIS, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LUCAS, Mr. MCMURRHY of California, Mr. MILLER of Florida, Mrs. MYRICK, Mr. PETRI, Mr. PITTS, Mr. PLATTs, Mr. ROE of Tennessee, Mr. RYAN of Wisconsin, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. TERRY, Mr. WESTMORELAND, and Mr. WOLF):

H. Con. Res. 200. Concurrent resolution expressing the sense of the Congress respecting freedom, security, and stability of Taiwan; to the Committee on Foreign Affairs.

By Mr. TIAHRT (for himself, Mr. WAMP, Mrs. BACHMANN, Mr. BARTLETT, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. BOOZMAN, Mr. CHAFFETZ, Mr. EIHERS, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOODLATTIE, Mr. GRAVES, Mr. HELLER, Mr. HERGER, Mr. INGLIS, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LUCAS, Mr. MCMURRHY of California, Mr. MILLER of Florida, Mrs. MYRICK, Mr. PETRI, Mr. PITTS, Mr. PLATTs, Mr. ROE of Tennessee, Mr. RYAN of Wisconsin, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. TERRY, Mr. WESTMORELAND, and Mr. WOLF):

H. Con. Res. 201. Concurrent resolution to establish the Joint Select Committee on earmark reform, and for other purposes; to the Committee on Rules.

By Mr. LAZARO of Connecticut:

H. Res. 834. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. JENKINS (for herself, Mr. BORINER, Mr. CANTOR, Mr. PENCE, Mr. PAULSEN, Mr. MCCINTOCK, Mrs. SCHMITT, Mr. ADERHOLD, Mr. HENSARLING, Mr. LATTA, Mr. ROE of Tennessee, Mr. REICHERT, Mr. MANZULLO, Mr. SCHROCK, Mr. DENT, Mrs. CAPITO, Mr. KLINE of Minnesota, Mr. THOMPSON of Pennsylvania, Mr. GERRICH, Mr. FOXX, Mr. TERRY, Mr. GRAVES, Mr. BARTON of Texas, Mr. CULBERSON, Mr. MCCRORY of North Carolina, Mr. DANIEL E. LUNGREN of California, Mr. SAM JOHNSON of Texas, Mr. LUCAS, Mr. MORAN of Kansas, Mr. SCALISE, Mr. SMITH of Nebraska, Mr. KINGSTON, Mr. COBLE, Mrs. LUMMIS, Mr. GOHMERT, Mr. CARLSON, Mr. POE of Texas, Mr. GEANSTER, Mr. THORNBERY, Mr. DREIER, Mr. BUYER, Mr. CAMP, Mr. POSEY, Mr. SESSIONS, Mr. BARTLETT, Mr. BACHUS, Mr. HASTINGS of Washington, Mr. MCCLINTOCK, Mr. MILLER of Arizona, Mr. HALL of Texas, Mr. HOKESNA, Mr. CAMPBELL, Mr. GARRETT of New Jersey, Mr. LANCE, Mr. BUCHANAN, Mr. DAVIS of Florida, Mr. ROGERS of Alabama, Mr. BOUNTANY, Mr. GOODLATTIE, Mr. RYAN of Wisconsin, Mr. SCHRADER:
CONGRESSIONAL RECORD — HOUSE

October 15, 2009

Mr. KIRK, Mr. LATHAM, Mr. GALLEGY, Mrs. MC MorrisRodgers, Mr. CONWAY, Mr. ADERHOLT, Mr. GUTHRIE, Mr. CALVERT, Mr. MARKLE, Mr. CHAFFETZ, Mrs. BURK, Mrs. BLACKBURN, Mr. OLSON, Mr. AL EXANDER, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mr. WESTMORELAND, Mr. MILLER of Michigan, Mr. SULLIVAN, Mr. NEUGEBAUER, Mr. FRELINGHUYSEN, Mr. MCCAU, Mr. HABER, Mrs. GINNY BROWN-Watte of Florida, Mr. FLEMMING, Mr. WALDEN, Mr. UPTON, Mr. PEICH of Georgia, Mr. EHLERS, Mrs. BONO MACK, Mr. MACK, Mr. FORBES, Mr. JONES, Mr. PITTS, Mr. SENNENHUISEN, Mr. LINCOLN Diaz-Balart of Florida, and Mr. BARRNETT of South Carolina:

H. Res. 835. A resolution amending the rules of the House of Representatives to provide for transparency in the committee amendment process; to the Committee on Rules.

By Mr. ROE of Tennessee:

H. Res. 836. A resolution expressing support for Teen Read Week; to the Committee on Education and Labor.

By Mr. GUTHRIE:

H. Res. 837. A resolution recognizing Ken tucky Wesleyan College for over 150 years of service to the institution of higher education; to the Committee on Education and Labor.

By Mr. BILIRAKIS (for himself, Mrs. MALONEY, Mr. SARBANES, Ms. TENGELMAN, Mr. TITUS, Mr. RUSKIN, Mr. HOKAM, Mr. SPACE, and Mr. GALLEGY):

H. Res. 838. A resolution welcoming to the United States and to Washington, D.C., His All Holiness Bartholomew, Archbishop of All the Orthodox Church Abroad, to the Committee on Foreign Affairs.

By Mr. BLUMENAUER (for himself, Mr. PAYNE, and Mr. FALLOMAYARDA):

H. Res. 839. A resolution condemning the illegal extraction of Madagascar’s natural resources; to the Committee on Foreign Affairs.

By Mr. BURTON of Indiana (for himself, Ms. ROS-LEHTINEN, and Mr. FRANKS of Arizona):

H. Res. 840. A resolution condemning continuing violations of religious freedom in the Middle East, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GELLACH (for himself, Mr. DENT, Mr. UPTON, Mrs. MILLER of Michigan, Mr. EHLERS, Mr. CASTLE, Mr. CAO, Mrs. BIGGERT, and Mr. BURGER of New York):

H. Res. 841. A resolution expressing support for designation of November 29, 2009, as “Drive Safer Sunday”; to the Committee on Transportation and Infrastructure.

By Mr. HODES (for himself and Ms. SHEA-PORTER):

H. Res. 842. A resolution expressing the sense of the House of Representatives that the MacDowell Colony in Peterborough, New Hampshire, should be recognized for its contribution to the cultural heritage of the United States; to the Committee on Oversight and Government Reform.

By Mr. BOELOFgren of California:

H. Res. 843. A resolution supporting the goals and ideals of Toastmasters International and celebrating its 85th anniversary; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

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

H.R. 43: Mr. Berman and Mr. Mitchell.
H.R. 205: Mr. Poe of Texas.
H.R. 213: Ms. Sheila-Porter.
H.R. 391: Mr. Roe of Tennessee and Mr. McCotter.
H.R. 436: Mr. Etheridge.
H.R. 463: Ms. Chu.
H.R. 471: Mr. Buceri.
H.R. 501: Mr. Edwards of Maryland.
H.R. 560: Mr. Connolly of Virginia.
H.R. 644: Mr. Blumenauer.
H.R. 678: Mr. Allsworth.
H.R. 734: Mr. Seastak.
H.R. 795: Mr. Berman.
H.R. 836: Mr. Melanson.
H.R. 930: Mr. Edwards of New Jersey.
H.R. 1064: Mr. Hall of New York and Mr. Massa.
H.R. 1074: Mr. Linder.
H.R. 1101: Mr. Hehr.
H.R. 1132: Mr. Rusi, Mr. Camp, and Mr. Grisalva.
H.R. 1147: Ms. Hirono.
H.R. 1173: Mr. Putnam.
H.R. 1177: Mr. Guthrie and Ms. Ros-Lehtinen.
H.R. 1194: Mr. Holden.
H.R. 1245: Mr. Young of Florida.
H.R. 1283: Mr. Schrader.
H.R. 1322: Mr. Connolly of Virginia.
H.R. 1361: Mr. Etheridge.
H.R. 1402: Mr. Altman.
H.R. 1408: Mr. Ellison and Mr. Lewis of Georgia.
H.R. 1427: Mr. Young of Alaska.
H.R. 1448: Mr. McCaul.
H.R. 1469: Mr. McCotter and Ms. Wasserman Schultz.
H.R. 1470: Mr. Murphy of New York.
H.R. 1570: Mr. Miller of Florida and Mr. Altman.
H.R. 1578: Ms. Hirono and Mr. Polis.
H.R. 1680: Mrs. Christensen and Mr. Olver.
H.R. 1718: Mr. Wolf and Mr. Connolly of Virginia.
H.R. 1740: Mr. Tim Murphy of Pennsylvania.
H.R. 1770: Mr. Arcuri and Ms. Shea-Porter.
H.R. 1820: Mr. Thompson of California.
H.R. 1826: Mr. Loebsack and Mr. Andrews.
H.R. 1829: Mr. Thompson of Pennsylvania and Mr. Mitchell.
H.R. 1849: Mr. Mckay of Colorado, Ms. Linda T. Sanchez of California, Ms. Schwartz, Mr. Perlmutter, Mr. Rush, Mr. Scott of Georgia, Mr. Jackson Lee of Texas, Mr. Kennedy, Mr. Massa, Mr. Foster, Mr. Fattah, Mr. Neal of Massachusetts, Ms. Moore of Wisconsin, Mr. Miller of North Carolina, Mr. Al Green of Texas, Mr. Altman, Ms. Eddie Bernice Johnson of Texas, Mr. Hastings of Florida, Mr. Hefner, Mr. Hensarling, Mr. Ferraro, Mr. Barkow, Mr. Bishop of Georgia, Mr. Edwards of Maryland, Mr. Rodriguez, Mr. McNerney, Mr. Scott of Virginia, Ms. Chu, Mr. Paul, Mr. Bartlett, Ms. Kosmas, and Mr. Kissell.
H.R. 1875: Mr. Michaud and Ms. Sutton.
H.R. 1941: Mr. Brown of South Carolina.
H.R. 1987: Mr. McMahen.
H.R. 1993: Mr. McNerney.
H.R. 2017: Mr. Barrett of South Carolina.
H.R. 2024: Mr. Donnelly of Indiana.
H.R. 2055: Mr. Schuette.
H.R. 2057: Mr. Meeks of New York.
H.R. 2124: Mr. Cole.
H.R. 2139: Ms. Edwards of Maryland and Mr. Kilroe.
H.R. 2194: Mr. Lewis of Georgia, Mr. Ruppersberger, and Mr. Barton of Texas.
H.R. 2254: Mr. Paulsen, Mr. Childers, Ms. Norton, and Mr. Poe of Texas.
H.R. 2266: Mr. Welch and Mr. Delahunt.
H.R. 2267: Mr. Welch.
H. R. 3644: Mr. Pierlisi and Ms. Pingree of Maine.
H. R. 3651: Mr. Reyes.
H. R. 3654: Mrs. Christensen.
H. R. 3666: Mr. Bishop of New York and Mr. Cuelar.
H. R. 3669: Mr. Filner.
H. R. 3672: Mr. Hare, Mr. Michaud, Mr. Filner, and Mr. Massa.
H. R. 3676: Mr. Alexander.
H. R. 3677: Mr. Olson, Mr. Bonner, Mr. Schock, Mr. Wilson of South Carolina, and Mr. Kirk.
H. R. 3681: Mr. Dent, Mr. Geiger, Mr. LoBiondo, and Mr. Young of Florida.
H. R. 3693: Mr. LaTourette, Mr. Burton of Indiana, and Mr. Ehlers.
H. R. 3696: Mr. Alexander.
H. R. 3700: Mr. Bartlett, Ms. Fallin, Mr. Coffman of Colorado, Mr. Lamborn, Mr. Sam Johnson of Texas, Mr. Akin, Mr. Fleming, Mr. Bonner, Mr. Bishop of Utah, Mr. Austria, Mr. Posey, Mr. Wamp, Mr. Rooney, Mr. King of Iowa, Mr. Franks of Arizona, and Mr. Gohmert.
H. R. 3710: Mr. DeFazio and Mr. Waxman.
H. R. 3712: Mr. Crowley, Mr. Lewis of Georgia, Mr. Connolly of Virginia, and Mr. Westmoreland.
H. R. 3715: Mr. Austria.
H. R. 3756: Mr. Braley of Iowa, Mr. Boshell, Mr. Heinrich, Mr. Teague, Mr. Courtney, and Mr. Walt.
H. R. 3758: Mr. Johnson of Illinois, Mr. Mario Diaz-Balart of Florida, and Ms. Granger.
H. R. 3761: Mr. Johnson of Illinois, Mrs. Lummis, Mr. Eilers, Mr. McCotter, Mr. Smith of Nebraska, and Ms. Granger.
H. R. 3762: Mr. Polis of Colorado.
H. R. 3763: Mr. Lee of New York and Mr. Paul.
H. R. 3765: Mr. Wilson of South Carolina.
H. R. 3771: Ms. Lee of California.
H. R. 3781: Mr. Teague.
H. R. 3790: Mr. Braley of Iowa and Mr. Austria.
H. R. 3791: Mr. Etheridge, Mr. Massa, and Mr. Nye.
H. R. 3792: Mrs. Christensen, Ms. DeGette, Ms. Castor of Florida, Mr. Gene Green of Texas, Mr. Markey of Massachusetts, Ms. Sutton, Ms. Matsui, Ms. Schakowsky, Mr. Inslee, Mr. Gonzalez, Mr. Braley of Iowa, Mrs. Bono Mack, Mr. Murphy of Connecticut, Ms. Baldwin, Ms. Eshoo, and Mr. Rogers of Michigan.
H. R. 3797: Mr. Bartlett, Mr. Alexander, and Mr. Sam Johnson of Texas.
H. R. 3802: Mr. Pitts.
H. R. 3810: Mr. Welch, Ms. Schakowsky, Mr. Kildee, and Ms. Bordallo.
H. Con. Res. 102: Mr. Berman.
H. Con. Res. 139: Mr. Barrett of South Carolina, Mr. CaO, and Mr. Johnson of Georgia.
H. Con. Res. 198: Mr. Hall of Texas, Mr. Cuelar, and Mr. Camp.
H. Res. 274: Mr. Posey.
H. Res. 395: Ms. Eddie Bernice Johnson of Texas.
H. Res. 510: Mr. LoBiondo and Mr. McMahone.
H. Res. 583: Mr. Boswell, Mr. Bishop of Georgia, Mr. Costa, Mr. Cardoza, Mr. Marshall, Mr. Ellsworth, Mr. Wilson of Ohio, Mr. Donnelly of Indiana, Mr. Space, Mr. Arcuri, Mr. Patrick J. Murphy of Pennsylvania, Mr. Melancon, Mr. Boren, Mr. Hill, Ms. Herseth Sandlin, Mr. Matheson, Mr. Boyd, Mr. Peterson, Mr. Thompson of California, Mr. Kratovil, Mr. Nye, Mr. Gordon of Tennessee, Mr. McIntyre, and Mr. Chandler.
H. Res. 604: Mr. Connolly of Virginia.
H. Res. 605: Mr. Engel.
H. Res. 613: Mr. Brady of Pennsylvania.
H. Res. 615: Mr. Kingston.
H. Res. 666: Mr. Arcuri.
H. Res. 704: Mr. Deal of Georgia, Mr. Rush, Ms. Schwartz, and Mr. Butterfield.
H. Res. 709: Ms. Wasserman Schultz.
H. Res. 711: Ms. Tsongas and Mr. Himes.
H. Res. 747: Mr. Nye.
H. Res. 749: Mr. Putnam, Mr. Brown of Georgia, and Mr. Garrett of New Jersey.
H. Res. 759: Mr. Pitts, Ms. Fallin, Mr. Coffman of Colorado, Mrs. Bachmann, Mr. Sam Johnson of Texas, Mr. Price of Georgia, Mr. Akin, Mr. Issa, Mr. Brown of South Carolina, Mr. Bishop of Utah, Mr. Austria, Mr. Luetkemeyer, Mr. Posey, Mr. Hunter, Mr. Rooney, Mr. King of Iowa, Mr. Gohmert, Mr. Cole, Mr. Klein of Florida, and Mr. Davis of Kentucky.
H. Res. 773: Mr. Fortenberry, Mr. Davis of Tennessee, Mr. Dicks, and Mr. Latham.
H. Res. 780: Mr. Grijalva, Mr. McClintock, Mr. Scott of Virginia, Mr. Franks of Arizona, Mr. Connolly of Virginia, and Ms. Edwards of Maryland.
H. Res. 785: Mr. McCarthy of California, Mr. Massa, Mr. McNerney, and Mrs. Christensen.
H. Res. 767: Mr. Rush, Ms. Matsui, Ms. Eshoo, Mr. Butterfield, Mr. Castor of Florida, Mrs. Capito, Mr. Sarbanes, Ms. DeGette, Mr. Weiner, Mr. Inslee, Mr. Cooper, Mr. Dent, Mr. Schock, Mr. Welch, Mr. Braley of Iowa, Mr. Gordon of Tennessee, Ms. Sutton, Mr. Bishop of New York, Ms. Kosmas, Mr. Hinchey, Ms. Pingree of Maine, Ms. Fudge, Mr. Hare, and Ms. Slaughter.
H. Res. 796: Mr. Marchant.
H. Res. 798: Mr. Holt, Mr. McNerney, Mr. Lewis of Georgia, and Mr. McMahone.
H. Res. 801: Mr. Cohen, Mr. Meek of Florida, Mr. Conyers, Mr. Oberstar, and Mr. Serrano.
H. Res. 811: Mr. Van Hollen and Ms. Giffords.
H. Res. 812: Mr. Connolly of Virginia and Mr. McCotter.
H. Res. 819: Mr. Shadegg, Ms. Issa, Mr. Franks of Arizona, Mr. Gingrey of Georgia, Mr. Cole, Mr. Akin, Mr. King of Iowa, Mr. Kline of Minnesota, Mr. Gohmert, Mr. Brown of Georgia, Mr. Bishop of Utah, Mrs. Bachmann, Mr. Brown of South Carolina, Ms. Fallin, Mr. Marchant, Mr. Davis of Kentucky, Mr. Lamborn, Mr. Coffman of Colorado, Mr. Austria, Mr. Fleming, Mr. Luetkemeyer, and Mr. McClintock.
H. Res. 823: Ms. Woolsey, Ms. Faleomavaega, Mr. Carnahan, Mr. Castle, Mr. Wexler, Mr. Meeks of New York, Mr. Inglis, Mr. Payne, Mr. Gneh Green of Texas, Ms. Jackson-Lee of Texas, and Mr. Sires.
H. Res. 831: Mr. Camp, Mr. Franks of Arizona, and Mr. Coble.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
H. R. 1989: Mr. Bartlett, Mr. Latta, Mr. Biliray, and Mr. Souder.
H. R. 3413: Mr. Al Green of Texas and Ms. Jenkins.
H. R. 3612: Mr. Sam Johnson of Texas.
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 PRESIDING OFFICER. Today’s opening prayer will be offered by Rev. Dr. James L. Merrell, retired Disciples of Christ journalist, serving as pastor of Trinity United Church of Christ, St. Louis, MO.

The prayer was offered by Rev. James Merrell, as follows:

Creator God, source of all things in heaven and on Earth, give wisdom and strength to those who seek. We come today with fresh anticipation. We assemble in this place where history is made, knowing that Your presence has guided those serving here so faithfully in challenging decades past. We give thanks that Your sure and merciful hand continues to uphold the life of our blessed Nation. We are grateful for the thanks that Your sure and merciful hand continues to uphold the life of our blessed Nation. We are grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper. I was grateful for the opportunity to write weekly for the Tuesday paper.
HEALTH CARE REFORM

Mr. KYL. Madam President, I wish to take 10 minutes this morning to respond to some comments made by my friend from Illinois, my counterpart, the Democratic whip, comments made in response to Minority Leader McCNELL's remarks earlier today.

Yesterday, Senator DURBIN made a couple of points. One I specifically want to focus on has to do with the national debt. Senator McCNELL had talked about the fact that spending by the Democrats, especially with regard to proposals for new health care legislation, was going to increase the national debt. The Senator from Illinois came back and said he agreed the debt is too high, but he said we need to understand that the reason it is too high is the Bush administration—that, in effect, President Obama inherited the debt. That is not exactly accurate. Here are the actual facts regarding the debt today. On Tuesday, the Treasury Department reported that the deficit this past fiscal year totaled $1.4 trillion. That is a figure higher than the previous 4 years combined. The previous 4 years were Bush years. Last year was primarily the Obama administration.

What is the significance of January 20? That is the day President Obama was sworn in as President. Holder the President’s budget that every Democrat voted for this year, we will have budget shortfalls or deficits averaging $1 trillion each year for the next 10 years. We can’t blame this on the Bush administration if spending was as much as the last 4 years combined and the budget shortfall is going to be $1 trillion for the next 10 years. It was never $1 trillion. It wasn’t even half that much ever under President Bush.

Let me put this in perspective. The President’s budget, supported by every Democrat, will double the national debt in 5 years, increasing it from $5.8 trillion to $11.7 trillion. It would almost triple the debt in 10 years. These are estimates from the Congressional Budget Office. By contrast, look at the last 219 years in the history of the country. From 1789 to 2008, Americans amassed a $5.8 trillion national debt. In other words, the President will have a debt equal to all of the previous Presidents from George Washington all the way through George W. Bush. We cannot claim that is inherited from the past.

The President’s deficit spending is not sustainable. By the end of the budget period, the debt will have skyrocketed to 82 percent of the gross domestic product, which everyone agrees, including the President’s advisers, is the Democrats’ goal. Think about the interest payments. Think about your own credit card interest payments for interest payments on debt. These will soon...
be the single largest item in the Federal budget.

What if debt interest payments were the single largest item in your own family budget? More than $800 billion a year in 10 years will be spent on interest alone—$800 billion a year. That eclipses what we spend on national security. It is four times as much as we spend on education, energy, and transportation combined. These are not abstract numbers. This will have an effect on every American.

In 2019, under the President’s plan, each U.S. household’s share of the Federal debt will be more than $130,000. That is the most of any household in our mortgages. Notably, since the Democrats have taken over the Congress—we are not talking about “inherited” now—the Congress has increased the debt limit four times, and the administration has made a request for a fifth increase that we anticipate occurring this November.

So should we be worried about the debt? I believe so. Was it a problem inherited from the administration? No. The real problem is what we have done since January 20, since President Obama came into office, since Democrats have been in control of the Congress and the adoption of a budget which is going to triple our debt in just 10 years. And in 5 years we will have more debt than every single President and Congress in the entire history of the country right up through George W. Bush accumulated—in one budget of this administration.

The other thing I would like to speak to is comments the Senator from Illinois made on Tuesday. Again, he was critical of Senator McConnell, who noted that all of these bills passed in the House and in the Senate were passed on essentially partisan votes, and that Republican ideas had been ignored. My colleague said: Well, in the HELP Committee there were 150 amendments adopted that had been offered by Republicans. The vast majority of those were purely technical corrections, misspellings, typos, and things of that sort. I do not think any body would disagree that Republicans have had a fair voice in the creation of the health reform legislation around here.

Then there was an attack on the messengers. There have been several reports that demonstrate that insurance premiums are going to go up, not down, in this legislation. The attack was not to contend that the figures were wrong but, rather, to attack the messengers—in two cases—to say: Well, the insurance industry actually paid for some of those reports. Does that make the reports wrong? It might raise a question in our minds as to whether they are credible, but how about analyzing them to see whether they are wrong.

The majority whip then went on to say that the Congressional Budget Office does not have the Republicans leader and predicted that the health care premiums would actually not go up. Specifically, he said: “They predicted if health care reform went through, health care insurance premiums would go up” on American families.

The Senator from Illinois said: Well, there are those who disagree, people with the Congressional Budget Office and others. . . .

Let me quote the Congressional Budget Office. It does not disagree. The Congressional Budget Office specifically supports what Senator McConnell said:

Premiums in the new insurance exchanges would tend to be higher than the average premiums in the current-law individual market.

CBO was very clear in conversations we have had with them that specifically with regard to American families premiums will be higher.

So the Senator from Kentucky, the Republican leader, was correct and the Democratic whip was incorrect. CBO says premiums will be higher.

This report issued yesterday from Oliver Wyman said premiums will increase for both the individual market, approximately $1,500 for single coverage and $3,300 for family coverage every year.

In my State and some other States it is even worse. For Arizona, Idaho, Kentucky, Virginia, and the District of Columbia, we will have the highest premium increases, where premiums could increase by as much as $2,619 for individuals and about this—$7,426 for families. Think about that: as a premium increase under a bill that is supposed to help us afford our health care, but we get socked with a $7,000 increase in the health care premium for our families.

Part of this is because of the minimum benefit requirements the bill provides for. They note this will increase costs about 10 percent in the individual market and 3 percent in the small market group. This is under the Baucus bill. Small employers purchasing new policies in this new market will experience premiums that are up to 19 percent higher in year 5 of the reform. Premiums will go up.

Millman, another independent actuarial firm, found that the average actuarial value of a high deductible plan is 48 percent. In Arizona, incidentally, it is 61 percent. What does this mean? Under the legislation, the lowest insurance plan value is defined by the Federal Government. It has to be 65 percent. That means there will be an increase in health insurance premiums by 35 percent for those with high deductibles. Individuals enrolled in individual health plans with a lower actuarial value than 65 percent will see their premiums increase by 18 percent. So to the allegation that somehow Republicans criticize the Baucus bill for raising individual and family insurance premiums, the reality is, all the experts agree, including the Congressional Budget Office. Then there is the question that had to do with medical devices. The reality is, because of taxes imposed in the Baucus bill, there are going to be a lot of increased expenses, including expenses that are going to be passed on to individuals. One of those is in the medical device industry.

Let me quote a letter that some Democratic colleagues of ours—Senators Klobuchar, Bayh, and Franken and then Senator Lugar on the Republican side sent to Chairman Baucus. I am quoting from it:

[T]he provision would harm economic development and health care innovation nationwide.

We are concerned that this tax will stifle technological innovations that can improve patient outcomes and lower health care costs.

It is also a fact, as I said, that these expenses are passed through. There are several studies that demonstrate that—as well as the comments of the Congressional Budget Office and the Joint Tax Committee—all of whom say it is virtually a dollar-for-dollar pass-through. So if we raise taxes on the medical device industry by $40 billion, then people are going to be paying $40 billion more in insurance because the cost of those medical devices will be reflected in the cost to the insurer and, therefore, the cost to the people who are paying the premiums.

There was a concern expressed by my colleague from Illinois that insurance companies will raise their premiums—this is a point I have been making—but they will do it in a collusive fashion and maybe we should look at the antitrust laws in that regard.

Well, they do not have to collude to raise their premiums. Every one of them has an incentive—as the Congressional Budget Office and these other reports demonstrate—for them to be able to stay in business; they have to be able to raise their premiums to reflect their cost of doing business. They do not have to collude to do that.

Then the Democratic whip made what I would say is a rather odd argument: Republicans have been critical of the concept of government-run insurance. The Democratic whip said: Well, we have government-run insurance—Federal employees and Members of Congress—and we think it is a good program. And he said under the program, there are nine different health plans to choose from, and we pick the best one for us, and the employer pays part of it and we pay part of it, and so on.

That certainly is all true, except for one thing: It is not government run. As he noted, there are nine private plans. This is no different than any other employer. Most large employers such as the Federal Government, give their employees a choice of two, three, four, maybe sometimes as many as nine or ten plans if they are a big enough employer. The Federal Government is a huge employer, so we can offer nine different plans. But there is no Federal insurance. This is not federally run.

This is the Federal Government as the employer doing the same thing...
that Honeywell as an employer would do for its employees. It gets three or four insurance companies with different kinds of plans and says to its employees: We will pay for part of the cost. You get to pay for the rest of it. That is not federally run or government-run, so the Democratic whip is simply wrong when he says the plan Members of Congress and Federal employees have is government run. That is simply not true.

I regularly listen to the medical device issue. I would note Senator KERRY is another one of our colleagues who, like me and like others, has expressed concerns about this issue because of the fact that the taxes paid by the medical device industry will, in fact, be passed on to consumers.

Finally, the Democratic whip asked where the Republican health care plan is. I do not know how many times we have to repeat this, but let me do it one more time. Time and time again, we have said that what the Democrats believe will reduce the cost of health care, will help people get coverage who do not have it now, and will reform the system.

What are some of the ideas we have proposed? By the way, each of these were offered as amendments in the HELP Committee and in the Finance Committee and in the House of Representatives, and Democrats voted against every one of them every time. So it is not just that they do not have any ideas and alternatives that would solve specific problems, it is that the Democrats do not like the ideas and, therefore, have rejected them. But I will repeat a couple of them one more time.

Republicans lead with medical malpractice reform, to try to do something about this jackpot justice system where lawyers end up getting most of the money, and doctors and hospitals have to practice defensive medicine to anticipate being sued and to be able to protect themselves against it. There are estimates: as much as 10 cent out of every health care dollar spent is on premiums that doctors have to pay for their liability insurance. There is over $100 billion a year that can be saved from defensive medicine practices if we are able to have medical malpractice reform. The CBO even scored it—in a very narrow way—at $54 billion just in savings to the Federal Government.

As Senator JOHNSON pointed out in an exchange with the CBO Director in the June Committee, one could anticipate that about twice that much savings would occur if we add in all of the savings to the private sector as well. So we could be talking about well over $200 billion in savings. This is a huge amount of money. It does not cost the Federal Government a dime. It makes the system more fair, and it is a savings that can be passed on in the form of lower premiums and lower health care costs.

Another idea we have talked about a lot—you have heard it—the sale of insurance across State lines. Let’s make

the insurance companies have to compete with each other. Sometimes they have little monopolies; there are only two or three companies in a particular State. Well, if we could buy our health insurance like we can buy our casualty insurance, our home or our car insurance, and there is only one company in the country, those insurance companies in our States would have to be better competitors. My guess is they would lower our rates and they would give us better benefits. That competition would help us. Again, it does not cost a dime.

How about association health plans, letting small businesses and groups band together to create larger risk pools? Risk pools help define the coverage. If we have a big risk pool, chances are we can get cheaper coverage. If we have a small risk pool, it is hard. That is why small businesses find it so hard. So we talk about larger risk pools through association health plans.

Madam President, I think I have exceeded my 10 minutes. We could go on and on with Republican ideas that have been proposed but get shot down by the Democrats. Not a matter of looking for a Republican proposal.

Let me conclude with this: It is true that Republicans will probably not propose a massive trillion-dollar bill as the Democrats have. That is true. We are not going to because we do not do 1,000-page bills in the Congress very well. We do not know the consequences of them. The cost is always enormous.

Republicans have a better approach. We believe we can do this step by step: First, regain the trust of the American people that we can do it right, and that we are listening to them about what they want rather than coming up with some grand scheme that a bunch of staffers and consultants in Washington, DC, came up with. Let’s listen to the American people, hear what is it they want. They do not want a massive, big spending bill that is going to decide what is going to raise their taxes and raise their insurance premiums, and, in the end, not insure very many more Americans. That is not reform.

Madam President, I see my colleague from Tennessee is in the Chamber. He has been an eloquent spokesman on this issue, and I am pleased to yield the floor.

The Acting President pro tempore, the Senator from Tennessee.

Mr. ALEXANDER. Madam President, I congratulate the Senator from Arizona for identifying so well, among other things, how Republicans would like to approach the health care reform and how the Democrats are going for individuals who are buying insurance, and we want to reduce the cost of our government. Rather than a comprehensive 1,000-page, trillion-dollar bill filled with surprises, we prefer to go step by step in the right direction; that is, reducing costs.

The Senator from Arizona has mentioned ways to do that. Whether it is allowing small businesses to pool their resources, which could add millions of people to the rolls of the insured in the country, whether it is reducing junk lawsuits against doctors, whether it is allowing for the buying of insurance across State lines or health insurance exchanges or using health information technology, we can take steps in the right direction to regain the trust of the American people and move toward reducing costs.

The Senator also did a very clear job of pointing out how the Baucus bill may actually increase costs. There has been a lot of squirming around on the other side because it has been suggested that instead of premiums going down—which is the whole point of this exercise, reducing costs—they might go up. I would like to talk about that a little bit today.

Premiums, your premiums—and let’s talk about who the “you” is. We have about 170 million Americans who have employer-based insurance. There is a total of about 250 million Americans—that is most of us—who have some kind of insurance premium that either we pay or is paid for us. I think our goal is to make it easier to afford premiums; in other words, to reduce costs. But the Baucus bill, in at least four ways, increases costs, and raises premiums.

One way is it reduces the penalty for individuals and families who are required to buy insurance and not buy insurance, and if the young and healthy go out of the insurance pool, premiums of everybody who is in the insurance pool go up.

No. 2, the Baucus bill will say—and so do the other bills the Democrats have presented—that my children, who pay lower premiums than I do, will have higher premiums because under the law there can’t be as much difference between what an older person pays and what a younger pays. So for most young Americans who buy insurance—and in this case they will be required to buy insurance or pay a penalty, so their premiums go up.

There is a third reason premiums go up. Premiums will go up because, when you buy insurance, you don’t just get to buy any kind of insurance; you buy a government-approved, basic policy. It sounds like a little more Washington takeover to me. When you go out to buy insurance, you don’t just go to anybody, you don’t just buy the health care policies you want; you buy a government-approved, basic policy, what you will find under this bill is that for millions of Americans, it will cost you more. Your premiums will go up. There are a great many Americans who make the sensible decision of buying a health deductible policy. They say: I will pay most of my health care costs up to a point, but I will buy the insurance for the catastrophe in my life that I could never afford. Well, those policies will not be as available.

Then, finally, there are going to be $955 billion in new taxes. The bill is very careful about not placing them directly on you; it puts them on everybody you buy things from. It puts them
Mr. ALEXANDER. Again, it has been said there is not much bipartisanship. That didn't get the time of day, no one talked about it. That is not true. There is another option the various committees had. It didn't increase the debt a penny. It gave people more choices. It didn't have a new government program. It had a lot of good principles in it, but that was rejected. That didn't get the time of day, no more than the Republican step-by-step proposals, but there are other bipartisan efforts other than Wyden-Bennett. There is the Reid amendment offered by leader Harry Reid, which I do not think anyone had concerned about how the Baucus bill was going to transfer to the State of Nevada big, new Medicaid costs that might result in new taxes. Every single Governor in the country is concerned about that, Democratic or Republican. So the majority leader fixed the problem for Nevada and three other States. We will call that the Reid amendment and the floor. We are going to introduce a Reid amendment and we are all going to support it because we want it for Texas, we want it for South Dakota, we want it for New York, we want it for California. If the Federal Government is going to expand Medicaid, the Federal Government needs to pay for the Medicaid expansion and not send it to the States. So that will be a bipartisan step.

Then there is another bipartisan step, and that was from eight Democratic Senators who wrote in and said: We want to be able to read the bill and know what it costs before we start voting on it. All 40 of us agree with that on the Republican side and we believe that this should be put on the Internet for 72 hours. Senator Bunning has offered an amendment for that. That now has bipartisan support.

That means, this bill is finally written—it is not a bill yet, that is the issue. If that looks, it will at least be on the Internet for 72 hours. Then we will need to have a complete fiscal estimate. That ought to take a couple or 3 weeks. Then we need to come to the floor and debate it because premiums are going up or down? Are taxes going up or down? What about these Medicare cuts? $500 billion in Medicare cuts not spent to restore Medicare but for a new government program, I think. My point is, there are a number of questions that need to be answered.

Let me conclude in this way: We have a bipartisan approach. We want to read the bill and know what it costs. Enough of us do that, so I think we will do that. I do think it is at least a good a debate as we did on the farm bill. That took a month. The Energy bill took 2 or 3 months. This is one-sixth of the economy, and we will need several weeks to talk. What will we be talking about? We will be talking about—let me at least be talking about—whether this bill is reform; whether it will reduce costs, and whether it will raise premiums or lower premiums. If it raises the premiums, if it raises our premiums instead of lowering our premiums, then why are we doing this?

That is not health care reform. That is not reducing costs. We should instead take the Republican approach and go step by step to paid low deductibles; and if it imposes $955 billion of taxes that will be passed on, raising our premiums if it raises our premiums instead of lowering our premiums, then why are we doing this?

THE BAUCUS BILL IS A TAX BILL

(By Douglas Holtz-Eakin)

Remember when health-care reform was supposed to make life better for the middle class? That dream began to unravel this past summer when Congress proposed a bill that failed to include any competition-based reforms that would actually bend the curve of health-care costs. It fell apart completely when Democrats began papering over the gaping holes their plan would rip in the federal budget.

As it now stands, the plan proposed by Democrats and the Obama administration would not only fail to reduce the cost burden on middle-class families, it would make that burden significantly worse.

Consider the bill put forward by the Senate Finance Committee. From a budgetary perspective, it is straightforward. The bill creates a new health entitlement program that the Congressional Budget Office (CBO) estimates will grow over the longer term at a rate of 8% annually, which is much faster than the growth rate of the economy or tax revenues. This is the same growth rate as the House bill that Sen. Kent Conrad (D., N.D.) deep-sixed by asking the CBO to tell the truth about its impact on health-care costs.

To avoid the fate of the House bill and achieve a veneer of fiscal responsibility, the
Senate did three things: It omitted inconvenient truths, it promised that future Congresses will make tough choices to slow entitlement spending, and it dropped the hammer of the middle class.

One inconvenient truth is the fact that Congress will not allow doctors to suffer a 24% cut in their Medicare reimbursements. Senate Republicans, who need to limit their liability and rely on the promise of a cut to make their bill add up. Taking note of this fact pushes the total cost of the bill well over $3 trillion and destroys any pretense of budget balance.

It is beyond fantastic to promise that future Congresses will not make straight cuts, allow planned cuts in reimbursements to hospitals, other providers, and Medicare Advantage (thereby reducing the benefits of 25% of Medicare). The Balanced Budget Act pursued this strategy and successive Congresses steadily unwound its provisions. The very fact that this Congress is pursuing an expensive new entitlement belies the notion that members would be willing to cut existing ones.

Most astounding of all is what this Congress is doing to struggling middle-class families. The bill would impose nearly $400 billion in new taxes and fees. Nearly 90% of that burden will be shouldered by those making $200,000 or less. It might not appear that way at first, because the dollars are collected via a 40% tax on sales by insurers of “Cadillac” policies, fees on drug compounding, drug companies, and device manufacturers, and an assortment of odds and ends.

But the economies are clear. These costs will be passed on to consumers by either directly raising insurance premiums, or by fueling higher health-care costs that ineluctably drive higher premiums. The CBO Study only takes into account the savings—except maybe the trial lawyers, except maybe the device manufacturers, and an assortment of odds and ends.

But the economies are clear. These costs will be passed on to consumers by either directly raising insurance premiums, or by fueling higher health-care costs that ineluctably drive higher premiums. The Joint Committee on Taxation indicates that 87% of the burden would fall on Americans making less than $200,000, and more than half on those earning under $100,000.

Industry fees are even worse because Democrats chose to make these fees non-deductible. This means that insurance companies will have to raise premiums significantly just to break even. American families will bear a burden even greater than the $130 billion that the bill intends to collect.

According to my analysis, premiums will rise by as much as $20 billion over the next 10 years and 90% will again fall on the middle class.

Senate Democrats are also erecting new barriers to middle-class access. A family of four making $54,000 would pay $4,800 for health insurance, with the remainder coming from subsidies. If they work harder and raise their income to $66,000, their cost of insurance rises by $2,800. In other words, earning another $10,000 will add $2,800 to their bill by simply taking on a marginal tax rate of 23%. Double-digit increases in effective tax rates will have detrimental effects on the incentives of millions of Americans.

Why does it make sense to double down on our incentives to struggling middle-class families. The bill would impose nearly $400 billion in new taxes and fees. Nearly 90% of that burden will be shouldered by those making $200,000 or less. It might not appear that way at first, because the dollars are collected via a 40% tax on sales by insurers of “Cadillac” policies, fees on drug compounding, drug companies, and device manufacturers, and an assortment of odds and ends.

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Mr. McCAIN. I thank my colleague.

Mr. THUNE. Madam President, as the Senator from Arizona noted, an important component of the debate is the cost curve, which leads to higher premiums and health care costs both in government-held care—Medicare and Medicaid—and in private health care delivery.

Despite all of the promises the President has made to the contrary, there isn’t anything in these bills to date, according to the CBO, that drives the cost curve down. In fact, what we are looking at is higher health care costs attributable to many of the provisions in these bills. It is interesting to know, because there is a lot of hearing, the Director of CBO, Doug Elmendorf—and earlier I mentioned Douglas Holtz-Eakin, a former CBO Director, but the current Director has repeatedly acknowledged that he did not have the opportunity to find answers to any of the important questions in this debate. CBO told us increased taxes will be passed on in the form of higher premiums, general dollar for dollar. When he was asked if CBO calculated how much insurance premiums will rise for Americans who already have coverage, he said no. When he was asked whether they calculated whether total spending on health care would go up or down, he said no. When he was asked if they calculated how the bill would affect access, he said no. Because of the way the bill has so many holes and no real legislative language, and the way it has been rushed through, there has simply not been time, evidently, for CBO to look at this and to find for certain what some of the impact will be. I have to ask, would Americans buy a health care plan without knowing how much it costs? Does anybody in this country look at buying a plan without knowing its cost? That is exactly what the Democrats are asking. We want to take on the trial lawyers. It seems to me that you cannot have a plan without knowing its cost? That anybody in this country look at buying a plan without knowing how much it costs? Does the American people will go up significantly. So you have two independent analyses that have been done in the last week, talking about how much premiums are going to go up. We know now, with the Joint Tax Committee’s assessment and CBO’s assessment, that taxes will go up. We have said how the impact of the tax increases, families earning 150 percent of the Federal poverty line, $32,200, will face an effective marginal tax rate of 59 percent. And 89 percent, according to the CBO, of the person making less than $20,000 a year on earners making less than $200,000 a year. Fifty percent would fall on those making less than $100,000 a year.

You have average Americans out there trying to cope with the cost of health care. How are they going to cope with premiums; and if you are in the small group market, the individual market, it is 15 percent. If you are in the small group market, it will go up by 50 percent; if you are an individual, it will go up by 50 percent; and if you are in the small group market, you will see a 14 percent increase in premiums; and if you are an individual and for a family, it is 15 percent. And probably the one group that is going to fare very well when it comes to the costs associated with this plan. I argue that most Americans, as they evaluate the personal impacts of this health care reform proposal, are going to give it a thumbs down and, hopefully, we can go back to the drawing board and address this in the way we should have in the first place, and that is step by step, not rushing to jam through this massive expansion, this $1.3 trillion program, with higher taxes, higher premiums, and cut in Medicare.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. McCAIN. Madam President, I congratulate the Senator from South Dakota on a very important statement. I see the Senator from New Hampshire and others on the floor waiting to speak on this issue. I will be brief.

My State of South Dakota isn’t going to experience premium increases that were revealing. It illustrated, too, that these premium costs that are going to be borne by the American people will go up significantly. What we know for certain about this bill is that it is going to spend $1.3 trillion, when fully implemented over a 10-year period, to leave 25 million people without coverage; it is going to raise premiums for people in this country; it is going to raise taxes on people in this country, particularly those who make under $100,000 a year—half of the tax burden will fall on them, according to the CBO and the Joint Committee on Taxation. That is what we are looking at with this legislation. As much as is talked about in health care reform and covering more people, the President and Senate Democrats cannot say that we are looking at higher premiums, higher taxes, and cuts in Medicare. That is the bottom line. That is why we, as Republicans, are looking for real solutions that bend the cost curve down. As the Senator from Arizona said, one of those solutions certainly would be throwing into this mix the issue of medical malpractice reform.

I want to point out a couple of statistics before I conclude about how this would impact people in South Dakota, and I am going to quote the CBO. In the case of South Dakota market, the individual market, if you are buying in that market, you are going to see your premiums go up by 47 percent. If you are a family, it will go up by 50 percent; and if you are in the small group market, you will see a 14 percent increase in premiums; and if you are an individual and for a family, it is 15 percent. And probably the one group that is going to fare very well when it comes to the costs associated with this plan. I argue that most Americans, as they evaluate the personal impacts of this health care reform proposal, are going to give it a thumbs down and, hopefully, we can go back to the drawing board and address this in the way we should have in the first place, and that is step by step, not rushing to jam through this massive expansion, this $1.3 trillion program, with higher taxes, higher premiums, and cut in Medicare.

I yield the floor.

The majority leader begins discussion.
10 years beginning in 2013. Using the CBO numbers, we are told that the proposal spends $1.8 trillion. That is the real cost of this proposal.

You might be justified in wondering what Americans get for that $1.8 trillion. More government, with 13 million more people placed into the failed Medicaid Program. Medicaid is a program that is busting the Federal budget and State budgets all over America. Medicaid is a program that fails in patients having access to physicians. The Department of Health and Human Services will not see Medicaid patients. Medicaid is a program that fails in health outcomes for low-income Americans. We are not going to give low-income Americans more options for better health coverage; we are just giving them the status quo.

It is bad enough that the proposal massively increases government regulation of health care and insurance, massively expands the government-sponsored health care program which the States cannot afford to pay for, as we all know—massively cuts Medicare and drives up insurance premiums in the process. But the proposal ignores what Americans want: less government taxes, more freedom, and more choices.

The concept paper in the Senate Finance Committee—it is not even a bill—slams Americans with a new entitlement program that will grow faster, according to the CBO, than the economy, while at the same time dramatically increasing the tax burden on all Americans.

Let’s restate the obvious about the Senate Finance Committee concept proposal. As the majority leader conducted his closed-door process to create the Senate bill he will bring to the floor, it is important for the American people to understand what impact these policies will have on the cost of health insurance premiums, on tax rates, and on our economy for generations to come.

I have seen recent information that the Medicare Part D Program, which is touted as a success—which I voted against because it wasn’t paid for—is now having—guess what—increased costs. The problem is that we are not addressing the fundamental problems that cause a dramatic increase in health care costs in America. In fact, we are continuing a process that we have done in Medicaid Program, which is new entitlement programs, without ways to pay for them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, I congratulate the Senator from Arizona and the Senator from South Dakota for framing this debate on health care with very specific and excellent points.

The simple fact is that the cost of this program is grossly understated, but the cost is extraordinary, even when understated—almost a trillion dollars. The real cost is $1.8 trillion, when it is fully phased in. In fact, if you include in it the doctor fix, which was taken off the table so the cost would look better, which is $200 billion plus, the cost of this proposal, when fully phased in, is over $2 trillion over a 10-year period.

And the offsets that are going to be used to pay for this? Their plan is basically to cut Medicare Advantage, eliminate that program for seniors—a lot of seniors like it. Harvard Advantage almost try to live about $400 billion doing that and that money and create a brand new entitlement to benefit people who do not have insurance or people who do not have enough insurance, as defined by this bill. In addition, they will raise taxes and raise fees. Most of the fees will be coming in from the hospital associations, the doctors, the drug companies, and the insurers, all of which will be passed through, of course, to consumers in the former higher premiums or higher costs. Again, it is going to be the consumers of America, Middle America, the people who use health care in this country, who are going to pay the cost.

It is a huge gap even between the stated amount to be raised in this bill, and the real expenditure in this bill. And that gap goes directly onto the debt of our children—the debt of this country, which has to be paid for by our children.

This is an administration which has exploded the size of government in the first 10 months of its term—exploded the size of government. They have proposed a budget which over the next 10 years will run on the average $1 trillion of deficit every year, which will take the Federal debt from about 41 percent of gross domestic product up to 80 percent of gross domestic product, which will take Federal spending from about 20 percent of gross domestic product up to about 25 percent of gross domestic product.

What do all those numbers mean? They mean quite simply that our children are going to be passed a country which will have so much debt and such a large government that it simply cannot afford it; that the quality of life of our children, as they move into their earning years, is going to be fundamentally undermined—their ability to buy homes, to send their kids to college, their ability to just live the quality of lifestyle our generation has had is going to be fundamentally harmed by this administration’s decisions to spend today as if there is no tomorrow or to spend today and pass the bills on to tomorrow. It is a true affront to the traditions of this country.

Let me quote from Thomas Jefferson because Thomas Jefferson is deemed to be the founder of the Democratic Party. Thomas Jefferson got a lot of things right, of course. He wrote the Declaration of Independence, the most brilliant document in the history of mankind stating freedoms to which we subscribe. He played a major role in defining our Nation and what makes our Nation special.

He said this about debt. This was a letter to John Taylor in 1816:

I sincerely believe . . . that the principle of spending the money to pay the debt under the name of funding is but swindling futurity on a large scale.

That is a pretty strong word, “swindling,” used by the founder of the Democratic Party relative to the use of debt.

Then he wrote to William Plumer, who, coincidentally, was the Governor of New Hampshire, in a letter. He said:

I, however, place economy among the first and most important republican virtues, and public debt as the greatest of the dangers to be feared.

The proposals which are coming out of this administration do swindle our children’s future, just as Thomas Jefferson said. This is, in fact, to run deficits of this size, to put in place a program that is going to cost almost $2 trillion when it is fully implemented is basically to guarantee that this Nation is going to have such a burden of government that we will be unable to sustain our government in the form it is today.

What does that lead to when you run up those types of deficits and debt, when you run up that type of spending? It leads to two options. Our children can either pay in the inflation where we have to devalue the dollar, and basically create a situation where everybody’s savings and everybody’s net worth is dramatically impacted by lessening the value of that through inflation or, alternatively, you are going to have to dramatically increase the tax burden of this country to a point where you will undermine the fundamental productivity of our Nation and put job creation and the capacity to have prosperity through job creation at risk because the tax burden will become so high.

In fact, it was pointed out, studies have shown that the tax burden will go up to 59 percent of income under some of the proposals that are pending just in this bill, to say nothing of when you start totaling up all the other bills, all the spending that will occur. Even today, the administration announced they want to spend $14.5 billion more just on the offsets it in any way to fund an interest group they feel needs to be funded.

This raises the fundamental question: Why do you proceed in this way? Why would you create a program that is going to have such a devastating impact on the economic future of our Nation? You do it because it gets you votes in the next election, I guess. I guess that is why you do it.

Certainly there are ways to reform health care to improve health care and that do not require this massive expansion in the size of government. There are a lot of ways to do that. Let me give a few.
For example, we could focus on the chronic diseases which are the drivers of health care costs in this country, diseases such as obesity and Alzheimer’s. We could try to get those under control. That would help control costs.

We could give employers the incentive through monetary payments—actual cash—to say to their employees: Listen, if you go out and live a healthy lifestyle, we will give a reward in cash. If you do not, we can put you in a situation where you drop weight, if you take tests such as having a colonoscopy, if you have a mammogram, we are going to reward you with money. That is a step which would significantly improve health care delivery and costs in this country.

We can say to the delivery systems: Listen, rather than doing a lot of quantity for the purposes of generating revenue, why don’t you do a little quality with value tied to it? There are health care systems—and there are cases here today which accomplish that. Rochester, MN; Salt Lake City, UT; Pittsburgh, PA—are a whole series of these centers which have shown you can deliver better quality at lower costs. You are just not brilliant about it and reduce overutilization.

We could, as was discussed at length by the Senator from South Dakota and the Senator from Arizona, do something specific to the lawsuits. The example fact is, abusive lawsuits are driving huge costs in the health care system. Thirty percent of health care is deemed to be defensive medicine. There is no reason doctors should have to give tests they don’t believe they have to give, but they have to give in order to defend themselves from lawsuits. Those are foolish and expensive. Madam President, $54 billion is the cost estimate from CBO of savings just from that one item, and that is an understatement because it doesn’t, as was pointed out, calculate the defensive medicine side.

Those are a few good ideas, but there are a lot more good ideas. It can be done on a step-by-step approach which gives us better health care without this attempt to basically take over the entire system.

Let’s not play any more games around here. What is this about? This is about creating a system, putting in place an alleged comprehensive reform, the purpose of which is to drive private activity out of the market because there are a lot of people on the other side of the aisle who believe profit is bad and the marketplace does not work in health care, and that reform should move towards a single-payer system. That is what this is about. Raise premiums to a level where employers will be forced to drop their insurance and push people into what is called this exchange. There will be a public plan in the end when it comes into being. The conference committee, should it get that far—hopefully it will not but if it does—and then basically push everybody into the public plan and create an atmosphere where the playing field is so tilted against any sort of private activity that people who have their insurance today will lose it and you will have to choose a public plan, for all intents and purposes. That will be your choice 4 or 5 years from now.

The effect of that, of course, of moving toward a single-payer system, which is the stated goal of many of my colleagues on the other side and a majority of the people in the House of Representatives, the effect of moving to a single-payer system or a nationalized system is very destructive to our health care generally. Primarily, it means people will not be able to invest money and get a reasonable return, especially in the area of development of new pharmaceuticals and new biologics, which are so critical to the health care system today. We will have people standing in line. We will have people basically being subject to delays. We will have people, I absolutely believe, out of their health care rationed depending on their age, as occurs in England under its system. And we will simply see a significant lessening of innovation and, most important, people will not have choices. You will basically be forced off the private system into a public system.

This is the ultimate goal here—not stated but clearly intended of what is going to happen if you move toward a system as has been outlined at least in the Kennedy-Dodd bill, as it came out of the HELP Committee and is now somewhere in this building—we don’t know where—being merged into a new Finance Committee bill. So when Thomas Jefferson makes this point that you should not swindle the next generation by radically expanding your debt, we should live by that because it is a pretty good guideline that is brought forward on this floor which alleges to be fiscally responsible and it claims it meets the obligation, it meets its costs, but it understates the costs by almost an order of magnitude. It overstates how much it is going to generate in revenues and you don’t get these Medicare cuts unless—I have never seen Medicare reductions occur in this Congress. Then basically you are loading up the debt of our children. It is that simple. That is the inevitable response of this piece of legislation, that the debt will expand.

As Thomas Jefferson said, he believed in “the principle of spending money to be paid posterity under the name of funding is but swindling futurity on a large scale.” And this may be the largest scale of swindling that has ever occurred in America’s history.

I yield the floor.

The PRESIDING OFFICER (Mr. KIRK). The Senator’s time has expired.

The Senator from Colorado.

HEALTH CARE REFORM

Mr. BENNET. Mr. President, I am pleased to be here today, as we were last week and the week before. That, with other freshman colleagues to talk about the need for health care reform in this Congress. Today, what we want to focus on is the effect of health care reform on small businesses.

We are in Colorado, what we always start with is a conversation about what problem is it we are trying to solve. When it comes to small businesses, they are the biggest losers in the current health care system we have today and, by extension, the people who work for small businesses.

Today in my State, small business pays 18 percent more to cover their employees than large business does. Some people say to me: Michael, that is obviously because they have a smaller pool of people: it is harder to spread the risk. And that is true, but from a business perspective, that is ridiculous. From a small business perspective, if you are going to spend 18 percent more on your employees, you absolutely want to get 18 percent more productivity out of your company or you ought to at least expect to get 18 percent better coverage for your employees. Of course, every small business owner in this Congress knows the reverse is true—coverage is worse, deductibles are higher. It is just an illustration of how challenging the status quo is for small businesses that, after all, employ most of the people in our economy and are going to be responsible for carrying us out of this recession.

One can see on this chart the extraordinary effect this has had on my State. Even before this current recession, we saw a huge drop in the number of people who were getting coverage at work and, in many few businesses. Now we are almost at 40 percent—I guarantee that number is well below 40 percent today after this recession has occurred. Even fewer smaller businesses are able to offer their employees coverage, which is heartbreaking for small business owners all over my State and all over the other States represented here today. Many of these businesses are family-owned businesses. The businesses feel like a family. People feel more security and care for one another and take responsibility for, among other things, health care. But they are not able to do it anymore. They are making very tough choices as a result.

By the way, one of the choices they are making is to not raise wages. Median family income in Colorado went down by $800 over the last 10 years, and in the country it went down over $300 in the same period, while in my State health insurance premiums went up by 98 percent. Small businesses say to me that those things are directly related to each other. In other words, people have to make a choice between
covering their employees and paying them a living wage, and more often than not they are having to choose to compress wages just because of the skyrocketing costs of health insurance.

Health care reform done right is going to go through a series of colleagues today from the freshman class, as we did last week and the week before, and I will now yield the floor to one of my colleagues in the Senate of the United States to give his perspective on why, as a former small-businessperson himself, health care reform is so critical to keeping our small businesses competitive.

Mr. BENNET. Mr. President, I thank the Senator from Colorado for his presentation, especially on small businesses and the impact health care reform will have on them. The Senator from Colorado has done a great lay of the land and the impact of small business, and I wish to step it up and talk about what I heard as I sat here and listened to several of my colleagues on the other side, the Republicans, talking about what is going to happen if we don't do something or if we do health care reform. In that regard, I wish to talk about at least one myth that I hear over and over from the other side that will impact not only small business but impact everybody.

Small businesses are operating profits, and the biggest drivers of those are insurance costs. We are all in this to-gether.

Mr. BENNET. Mr. President, I thank the Senator from Alaska for his presentation, especially on small businesses and the impact health care reform will have on them. The Senator from Colorado has done a great lay of the land and the impact of small business, and I wish to step it up and talk about what I heard as I sat here and listened to several of my colleagues on the other side, the Republicans, talking about what is going to happen if we don't do something or if we do health care reform. In that regard, I wish to talk about at least one myth that I hear over and over from the other side that will impact not only small business but impact everybody.

The estimates are, small business will save billions of dollars over the course of this reform—$432 billion by 2013, $855 billion just 9 years from now. That is money that can be put into wages. In fact, the estimates are that of those savings, what we will see is small business will be able to pay those wages for their employees by almost $300 billion by the end of this period of time.

To say today we are here to talk about why reform is important for small business. We are at a very perilous moment in our economy for small busi-nesses that do not have access to the credit they need to help get us where we need to be. They are facing an incredible credit crunch out there, which is making it very difficult for them to get the funds they need to operate. And again, which is driving up our unemployment rate. Over the medium and long term, what is critical to the suc-cess of our small businesses is that we reform our health care system, we make it more transparent, we make it more efficient, we make coverage more available to small businesses and to the millions of Americans who are employed by small businesses in their communities.

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We are going to go through a series of colleagues today from the freshman class, as we did last week and the week before, and I will now yield the floor for the Senator from Alaska to give his
It is a great pleasure for me to turn now to the Senator from Oregon, who will talk about the fact that this isn't just about trying to cover one small group of Americans, it is about all 300 million Americans in this country.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am delighted to join my colleagues from Colorado and Alaska to tackle some of the myths being printed about health care reform. It is startling to stand on the floor and hear increasingly shrill presentations from those who wish to defend the status quo broken system of health care in America. I wonder to myself, do they not hear what I hear from my constituents about the challenges they encounter each and every day if they do not have insurance; who are worried about getting sick or, if they have insurance, are worried about losing that insurance; worried about the problems and challenges faced with utilizing that insurance?

I rise to talk about one of the most prevalent myths—that health care reform is only about expanding access to those who don't have health insurance. Because here is the truth: Health care reform is about improving health care for those who already have insurance. Those with insurance in the United States live in a precarious state. Their rates often go up by double-digit increases every year, so affordability is hanging by a thread. Those with insurance through their jobs can change jobs and lose that coverage. They could get dropped from their insurance because they become sick or injured or they could find that their insurance has lifetime or annual limits that block them from obtaining the medical care they need if they do become injured or ill. We want to make health care insurance more stable and secure for those who have it, and that is what health care reform will do.

First, health care reform will make insurance portable. If you lose your job, you often lose your coverage. That is a terrible double whammy for American families. Health care reform will make sure your coverage goes with you if you lose your job or if you choose to take on a new career.

Second, health care reform will end dumping—the terrible practice of insurance companies canceling policies when they become sick or ill. That is wrong. What kind of health care system is it when you pay insurance premiums for 15 years and then your child or your spouse or perhaps yourself becomes seriously ill and you get a letter from your insurance company saying they are dropping you because you have insurance? That is not health insurance. That is a scam. Health care reform will end that scam in America.

Finally, health care reform will get rid of annual or lifetime limits that drive people into bankruptcy, even when they have coverage. Here is an example from my home State of Oregon.

Alaya Wyndham-Price lives in Oswego. She had insurance through her previous job as an event planner and is currently on COBRA. Six months ago, Alaya developed a tumor the size of a golf ball just below her brain, and she has had numerous tests performed by a team of doctors to find the best course of treatment. Her insurance caps treatment costs at $20,000 annually, and she has already approached $30,000 of expenses with the diagnostic tests over the past few months. Through COBRA, her insurance will renew in January, but the surgery to remove her tumor will cost about $50,000—or $30,000 over the amount her insurance will pay in 2010. So she is trying to work as much as possible, doing freelance writing, taking on projects—but on many days is too ill to do much of anything. She is scheduled to see a doctor again soon to have an expensive MRI test in November, but with every single medical visit she goes deeper into debt.

This is not right, but it is common. More than half of bankruptcies in America are due to medical bills and in more than half of those situations where medical bills drive people into bankruptcy health insurance is involved. No American should be driven into bankruptcy because he or she becomes sick or injured. Health care reform will end arbitrary annual and lifetime limits to make sure Americans get the care they need when they need it, not having to delay care to the next year in order to benefit from a new annual ceiling.

In conclusion: The myth is that health care reform is simply about extending coverage. The truth is this: Reform will mean better, fairer, and more affordable coverage for the millions of Americans who already have insurance.

Mr. President, I yield the floor.

Mr. BENNET. Mr. President, I wish to thank the Senator from Oregon for pointing out the incredible lack of stability that exists in the system today. The bankruptcy numbers are unbelievable. In my State, I think roughly 62 percent of all bankruptcies are caused by health care issues. Of those health care-related bankruptcies, 78 percent, nearly 80 percent of them, are bankruptcies involving people who actually covered by insurance. We are not getting done the job that needs to be done. That is why we are here today to talk about these issues.

I am going to call on the Senator from Virginia to talk a little bit about how, under the current system, we pay for the uninsured in our country today, but we do it in the most inefficient way possible. Just one fact from my State: We have a public hospital in Denver called Denver Health. It is an incredibly well-run hospital, run by a person named Dr. Patty Gabow. She told me they did a study a couple of years ago that showed that Denver Health, the $100 million for uncompensated care for people employed by small businesses who could not get insurance at work.

I will yield for the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, first of all, I thank my colleague, the Senator from Oregon, for his effort today and leading freshmen Senators this week as we, once again, come down to the floor, as some of the folks who are newest to the Senate, most recently hired in most cases, to talk about the need for health care reform. I particularly thank my colleague, the Senator from Colorado, for raising the very important issue of the cost of health care to small businesses.

The remarkable thing about small businesses is they are basically the only people who pay retail for their health care costs in America today. Those who have Medicare, those who have Medicaid, large employers—they all can leverage their purchasing power. But small businesses are the ones who take it on the chin and I am grateful for my colleague's comments today, describing how health care reform can benefit small businesses.

My colleagues, the Senator from Alaska and the Senator from Oregon, have also pointed out some other myths, as the Senator from Colorado indicated. The one I am going to take up today, because we hear a lot from our friends on the other side of the aisle about the problems with reform, and sometimes they do actually dispel some of these myths—but one of the myths I have dealt with for 18 years, as somebody who founded the Virginia Health Care Foundation in the early 1990s, is, how do we deal with the uninsured? Yes, part of our health care reform is about extending coverage to the uninsured. There will be some additional cost to do that, but I think it is very important to recognize that under our current system, right now we pay for the uninsured. We pay for all the uninsured through uncompensated care, as my colleague from Colorado mentioned. We pay for the uninsured in higher health insurance premiums for all of us who buy private insurance. We pay for the uninsured, candidly, in higher costs to our Medicare and Medicaid system.

Our uninsured end up on the emergency room doorsteps, oftentimes receiving care in the most inefficient way possible and oftentimes without good quality care.

We have seen, on average, 8 percent of families' 2009 health care premiums—about $1,000 a year for all of us who purchase private health insurance—we pay in effect a $1,000-a-year tax to compensate and pay for the cost of the uninsured.

As my colleague mentioned, and I know from my experience in Virginia 18 years ago, we started this Virginia Health Care Foundation to deal with this very thing. We could provide health care coverage for the uninsured. We saw folks ending up, as I mentioned, on hospital doorsteps. We saw folks waiting too
long before they could access the health care system. Oftentimes, if they had a chronic disease and then waited to get that health care coverage, the cost of covering that person was not only much higher—obviously, the person had to deal with a much more serious illness—but they too ended up in the emergency room, which is an inefficient delivery mechanism.

If we are going to truly start to bring down the cost of insurance, if we are going to do the right thing in giving the uninsured in this country a chance to receive a medical home and make sure they access health care through a more affordable and more long term, healthier way, we must pass health care reform this year.

A lot of numbers have been bandied about concerning what kind of extended coverage we are talking about in this health care reform. There have been arguments that we are talking about covering 30 million additional people. I believe the Senate Finance bill covers 25, 26 million. One of the things that is often absent from this debate is that the number of uninsured Americans is actually growing.

On top of that 87 million, we also have the problem of literally tens of millions of people who are stuck in dead-end jobs, who want to change jobs, who want to become more productive, but they are afraid to make that change because of concerns over losing their health care coverage. If we can provide the kind of health care reform we are talking about, if we can provide the kind of coverage we are talking about, those kinds of problems will go away. We will become a more effective and cost-effective society.

I know my colleagues who want to speak, and I want to come back to where we started, at least the freshmen did a few weeks back, and why some of our colleagues on the other side who seem to say: Let’s take it to the people. Let’s take it to the people. Let’s take it to the people. We have great things in our health care system. We have some of the best health care technology in the world. We have some of the best health care money can buy. For those who have access, it is the best health care money can buy. For those who don’t have access, it is the only health care money can buy. For those who have access, it is the best health care money can buy. But for those who have access, the cost is too high.

For Americans who will be most impacted by this reform, it may be difficult to separate fact from fiction. The myth I would like to talk about today is a bit different from the others being associated by my colleagues. It is a myth that existed long before the current debate but is being used in a new way by people fighting this reform. They are using it as a weapon against change. It is a myth that we have all heard about. It is the myth that reform is not necessary because we have the greatest health care system in the world.

What makes this myth different from the others is that parts of it are absolutely true. Americans are blessed with some of the best doctors and nurses and health care professionals in the world, hard-working men and women who have dedicated their lives to the health and healing of others but often work in difficult situations.

Our technology is unmatched. Our emergency care system is repeatedly cited as the best in the world, and we rank highly regarding the levels of dignity and respect with which patients are treated. But all these achievements, as great as they are, do not add up to the best health care system in the world for all Americans—not as long as we are spending $2.4 trillion a year on medical care but continue to rank near the bottom when it comes to premature deaths from diseases such as diabetes, stroke, and pneumonia; not when we spend twice as much of our GDP on health care as Japan and the UK but have lower life expectancy at birth; not when we rank last in infant mortality among industrialized countries; and not when half of the personal bankruptcies in the United States are related to medical bills.

Right now in America, if people have the money, they have access to the best health care money can buy. For the vast majority of Americans, that access is not there. If a person is a small business employee or laid off from their job, is treated for an existing condition, the “best health care system in the world” is much harder to come by. When 80 million
people are either uninsured or underinsured, there is no way a country can lay claim to that title. But there is something we can do about it. With this reform, we have the opportunity to build on the strengths of the current system while also addressing its weaknesses. Comprehensive health reform will go a long way toward remedying these and other inequalities and reducing the health care disparities between rich and poor, the majority and minority.

The problem is not always spending more money. Sometimes it is about making better use of the money we are already spending. It is about finding ways to achieve better returns on our investment. The reforms we are proposing would allow us to do that by ridding the system of waste, by increasing our investment in prevention, by helping small businesses afford insurance for their employees, and by covering more individuals whose only medical option now is expensive emergency room visits.

The status quo is unsustainable, but that is what reform opponents are hoping to continue with, myths like those we are discussing today. America has the talent and technology to achieve the best health care outcomes in the world. Whether we reach that goal depends on the actions we take now.

I yield the floor.

Mr. BENNET. Mr. President, I thank the Senator from New Mexico, and I am reminded of the trips I made around my State during recess when everybody settled down and we could actually get into a conversation about how well the status quo was working for people. It took about 40 minutes into the meeting before people would stand up and start to say: Let me tell you my story about how I was laid off from a company or lost my insurance, had preexisting condition, couldn't get new insurance and, therefore, can't get the health care I need.

That is the kind of conversation we need to have about what we are facing. I was left with the impression from people in Colorado that while they don't like the status quo, they are worried that we are going to make it worse. We can't blame people for thinking that, as they watch what is on TV every night or on the Internet. Our obligation is to make sure as we go through this legislative process, we deliver something that builds on our strengths, as the Senator said, but also fills in gaps that are clearly present and disrupting the lives of working families.

I turn now to the Senator from Illinois to talk about the public option and choice. It is apparent to me, as people have begun to see there might be a requirement that they have insurance, what I am hearing from people is they want more choices, not fewer. They don't want to necessarily be forced into a private insurance plan. They want their family to have choices. Today the Senator from Illinois will talk about the public option.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. Mr. President, to my colleagues who are making this presentation about health care reform, it is my pleasure to join them and speak briefly about what will take place if we do not pass, as part of insurance reform, a public option. When it comes to health care reform, I have heard the myth that a public option would amount to a government takeover of the health care system. This is completely false and has no basis in the legislation under consideration by the Senate.

Let's examine the facts: 45,000 Americans die each and every year because they do not have health insurance and cannot get quality care. That is 1 death every 12 minutes. Clearly, the system is broken. The time for action is long past. I believe we need to restore individual responsibility to the health care system. The only way to accomplish this is with a public option. It would increase the availability of care. It would help fight the disparities that plague our current system.

At the moment, people of color represent half of the Nation's uninsured, even though they make up only a third of the total population. A low-cost public option would meet the needs of those who are at a disadvantage, regardless of background or skin color. The public option would restore competition to a market that is currently monopolized by only a few corporations. Take my State. In the State of Illinois, two companies dominate 69 percent of the insurance market. That is why their profits are growing four times faster than wages. This is unsustainable. It is breaking America's businesses and bankrupting American families.

We talked about businesses earlier. My colleagues mentioned what this will do for small businesses.

We must make sure there are choices for them to have an exchange where small businesses can shop for their insurance. If these companies have to compete with a public plan, everyone's premiums will go down. It will bring about competition in the marketplace. If you like your current insurance providers, nothing will change except that you will save money. If you won't have to worry about losing coverage when you need it. No government bureaucrat will alter your insurance plan, your doctor, or the level of care you receive. But if you can't afford insurance or your coverage has been denied due to a preexisting condition, you will be able to get quality care at an affordable rate. Just like any business, a not-for-profit public insurance option would require initial capital to get off the ground. But afterwards it would rely only on it to collect to remain self-sufficient.

The current system is a drain on American taxpayers. The public option would not be. The public option would complement private insurance providers, not drive them out of business. In fact, it will result in an increase of 1 to 3 million additional customers for private companies. In other words, by bringing all those persons into coverage, insurance companies would benefit when all those uninsured people will now be covered. There will be no government takeover, no death panels, no rationing, and no red tape between you and your doctor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I thank the Senator from Illinois for his eloquent discussion about trying to provide more choice rather than less to our working families. A lot of what we are trying to do with health care reform—and I hope the bills will improve over the coming weeks—is give people more control over choices with respect to their doctors and their medical care, to make sure that it is doctors and patients making decisions about treatment and not insurance company bureaucrats or a government bureaucrat.

Next I will yield for the Senator from Delaware to talk about why this is such an urgent problem and why we need to address it now and not wait, as we have over the last 20 years. As the President said, the first President to call for health care reform was Teddy Roosevelt. Here we sit in 2009, confronted by the same sorts of arguments about how time has run out and the wrong time to do this and why we ought to kick the can down the road for another generation of Americans.

I turn the floor over to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I thank Senator BENNET for organizing this event today. He has been a leader in our effort to try to achieve meaningful health care reform—and I hope the bills will improve over the coming weeks—is give people more control over choices with respect to their doctors and their medical care, to make sure that it is doctors and patients making decisions about treatment and not insurance company bureaucrats or a government bureaucrat.

I appreciate the opportunity once again to join my colleagues and show our united support for health care reform. I want to address one of the biggest myths reform opponents have spread throughout the debate, the myth that America cannot afford to change the health care system. They say our country has too much debt and the health care reform would only increase the Nation's deficit. They say we spent too much money on TARP
and the stimulus package. They say we must rein in spending and push off health reform until we straighten out our fiscal house. When we hear this kind of criticism, especially during this time of economic downturn, it is reasonable to ask if now is the time to reform the health care system. The answer is: We need health care reform now. We need health care reform now because economic recovery for the long term is completely dependent on controlling health care costs.

We cannot wait to reform because the status quo is absolutely, positively unsustainable.

Medical costs account for one-sixth of domestic spending and are headed upward. They are handcuffing families and workers, strangling Federal and State Governments. In 2000, the average premium for family health care in Delaware was just over $7,500. In 2008, that number jumped to $14,900, almost doubling in only 8 years. If we do not enact health care reform now, the same premium for family coverage is expected to reach $29,000 in 2016, another doubling in price.

The status quo is unsustainable because of health care spending on a national scale. We spent approximately $220 billion as a nation on health care. In 1992, we spent close to $850 billion. In 2009, we will spend $2.5 trillion on health care. That trajectory of health care expenditures is totally out of control and will not be able to bend the cost curve down on the health care system. We need to do this now. We cannot wait any longer. We cannot afford to wait for reform because failure to do so will place even more pressure on the Federal budget and on taxpayers to continue support for Medicare and Medicaid.

Clearly, one of the major driving forces behind our Federal deficit is the skyrocketing cost of Medicare and Medicaid. Combined, these programs account for 20 percent of all government expenditures. If we do nothing to start bending the cost curve down for Medicare and Medicaid, we will eventually spend more on these two programs than all other Federal programs combined.

Let me say that again: If we do nothing to start bending the cost curve down on Medicare and Medicaid, we will eventually—and not that far off—see these two programs surpass all other Federal programs combined. Because of this, people who are concerned about deficits should welcome health care reform now. The plans being considered by the Congress would require some upfront cost, but if enacted now, these two programs would be our chance, and this will be the only chance for a while.

Mark my words: If we don’t take this opening and enact health care reform this year, it may be some time until the health care system crashes down around our ears. We cannot continue the status quo for one more day. We cannot wait to enact health care reform. We are in a race against time. Our collective will and do the right thing during this historic opportunity by passing health care reform. We can do no less. The American people deserve no less.

Mr. BENNET. I thank the Senator from New Hampshire for pointing out that maintaining the status quo, being unwilling to act, in fact, is making a choice.

It is making a choice about having another decade of double-digit cost increases. It is making a choice about devoting a fifth of our economy to health care when every other industrialized country in the world is devoting less than half of that. It is making a choice about having increasing and rising deficits in the outyears.

I thank the Senator from Delaware for pointing out that we have a once-in-a-lifetime opportunity right now to try to address a number of these issues at the same time.

Mr. President, our closer today is the Senator from New Hampshire, who is here to talk about what this reform is about versus what some have claimed it is about. I welcome her here this morning.

Let me turn the floor over to the Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank very much Senator BENNET for coordinating this effort today.

As you have all heard for the past few weeks, the freshmen Senators have joined together to deliver a very simple message: We need to act, and we need to act now, on health care reform.

As people have been pointing out all morning, there is a lot of confusing and, unfortunately, some false information that has been going around about who is going to be included in health care reform legislation and what that is going to mean for people. So as everyone has said, we are joining together today to dispel some of those myths and to focus on what really matters, which is making our health care system better for our families, for our businesses, and for our Nation’s economy.

One common myth we have heard is that health care reform is a government takeover of our health care system. This is simply not true. The truth is, health care reform is being driven by consumers who are concerned about the cost of health care and about their choices. It is being driven by the market because health care costs are so high that too many businesses and too many people cannot get the health care they need when they need it.

Under the current legislation, everyone will have the freedom to keep their health care plan if they like it. But for the millions of hard-working Americans who cannot find affordable coverage or who have been discriminated against because of a preexisting condition, for women like me who too often are discriminated against in the costs of health care, health reform will give them a choice.

Last week, my office heard from a man named Andrew from New Boston, NH. Sadly, his story is all too common. Andrew and his family had employer-sponsored insurance coverage through his wife’s job. Unfortunately, she was laid off recently. Now not only is she out of work, but her family has to find another source of health coverage. The fact is, the individual market simply does not provide sufficient affordable options for families. The coverage they managed to find—Andrew and his family—puts a significant financial burden on their family.

The good news is, health reform legislation offers a solution for families such as Andrew’s by offering more choice. The health insurance exchange creates a marketplace where insurance companies must compete for our business. Individuals and small businesses will be able to shop for the most affordable plans in a way that is transparent and easy to understand—similar to the
way Members of Congress get their insurance, and Americans should have the same choice.

Increased competition and transparency do not sound like a government takeover to me. Rather, it sounds like common-sense reform in a way that best serves the American people.

My health reform reality check is that health care reform is consumer-based and market driven. You can keep your insurance if you like it. It will increase choices for families. It will promote competition.

We need to move past the rhetoric and the myths. We need to rise to the occasion in this pivotal moment in our Nation's history. We must pass meaningful health reform for the citizens of New Hampshire and all Americans.

Mr. President, I yield the floor.

Mr. BENNET. Mr. President, I wish to thank the Senator from New Hampshire for closing in such a perfect way today. Whether you support or oppose long Washington special interest politics has gotten in the way of fixing this system, and the result has been enormously unfortunate for working families all across the United States of America.

When your median family income is going down by $300 over a decade, and the cost of health insurance is doubling over the same period of time—by the way, in my State, it has gone down by $300—on the other hand, has gone up 97 percent, the cost of higher education has gone up by 50 percent over the same period of time, essentially what we are saying to working families is: You are going to take home less, but you have to pay more for, not “nice to haves” but things that are critical to move your family ahead to have the kind of stability that is essential for everybody to have a shot at the American dream, and for some reason we in Washington cannot figure out how to make changes that would help working families and small businesses all across the United States.

That moment has come now, and we are here. We have the next few weeks to figure this out. I believe we will. I am enormously optimistic we can pass a bill in this Senate and in the Congress that the President can sign that will make a material impact, an improvement in the lives of working families and those employed by small businesses all over this country. In fact, anything less than that should be unacceptable to all of us.

I hope we can do that in a bipartisan way. I hope we can have cooperation across the aisle and the best ideas from both parties as we design it. But, to me, the most important thing is to make sure people who live in my State do not need to endure another decade of double-digit cost increases every single year, do not need to endure another decade where they lose their health insurance, lose a job. It is because they have a preexisting condition or because, as happened in my State last week, a baby was born who was deemed to be too heavy to insure—fortunately, the insurance company did the right thing in the end—to not have another decade where people are wrestling with their insurers to get paid, so that doctors and people providing health care do not have to spend 30 percent of their time or more trying to get reimbursed for services they provided to their patients.

I am optimistic in part because of all my wonderful colleagues who were here this morning. I thank them for joining me today.

Mr. President, with that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

This the second legislative clerk proceeded to call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. Burrus). Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

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

UNEMPLOYMENT EXTENSION

Mrs. SHAHEEN. Mr. President, I rise to speak in support of the Unemployment Compensation Extension Act. This bill will extend at least 14 weeks of unemployment benefits to workers across the country who will exhaust their benefits by the end of the year.

This extension is temporary. It is de nied to those who have been unemployed for more than 59 weeks and have exhausted their benefits. And no one can question that it is timely.

Unemployment compensation is money that gets spent immediately on necessities. People who are out of work need this money to help pay rent and mortgage payments, buy food and gas.

So when we extend unemployment benefits, we are not just helping workers who have lost their jobs, we are helping small businesses across the country by boosting demand for their products and services.

In fact, economists say that dollar for dollar, extending unemployment benefits is one of the most cost-effective actions we can take to stimulate the economy.

Temporary extensions of unemployment benefits are an especially effective stimulus when the long-term unemployment rate is high, and, unfortunately, that is the situation today. Nationally, the number of long-term unemployed—those jobless for 27 weeks or more—rose to 5.4 million in September.

In my home State, New Hampshire, the number of long-term unemployed has more than tripled in the past year. I do not understand why any Senator would delay an extension of unemployment compensation that will help workers and small businesses in every single State.

People are counting on us to act now. American workers who have exhausted unemployment benefits cannot wait another week to pay the rent or buy groceries.

I urge my colleagues to stop the games and pass this critical extension without further delay.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. 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. CARDIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

CLIMATE CHANGE

Mr. CARDIN. Mr. President, I have the honor of chairing the United States Helsinki Commission, representing the Senate. The Helsinki Commission is the U.S. participation in the Organization for Security and Cooperation in Europe. Fifty-six countries representing Europe, Central Asia, Canada and the United States go together in 1975, in order to further advancements in security, in human rights, and in economics.
We had our full meeting in Athens this past weekend, and the center subject for that meeting was climate change and the need for the international community to come together to enact meaningful goals for reducing greenhouse gas and carbon emissions. It was clear, from the urgency of this mission, that we need to act now; that the circumstances of floods and droughts in so many parts of the world are causing immediate concern. We now have what is known as climate migration. People are forced to leave their countries because of the impact of global climate change. This is causing serious concerns in many parts of the world in regard to stability and security, which affects U.S. interests.

I know each of us in our own States can give our own examples of the impact of climate change. In my State of Maryland, the residents of Smith Island understand that their island is disappearing during their lifetime because of the sea level changes, due in part to global climate change. The watermen in Maryland know their livelihood is being jeopardized because of the warming of the Chesapeake Bay, affecting sea grasses, which affects the ability of the blue crab to survive. So we all know the immediate impact.

But in Athens it became apparent to the international community that we need to act now. We need to act now for the sake of our security, we need to act now because of the economic imperative, and we need to act now because of the environmental risk. The good news is it was apparent to all of us that there is a common solution. If we deal with our energy issues, we can solve all three of those problems.

We can strengthen our economies, particularly in these difficult times, by creating good new jobs; we can deal with international security threats, when one nation threatens to cut off oil from other countries, by the fact that so many places in the world that have the mineral wealth have values that are different than our values and we are actually helping to support their values; and for the environmental need of making sure that we deal with global climate change in future generations and we work together.

The question that was asked at this meeting was: Where is the United States? Where is the leadership of the United States in this? Well, my reply was: The United States is back. We are ready to assume international leadership on global climate change issues.

The Obama administration has already taken action. They have taken action on CAFE standards for automobiles. They have taken action through the Environmental Protection Agency. It is clear that we are ready to act. The House of Representatives has already passed legislation, and Senator Kerry has brought forward the Clean Energy Jobs and the American Power Act, and I am proud to be part of that effort and that legislation. That legislation builds on the work done in the last Congress with Senator Lieberman and Senator Warner, and it is very similar to the bill that has passed the House of Representatives.

What the legislation will do is to re-establish U.S. leadership on international efforts to deal with global climate change. The legislation would establish a 20-percent reduction by the year 2020. That is stronger than in the House bill and it establishes America as a leader. It dedicates investment toward domestic clean energy and 21st century infrastructure by providing the necessary investments in wind and solar. These technologies were developed in the United States and now it is time for us to put that technology to work creating jobs in America and alternative renewable energy sources that will wean us off the need for imported oil.

The legislation also dedicates funds for other types of green transportation, which we know can be very valuable. Green transportation represents 30 percent of our greenhouse gas emissions and 70 percent of our oil. We can do much better. I am personally working towards alternative funding sources for public transportation. You can’t help, when you travel to Europe, but know that their models are much stronger than ours in transporting people through public transportation, particularly in the most congested urban areas in our country—Baltimore and Washington. Both have transit systems that are in need of expansion. By doubling the ridership on public transportation, we can reduce our imported oil by 40 percent alone.

This legislation is friendly toward alternative energy sources and nuclear energy, which has a very favorable carbon footprint. It also creates jobs. We know that New York is going to go forward with nuclear, and many others. We have so many people that are going to be able to find other jobs because of this.

The legislation also deals with our international responsibilities. As a developed nation, we have a responsibility to developing countries. They have already been impacted much more adversely than we due to the impacts of global climate change. We need to strengthen their ability and resolve to protect our forests, to be good stewards of our environment, and to help them develop in a way that is good for their economies, but is also environment friendly.

One last part about the Kerry-Boxer bill. It is deficit neutral. It will not add any additional debt for future generations. This is truly a bill that my two grandchildren, that all our children and grandchildren will benefit from by having a cleaner environment, a safer country through energy security, good carbon emissions. So what I have suggested is that in Copenhagen there needs to be a mechanism that says if your country does not meet the international standards, your products are subject to a border adjustment reflecting the cost to bring that product in compliance with international carbon standards. That is fair to the manufacturers in those countries that have met those standards, and it also permits us to make sure that other countries in fact do act to deal with their international responsibilities.

I am optimistic. I am optimistic we are going to be able to achieve these results. The urgency of the issue requires action. We have Senator Kerry and Senator Boxer who have brought forward a reasonable bill, and hearings are scheduled before the Environment and Public Works Committee later this month.

Recently Senator Kerry and Senator Graham have gotten together on a blueprint on how we can move forward on global climate change legislation in this Congress, and they bring up two subjects I have already mentioned—the use of nuclear power in America, which clearly needs to be part of the solution, and how we can deal with clean burning coal.
In Copenhagen, in December, we need to achieve the international results that are the strongest in setting these goals and mechanisms in place. I am confident that America will be a leader in Copenhagen, and a leader in bringing forward responsible legislation to deal with climate change.

For those who say we should go slow, let me tell you, reviving our economy is intrinsically linked to rethinking how we solve our energy challenges. Innovative technology creates new jobs. Diversifying our energy sources creates competition, stabilizing and lowering energy prices. And thinking beyond fossil fuel buried in unstable and unreliable countries makes us all more secure. Our dependence on old ways, old patterns, and old resources puts us at a financial and national security disadvantage. Those same fossil fuels we burn to drive our cars, power our homes and heat and treat our water are polluting our air, making our children sick, and raising our planet’s temperature. The good news is that in solving our energy security challenge, we can also grow our economy and clean our environment.

But let’s remember that any deals we reach in Copenhagen and any laws we pass here are but the beginning. The work must continue with earnest follow-through dedicated to truly changing the way we work and live and move around this Earth.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that I be recognized for up to 5 minutes in morning business, and that I then am followed by the Senator from Michigan, Senator STABENOW.

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

HEALTH CARE REFORM

Mr. ISAKSON. Mr. President, I rise for two purposes. First, there is a huge argument in America with regard to health care, and we all know one of the main contributing factors to the health difficulties of all Americans is the subject of obesity. There are many opinions about ways to address it, but the most comprehensive way to address it is to be intellectually honest in addressing it.

The President of the Coca-Cola Company published in an October 8 Wall Street Journal article, and it is a brilliant article on obesity, weight, sugar content, and soft drinks. I commend it to the Senate for their study.

Mr. President, I ask unanimous consent that I be printed in the Record the full article.

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

[From the Wall Street Journal, Oct. 8, 2009]

COKE Doesn’t MAKE AMERICA FAT
(By Muhtar Kent)

Obesity is a complex issue, and addressing it is important for all Americans. We at the Coca-Cola company are committed to working with government and health organizations to implement effective solutions to address this problem.

But a number of public-health advocates have already come up with what they think is the solution: heavy taxes on some routine foods and beverages that they have decided are unhealthy. Advocates who acknowledge are intended to limit consumption of targeted foods and help you to accept the diet that they have determined is best.

In cities and states across America—and even at the federal level—this idea is getting increased attention despite its regressive nature and inherent illogic.

While it is true that since the 1970s Americans have increased their average caloric intake by 12%, they also have become more sedentary. The Advocacy Center for Health Statistics 2008 Chartbook, 39% of adults in the U.S. are not engaging in leisure physical activity. The Centers for Disease Control and Prevention have found that 60% of Americans are not regularly active and 25% of Americans are not active at all.

The average American spends the equivalent of 60 days a year watching television according to a 2008 A.C. Nielsen study. This same research data show that the average time spent playing video games in the U.S. went up by 25% during years.

If we’re genuinely interested in curbing obesity, we need to take a hard look in the mirror and acknowledge that it’s not just about calories in. It’s also about calories out.

Our industry has become an easy target in this debate. Sugar-sweetened beverages have been singled out for demonization in spite of the fact that soft drinks, energy drinks, sports drinks and sweetened bottled water are the least energy-dense of the beverages in the average American diet, according to the National Cancer Institute. It’s difficult to understand why the beverages we and others provide are being targeted as the primary cause of weight gain when 94.5% of calorie intake comes from other foods and beverages.

Those pushing for this tax lack some essential facts, not to mention some basic common sense. Over the past 20 years, the average caloric content of soft drinks has dropped by nearly 25%. This is due in large part to a determined focus by our company and others on the diet/light category with brands like Diet Coke, Coca-Cola Zero and Powerade Zero. Even beverages like Coca-Cola, contain no more calories (140 calories in a can) than common snacks, breakfast foods and most desserts served up daily in millions of American homes. And while obesity rates have skyrocketed, sales of regular soft drinks decreased by nearly 10% from 2000 to 2008, according to the industry publication Beverage Digest.

So where are all of the extra calories in the American diet coming from? Research from the United States Department of Agriculture shows that the percentage of total daily available calories, have declined 11% since 1970. Yet the percent of calories from added fats and flour/cereal products has increased 35% and 13%, respectively, during that same time period.

Will a soft drink tax change behavior? Two states currently have a tax on sodas—West Virginia and Arkansas—and they are among the states with the highest rates of obesity in the nation.

Obesity is a serious problem. We know that. And we agree that Americans need to be more active and take greater responsibility for their diets. But are soft drinks the guilty pleasure we should blame that they are no more so than some other products—and a lot less than many, many others.

As a leader in our industry, we have a role to play in solving this issue. Globally, we have led the industry for nearly 30 years with innovations across the diet and light categories. Today, more than 25% of our global beverage portfolio is comprised of low- or no-calorie beverages.

Policy makers should stop spending their valuable time demanding that business directly employs more than 220,000 people in the U.S., and through supporting industries, an additional three million. Instead, business should be better at solving our energy security challenge, and helping encourage greater physical activity and sensible dieting, while allowing Americans to enjoy the simple pleasure of a Coca-Cola.

TRIBUTE TO FURMAN BISHER

Mr. ISAKSON. Mr. President, on Sunday of this past week, an event of journalistic magnitude took place in the city of Atlanta and the State of Georgia. A man by the name of Furman Bisher published his last sports column in the Atlanta Journal-Constitution.

He typed that column on the same manual Royal typewriter upon which he typed his first column 59 years ago.

Furman Bisher is a distinguished employee of the Atlanta Journal-Constitution, a distinguished resident of our city and our State and a part of our collective memory in this profession, he had a profound positive effect on his city and his State and on sports. Furman Bisher started writing in Atlanta, GA when Atlanta’s only professional sports team was the Atlanta Crackers, a Double-A team playing in a small box and stadium in Ponce De Leon Park. In the 1960s, as his career matured, he, along with Jesse Adler, were the principal writers of sports in the Atlanta Journal-Constitution. He began to be published in other magazines, magazines such as Sports magazine, magazines such as the Sporting News. He developed respect around the United States as a gifted, talented, and honest sports writer.

Had it not been for Furman Bisher, the Atlanta Braves probably would not be in Atlanta, GA because when Mills B. Lane and Mayor Ivan Allen asked what then was a huge amount of money, $18 million, to build a major league sports stadium without a sports team, it was not until Furman Bisher went and talked to the Bartholomay family who were getting ready to move to the South. Furman Bisher is a distinguished employee of the Atlanta Journal-Constitution, a distinguished resident of our city and our State.

The same was true a few years later when Rankin Smith petitioned to buy the first NFL franchise to exist in the South, and that $7.5 million purchase happened for a lot of reasons but probably the most important of which was Furman Bisher.

What is so great about Furman is he could make sports come alive, from cricket to football, from boxing to golf. His writing on boxing is historic and his following of Atlanta native Evander Holyfield helped elevate Evander to where he became the Heavyweight Champion of the World. But probably
nothing was more important than the years of coverage of the greatest golf tournament on the face of the Earth—the Masters. None other than Bobby Jones, none other than Jack Nicklaus, none other than Arnold Palmer, none other thank Tiger Woods acknowledged that Furman Bisher about that treasured tournament helped to elevate it to where it is today, the preeminent event in golf around the world.

A lot of people contribute a lot to their profession. We in Georgia are proud of so many who have given so much to our State. Today I want to pay tribute to a man who for 59 dedicated years covered sports in Georgia and made it possible for many great things to happen, a man who was gifted, a man was talented and a man who, even today, shares his wisdom and his commitment to sports as he approaches his 91st birthday.

On a personal note, as a young boy and a young man, thinking about the late 1940s and 1950s, I used to rush to the mailbox to get our Atlanta Journal and our Atlanta Constitution and I didn’t go to the funny papers. I didn’t go to the comics, I didn’t go to the crossword puzzle. Furman Bisher was a great writer and to me an inspiration for sports in Atlanta, GA. I wish him and his family the very best in their retirement.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

UNEMPLOYMENT COMPENSATION

Ms. STABENOW. Mr. President, I rise this afternoon to discuss our efforts to extend unemployment benefits to over 15 million people who are looking for work today. That is only the number of people we know are out there based on the unemployment statistics, not those who have tried for a long time and been unsuccessful and are currently neither in the workforce nor are working two or three or four part-time jobs trying to hold things together for themselves and their families. We do know this. Over 15 million people today who are trying to support their families in this very tough economic time need our help immediately to stay afloat.

Two nights ago I asked for agreement to move to the unemployment insurance bill. Our leader had asked for agreement to do that before. This has already passed the House and is awaiting Senate action. Unfortunately, Republican colleagues objected. They have objected several times and continue to object to our bringing forward an effort to help families who, through no fault of their own, find themselves in an extraordinarily difficult situation, relying on unemployment in order to be able to keep their families afloat.

Unemployment is not a partisan issue. Right now, 14 States and the District of Columbia, blue States and red States, have unemployment rates over 10 percent: Illinois, Georgia, Alabama, Florida, North Carolina, Ohio, Tennessee, Kentucky, South Carolina, California, Oregon, Rhode Island, Nevada and, of course, my great State of Michigan, where we are now seeing over a 15.3-percent unemployment rate, the highest in the country.

Our people are hurting and they have been hurting for a long time. I was very proud of our President as he came into office for understanding that and joining with us to provide a recovery package to make sure we were extending unemployment at the beginning of the year. But unfortunately the recession continues and people are still hurting. Democrats are unemployed and Republicans are unemployed. The people getting unemployment insurance are looking for work, they are pounding the pavement and they are putting in applications every day. This is not their fault.

The economic situation in this country is not their fault. The bank failures are not their fault. The foreclosure crisis is not their fault. But they are the ones paying the price every single day. Every single day, every single time the other side objects to bringing up this bill, people across the country are hurting. They are exhausting their unemployment insurance and are being left with no way to pay the mortgage, to take the kids to the doctor, to pay their heating bills, to be able to hold it together, waiting for this economy to turn around and jobs to be available, jobs they so desperately want.

It is getting cold outside. Winter is coming and families across the country are turning on their heaters for the first time in months. They need us to extend unemployment insurance so they can keep the heat on for their kids. Pulling the rug out from under these hard-working men and women and their families, it hurts every community and it hurts our economy in America. When they can afford to pay their bills, that money goes back into the economy, as we know. We know that for every $1 spent on unemployment benefits, $2.15 goes back into the economy. That is exactly what we need at this point—immediate stimulus.

This is an incredibly difficult time for families, certainly in my State and across the country. I was pleased to see last night, Mr. President, Senator UDALL from New Mexico and Senator WHITEHOUSE and the Presiding Officer, Senator BURRIS, and some others, Senator DURBIN, the other Illinois Senator, was there too for part of the evening, talking about the public option and why it is so important to keep the insurance industry honest, to help constrain costs and to compete directly with private insurance so that people, as they join those who have insurance, who are now paying more and more, that they can get insurance, can choose. They can choose Cigna, they can choose Aetna, they can choose WellPoint, they can choose United. In my State they can choose Medical Mutual, or they can choose a public option, so they would have that choice and it provides more choice to people. It is not a government takeover in any way. It simply provides more choice for those people who are insured.

I come to the floor, day after day, sharing letters I received from people in Ohio, from Cincinnati and Dayton, from Athens and Saint Clairsville, from Toledo and Lima. People who generally write most of these letters are people who were satisfied with their health insurance. They thought they had pretty good health insurance. They find out, when they get sick, that their health insurance isn’t what they thought it was. They end up battling every week with their insurance company trying to get something paid for. They find out maybe their insurance coverage got cut off—insurance companies call it rescission, their official bureaucratic word—as so many people lose their health insurance when it has gotten too expensive. These are people who were satisfied with their insurance and then found out it is not so great after all.

I wish to share some of the letters I have received from Ohio. This is from Tony from Rocky River. He writes:

I’m the Executive Director of a provider of residential and group homes for people with developmental disabilities. We employ 250

and the lights on and the heat on and know that their country has got their back.

That is what this is about. We need to pass the extension of unemployment insurance now. I hope we will.

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

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

Mr. BROWN. I ask unanimous consent to speak up to 10 minutes as in morning business.

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

HEALTH CARE REFORM

Mr. BROWN. Mr. President, last night I joined Senator UDALL from New Mexico and Senator WHITEHOUSE and the Presiding Officer, Senator BURRIS, and some others, Senator DURBIN, the other Illinois Senator, was there too for part of the evening, talking about the public option and why it is so important to keep the insurance industry honest, to help constrain costs and to compete directly with private insurance so that people, as they join those who have insurance, who are now paying more and more, that they can get insurance, can choose. They can choose Cigna, they can choose Aetna, they can choose WellPoint, they can choose United. In my State they can choose Medical Mutual, or they can choose a public option, so they would have that choice and it provides more choice to people. It is not a government takeover in any way. It simply provides more choice for those people who are insured.

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I wish to share some of the letters I have received from Ohio. This is from Tony from Rocky River. He writes:

I’m the Executive Director of a provider of residential and group homes for people with developmental disabilities. We employ 250
staff members, most of whom make a starting wage of $8.50 per hour. We offer health insurance to staff who work at least 24 hours a week. We don’t have a Cadillac plan, we provide just basic coverage. We believe in doing this [because] many of our staff members are part-time workers and have to work two other jobs to make ends meet. Utilities. We recently started negotiations with our health insurance carrier for our 2010 rates. We were informed that we may have an 84 percent increase over last year’s rate.

That is almost double what they had last year.

We were told the increase was due, in part, because one staff member (out of 250) had a heart attack in the past year and another staff member was treated for renal failure. We were shocked as we already pay close to $500,000 per year for our coverage. We could now be facing an additional $260,000 just to cover the same number of employees. You would expect in a staff of 250 that someone would have an illness, yet we are being severely penalized for being responsible and offering coverage to our workers and their families.

That is what is happening. This is not a tiny, small business, but in a small business, so often one person, two people get an extensive illness. Sometimes the insurance company will cut them off individually or as a group. Other times the increase for insurance will be so much that people such as Tony may not be able to offer insurance to their employees. This is so important. These are low-income people making $8.50, $9 an hour doing work that most people in this Chamber wouldn’t be willing to do, getting paid such low wages. At least they offer insurance. That may be gone. That is why reform is so important. That is why the public option is so important, so we don’t see this kind of profiteering by the insurance industry.

Rebecca from Summit County writes: I have two sons with severe ADHD. They were both diagnosed at an early age, due to their extremely impulsive behavior. Each son requires three prescriptions per month to enable them to go to school and get through their daily life. With the medication and periodic exams with a neuropsychologist, they are doing well. However, our payers often pay us over half the cost of our premiums, but my portion of the premium is $800 per month out of my paycheck. I worry that soon my employer will be unable to continue our coverage. As it is, my husband and I don’t go to the doctor because we simply can’t afford it. Even though it’s not seem like a life-or-death situation, it really is. Without their medication, my sons have serious illnesses with impulsiveness that could be dangerous. If they don’t receive treatment, they may be able to support themselves in the future.

Nothing scares a parent more than leaving behind children who can’t support themselves because of some kind of illness. I don’t think anything terrifies parents more than that.

I know our situation isn’t unique, so I hope something can be done to help all Americans.

Rebecca’s is another plea for help from this institution. It is simply unconscionable for us not to move forward.

Let me close talking about Virgil from Akron. He is a retired 30-year veteran of the Akron Police Department and has to spend one-third of his retirement pay on health insurance premiums. Virgil retired in 1999, when the premium for him and his wife Marlene was $45. Only 11 years later, Virgil and Marlene pay monthly premiums of $700—from $45 to $700. This is a retired 30-year veteran police officer who served his community as a law enforcement official for three decades. Struggling with high out-of-pocket medical expenses, Virgil and his family resorted to pills from prescriptions last longer. Virgil and the dedicated police officers, firefighters, teachers, nurses, and public servants deserve better than that. They deserve health reform now.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

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

Mr. VITTER. Mr. President, I urge all of my colleagues, Democrats and Republicans, to support having a vote on Vitter amendment No. 2466 to the Commerce-Justice-Science appropriations bill.

Unfortunately, the majority leader and others have been working quite hard to block that vote. I believe this issue demands attention, demands focus, demands reasonable debate, and a vote.

What is this issue? This is the revised version of my amendment to that appropriations bill:

None of the funds provided in this Act or any other act for any fiscal year may be used for collection of census data that does not include a question regarding United States Citizenship.

Mr. President, I ask unanimous consent to have printed in the RECORD my amendment.

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

(Purpose: To provide that none of the funds provided to the Census may be used for collection of census data that does not include a question regarding status of United States Citizenship)

On page 110, line 7, strike “activities.” and insert “activities: Provided further: That none of the funds provided in this Act or any other act for any fiscal year may be used for collection of census data that does not include a question regarding United States Citizenship.”

Mr. VITTER. Mr. President, the point is very simple. A big decennial census is coming up next year. Under the current plans of the Census Bureau, we are going to count everybody in the country—and that is fine—but we are not going to distinguish, we are not going to know the difference between citizens and noncitizens. I think that is not fine, I think that is crazy, and I think it will lead to some dangerous results.

First of all, the whole purpose of a census is to give us maximum information, maximum tools we can use in a whole host of policy debates and federal programs. Certainly, it is useful to know both the overall number of persons in the country and the subcategories of citizens and noncitizens. That is particularly relevant because the immigration debate is important, and we need to get our hands around that issue.

Secondly, and even more important, it is important because I believe when we use the census for congressional redistricting for determining how many U.S. House seats each state gets, we should count citizens, but we should not count in that count any noncitizens, including illegal aliens.

I think it is crazy, nutty, and I think the average American certainly agrees that we would determine how many U.S. House Members every state gets to represent it in the Congress and count noncitizens, including illegal aliens. I do not think the Founding Fathers set up a democracy—in many ways one of the most important democratic institutions in history in the U.S. Congress—to represent noncitizens. Why are we not adding in the entire population of France or Belgium or Brazil? For obvious reasons, because this is a democracy to represent citizens of the United States.

Of course, we can only avoid that in terms of congressional reapportionment if we know the subcategories of the count, citizens versus noncitizens. I urge all of my colleagues to support having a vote on this Vitter amendment in the Commerce-Justice-Science appropriations bill and then, of course, when we get to a vote—and we will—hopefully, on this bill but sometime in the near future—I assure you, we will—to support in a bipartisan way this amendment.

Let me make two final points. First of all, I have made every reasonable attempt to get this vote. I had two other amendments on the list for votes on this bill that were important to me and I think are important substantively. I have told, through our representatives, the majority leader and his office that I will forgo votes on those two other amendments. We need a vote on this crucial amendment.

Secondly, I remind particular Senators from eight States that their States will lose representation in the U.S. House if we count noncitizens versus if we were to do congressional reapportionment only counting citizens.

I believe everybody should be focused on this issue. I believe everybody should support my commonsense position. But surely the Senators from
those eight States would want to vote for their States’ self-interest. Those States are Indiana, Iowa, Maine, Michigan, Pennsylvania, Mississippi, North Carolina, and, of course, my State of Louisiana.

Again, I particularly appeal through the Chair to the Senators from those eight States—Indiana, Iowa, Maine, Michigan, Pennsylvania, Mississippi, North Carolina, and Louisiana. Obvi-
ously, for the very interests of your State, please support getting a vote on the Vitter amendment. Please support the Vitter amendment. Your State’s representation in the U.S. House hangs in the balance. Of course, that means please do not vote for cloture on the CJS bill until we can have such a vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

ENERGY AND WATER DEVELOPMENT

Mr. COBURN. Mr. President, we are about 10 minutes away from a vote on the energy and water conference report. I wanted to put forward one very cogent reason for voting against this bill.

This bill hides from the American people information to which they are entitled. There was clearly accepted by unanimous consent an amendment that said the reports in that bill will be made available to all Senators and all the citizens of this country—and right
ly so—unless it had a national security implication for not exposing that information.

The best government is the one that is the most open. The best government is the one in which people have trust. By bringing this bill to the floor out of conference and dropping the transparency amendment, the transparency section where one can actually see what is going on in Washington, where one can actually see where their money is being spent, where one can actually see the information that a select group of Senators see but other Senators do not, as well as the American people—if, in fact, one can see that, that breeds accountability in Washington.

If my colleagues, in fact, vote for this conference report, what they are say-
ing is they want to keep the American people in the dark; they do not want them to see what we are doing; they do not want their tax dollars to be known how we are doing it; they do not want them to see why we are doing it. They want the elite po-
sition of making a judgment without being held accountable.

I urge my colleagues to vote against this conference report.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 3183, which the clerk will report.

The bill clerk read as follows:

Conference report to accompany H.R. 3183, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

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

Mr. LEVIN. Mr. President, I will vote to approve this conference agreement to provide over $33 billion for a variety of energy and water infrastructure projects and programs. Michigan is sur-
rounded by the Great Lakes, and the funding provided in this conference re-
port to the Army Corps to maintain the navigational infrastructure and to clean up and protect the Great Lakes is especially important. Michigan also will benefit from the investments in clean energy technologies and energy efficiency programs provided in this bill that will help create a more sus-
tainable economy while producing quality jobs.

The conference report includes im-
portant funding for a wide range of energy research and technology develop-
ment at the Department of Energy, in-
cluding advanced vehicle technologies, hydrogren and fuel cell technologies, wind and solar energy technologies, and biomass and biorefinery systems. This conference report also includes funding for critical areas of science in-
cluding high energy and nuclear phys-
ics, biological and environmental re-
ssearch, and advanced scientific com-
puting research. Research and tech-
ology development in these ground-breaking areas of energy and science will continue our nation’s ad-
vance toward greater use of tech-
rnologies that will reduce our depend-
ence on foreign oil, our carbon footprint and greenhouse gas emissions, and in-
crease our reliance on our home-grown renewable resources. Federal Govern-
ment support of research and development in these technology areas will also help ensure that our companies remain competitive in the global mar-
ketplace and ensure that the U.S. re-
mains on the competitive edge of tech-
nology development and scientific dis-
covery.

I am particularly pleased that the conference report includes $12 million in funding for research and development, conceptual design and engineer-
ing for the Facility for Rare Isotope Beams, FRIB, to be built at Michigan State University. Inclusion of this funding in the conference report is crit-
ical to moving forward with this facil-
ity. Under the Department’s current plans, engineering work would con-
tinue in fiscal year 2011, with initial design work beginning in fiscal year 2011 and continuing into fiscal year 2012. Construction of the facility would begin in fiscal year 2013. MSU has sold over 10 million dollars worth of rare isotopes and nuclear physics, with the largest nuclear physics faculty in the nation and a nuclear physics grad-
uate program ranked number two in the U.S., second only to MIT. MSU is currently the home of the National Superconducting Cyclotron Labora-
tory, NSCL, which is the most ad-
vanced rare isotope accelerator in the U.S. and is the largest nuclear science facility on a university campus. FRIB is the next generation rare isotope fa-
cility and the Department of Energy’s decision in December 2008 to select MSU for FRIB is an indication of the university’s preeminence in this field.

I am also pleased that the conference report includes funding for several im-
portant energy projects in Michigan that will advance the development of technologies including advanced batteries and energy storage systems, plug-in hybrid vehicles, solar and pho-
tovoltaic systems, wind energy, bio-
mass and energy efficiency. Michigan companies and universities are well-po-
tioned to contribute to the develop-
ment of these advanced technologies, offering both significant expertise in these technology areas and a highly trained workforce to carry out the manufacture and production of these technologies.

About 180 million tons of goods are transported to and from Great Lakes harbors and ports each year, providing fuel to heat and cool homes and busi-
nesses, limestone and cement to build roads and buildings, iron ore to produce steel, and grain to feed our Na-
tion and for export overseas. Through-
out the Great Lakes, there are signifi-
-
the full functionality of the navigational system. The conference report includes an additional $6 million above the administration’s budget to address this dredging backlog at Michigan harbors and waterways, and attend to other navigational needs, including repair and renovation of breakwaters, improvements to locks, and disposal of dredged materials.

An important element of the Great Lakes navigational system is the Soo Locks, which connects Lake Superior with Lakes Huron and Michigan. Every year, over 80 million tons of commodities pass through the Soo Locks, the bulk of which move through the Poe Lock, the larger of the two operational Soo locks. To ensure shipping is not impeded at the Soo Locks, it is important that another Poe-sized lock be built. Construction on the new lock began this past July, and it is important that this project be completed so that vital industrial and agricultural shipments are not impeded. The conference report includes about $1 million for this project, which is barely a dent in what is needed for this project; the Army Corps estimated that it could use about $700 million in fiscal year 2010 for the project, and the $500 million project will continue to urge the Administration to include funding for this important project in their budget, and I am glad the conference report also makes this strong recommendation. The conference report makes clear that the concerns are deeply concerned that despite congressional support for the project, the support of the states in the region, and the fact that the Army Corps of Engineers recognizes the Soo Locks as the ‘single point of failure’ that can cripple Great Lakes shipping, the administration has failed to include funding for a second large lock, either under the authority provided in the American Recovery and Reinvestment Act or in its budget request for fiscal year 2010.” I hope this lack of funding will be rectified in next year’s budget.

This bill includes important funding for several Great Lakes programs including the Great Lakes Fishery and Ecosystem Restoration Program, Remedial Action Planning Technical Assistance, and the Sediment Transport Models and Sediment Management Planning program. These programs will help restore and protect the Great Lakes.

I am also pleased that the bill includes over $6 million for the Corps’ work to prevent the introduction of Asian carp and other invasive species into the Great Lakes. Invasive species can dramatically change the fishery and ecosystem by outcompeting native species for food and habitat. Asian carp are particularly devastating because they consume so much food and reproduce quickly. This funding will allow the Corps to generate the barrier project and begin work on a study to consider options to improve the barrier projects’ efficacy. The conference report also provides authority for the Corps to take measures to prevent Asian carp from bypassing the electric dispersal barrier. This authority is needed because just recently, the Corps discovered that the Asian carp had moved upstream in the Illinois River and if the Des Plaines River floods, which it does regularly, the floodwaters could carry Asian carp into the Chicago Sanitary and Ship Canal above the dispersal barrier. It is critical that the conference report gives the Corps the tools it needs to prevent the introduction of Asian carp into the Great Lakes.

The bill also provides funding for a variety of other water infrastructure and environmental restoration projects in Michigan. Funding is provided for two wastewater projects in Michigan—one in Genesee County and the other in the city of Negaunee in Michigan’s Upper Peninsula. Improving sewer systems is important not only for public health, but also to eliminate untreated discharges into our waters. Two Michigan flood control projects will also benefit from passage of this bill. The aging Hamilton Dam in the city of Flint will benefit from $240,000 that will enable the Army Corps to plan how to improve this dam that is in danger of failing. Flood control improvements at the Cass River in Spaulding Township are identified to receive priority funding from the Army Corps. Funding is also provided for three environmental protection projects in Michigan. Funding of $80,000 will be used by the Army Corps to continue its partnership with the city of Lansing in the Grand River waterfront restoration project, which includes a range of projects, such as shoreline and ecosystem restoration, as well as recreational elements. I am pleased that $100,000 is included to implement the Lake St. Clair Management Plan. Lake St. Clair and the St. Clair River that are part of the connecting channel in the Great Lakes are both plagued by invasive species, pollution, urban sprawl, and sewer overflows. The funding in the bill will allow the Corps to move forward to finally implement on-the-ground restoration projects which are very much needed.

This appropriations bill will help move our country towards greater energy security, advance technology to strengthen our manufacturing and international competitiveness, improve our shipping infrastructure, and improve the environment, and I support its passage.

Mr. DORGAN. Mr. President, we will vote in about 4 minutes. I want to note that yesterday’s cloture vote had 79 votes in favor of cloture. Clearly, there is strong support for this energy and water conference report. It provides an investment in water and energy projects across the country. It is fiscally responsible. It is slightly less than 1 percent above last year’s expenditure.

What I wanted to say, however, is we had to invoke cloture, which took us two days. Even though we had a cloture vote yesterday clearly demonstrating very substantial support for the bill, we have now sat at parade rest for almost 30 hours because someone insisted on 30 hours postcloture despite our strong vote for this conference report.

The reason for the insistence on 30 hours occurred was because the conference report did not include one amendment that was accepted in the Senate offered by colleagues. I regret that is not in the conference report, but the House would not accept it. Because of that, we have now been sitting around for the better part of a week, 30 hours postcloture.

My point is that we have to get appropriations bills right. Apparently, it does not mean anything to some people. If their amendment did not get in the conference report, they don’t mind holding up the Senate for a part of a week. That doesn’t mean much to some people.

I just wish we would have a little more cooperation. The very same people who said we ought to get our work done by passing appropriations bills and avoiding omnibus bills are the same ones who hold up the Senate. If we could get a little bit of cooperation, we could get these appropriations bills completed.

This is a good bill. It makes very significant and important investments all around the country in water infrastructure and energy projects. The fact is, it is less than 1 percent above last year’s spending level. No one is going to take a look at this bill and suggest it overspends. It does not.

One of my colleagues talked about earmarks in the bill. The fact is, we can take out all the earmarks, and there are some in here. It is the case that Congress has control both through the water development authorizing bill and also in the appropriations conference report before us where it wants to invest its money in major water projects across the country. If the Congress decided not to do that, every single penny would go downtown to the agency, and some GS-14 would decide where to do that. All this talk about earmarks is not going to save a penny. The fact is, we have substantially cut back on earmarks and have made them transparent.

My point mainly is that we are going to vote in a minute. We could have voted on this already, but we had to file cloture, then wait 30 hours. It is really regrettable of what is happening in this Chamber. Regrettably, there is very little cooperation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the conference report to accompany H.R. 3183.

Mr. LEAHY. I ask for the yeas and nays.
The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

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

The result was announced—yeas 80, nays 17, as follows:

(Rollcall Vote No. 322 Leg.)

YEAS—80

Akaka Feingold Nelson (NE)
Alexander Feinstein Nelson (FL)
Barrasso Franken Pryor
Baucus Gillibrand Reed
Begich Greggs Reid
Bennet Haggen Risch
Bennett Harkin Roberts
Bingaman Inouye Rockefellar
Bond Johnson Sanders
Boxer Kaufman Schumer
Brown Kirk Shaheen
Brownback Kildee Specter
Burris Kohl Shelby
Byrd Ky 
Cardwell Launtenberg Specter
Cardin LeMirieux Stabenow
Casey Leahy Tester
Casy Levin Thune
Collins Lieberman Udall (CO)
Corzine Lincoln Udall (NM)
Corker Lugar Vitter
Coryn McConnell Voinovich
Crapo Menendez Warner
Dodd McKinley Webb
Dorgan Mikulski Whitehouse
Durbin Markkowski Wicker
Enzi Murray Wyden
NAYS—17

Bayh Ensign Isakson
Bunning Graham Johnson
Burr Grassley McCain
Chambliss Hatch McCaskill
Colburn Hatchison Sessions
DeMint Inhofe

NOT VOTING—3

Cochran Kerry Landrieu

The conference report was agreed to.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. BURRIS. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

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

The motion to lay on the table was agreed to.

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

VOTE EXPLANATION

Mr. KERRY. Mr. President, I was necessarily absent for the vote on the conference report to accompany Energy and Water Development and Related Agencies Appropriations Act, 2010, H.R. 3183. If I were able to attend today's session, I would have voted yes on the conference report.

Mr. HATCH. Mr. President, today the Senate voted 80 to 17 in favor of the Energy and Water appropriations bill, H.R. 3182. I praise Chairman BYRON L. DORGAN and Senator ROBERT F. BENNETT, the Republican ranking member, and the other members of the Energy and Water subcommittee for putting together what I consider to be a good bill and certainly a big improvement over the energy budget sent to us by the President.

Knowing that the funding measure would pass, I chose to vote against this bill, which funds the Department of Energy, as a signal to the Obama administration and the DOE that American taxpayers do not need a pro-energy plan, not the anti-energy strategy being pushed on us by the United Nations Intergovernmental Panel on Climate Change, which this administration has adopted.

When the Secretary of Energy testifies before Congress that he believes it is his job to cut carbon-dioxide emissions by 80 percent in the next 40 years, then we know our Nation does not have an energy policy; rather, we have an anti-energy policy. Putting our Nation's emissions by 80 percent would provide two certain outcomes: First, reducing CO2 at that reckless pace would certainly devastate our economy and ruin our Nation's global competitiveness. Secondly, according to the U.N.'s calculations for CO2's warming ability, it would result in no perceptible reduction in global temperatures. At best, it would reduce temperatures by about 0.1 degrees Centigrade after 40 years of economic torture.

Maybe the media have fallen for this dangerous distraction to a real energy policy, but the polls show that the taxpayers have not.

MORNING BUSINESS

Mr. BURRIS. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. BURRIS. Mr. President, I would like to speak in morning business.

The PRESIDING OFFICER. The Senator is recognized.

HEALTH CARE REFORM

Mr. BURRIS. Mr. President, earlier this week I came to the Senate floor to discuss some of the misinformation we have seen about the issue of health care reform. Just this morning, I joined my freshmen colleagues to knock down some of the persistent myths about reform and particularly about the need for a public option.

As we prepare to consider a health bill before the full Senate, I would like to discuss the way forward from here. I believe our path is very clear. The only way to achieve meaningful health care reform and bring new competition to the system is through a public option that will bring real competition into the system. That is why I will not vote for any health care bill that does not include the public option.

Insurance companies should have to compete for your business just like any other company. This principle has always been at the heart of America's insurance market and is the only defense for insurance companies to get a free pass. As competition shrinks, profits soar. A public option is the only way to restore choice to the marketplace. It is the key to freedom, accountability, and fair play. That is why I will not continue on that point.

On Tuesday, our colleagues in the Finance Committee reached a new milestone on the long road to reform. They became the last of five committees in both the House and the Senate to take up this legislation. When they passed their version of the bill, it was the furthest any health reform measure has ever come. Now let us make it a reality.

I congratulate my distinguished colleagues on their significant achievement. I applaud their leadership on this difficult issue. But it was disappointing this legislation did not include a public option. As we move forward and merge the Finance Committee bill with the Senate's version, I will work with my friends to make sure the combined measure does include a public option. In a very short time, every Member will have the opportunity to shape this important legislation. When this bill comes before the Chamber, we will have the chance to make good on the promise Teddy Roosevelt made almost 100 years ago when he first called for sweeping health care reform.

This pivotal debate is nearly at an end. The time for action is upon us. That means it is time to separate fact from fiction. It is time to discuss the facts and drown out the noise. The public option will restore choice and competition to an industry currently dominated by only a few companies. The public option will spur fresh accountability and a return to fair practices. Premiums will come down. Relative health outcomes will go up. For the first time in years, insurance corporations will need to compete for business. They will need to be accountable to customers and not only to shareholders. That is what reform with a public option will mean to the American health care system.

When opponents of reform talk about death panels, a government takeover, and socialism, they are trying to distract us from the issue at hand. When they claim the Finance Committee bill will make premiums go up instead of down, it is the same old game of smoke and mirrors we have seen from the big corporations many times before.

They know they cannot win the argument on the merits so they are trying to change the subject. Instead of talking about American families and rising costs, real health outcomes, they need to rely on scare tactics to maintain their monopoly over the insurance
Mr. REID. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Mr. SESSIONS. Mr. President, I join in support of the Vitter amendment, which would preclude any funding in the CJS appropriations bill being used for the 2010 census, if the census does not include a citizenship question. Under current law, the census does not even ask the question about whether individuals in the United States are citizens or not. They ask people how many bathrooms and children they have, all kinds of things, but they don't ask a citizenship question. Congress mandates in the U.S. House of Representatives is based on that total population count, including people illegally in this country. I think representation in Congress should be based on the number of legal residents, including those who are not here because they are not here legally, not eligible to vote, happen to be in that State. That is a matter I hear a lot about from my constituents. They ask how this is possible. They are shocked that is what might be happening. The truth is, it does happen.

So I think Senator Vitter is raising a good question, and I believe his amendment is valid. Our next census will determine the reapportionment of the House of Representatives and Electoral College votes each State has.

The 2010 census form lacks the simple question: Are you a citizen of the United States of America? How accurate can we in Congress expect to be about the composition of our population if we do not ask that question, especially when some estimate there may be as many as 12 million people illegally in the country? Indeed, I think that probably is an accurate figure, so it has an impact. Calculations using some of these estimates are pretty dramatic and point out the real impacts of this policy.

Using the American Community Survey of the Census Bureau, their estimates for State population, including noncitizen and citizen populations, is instructive. The discrepancy in numbers for reapportionment using those different figures is significant. For example, States that might otherwise expect to gain or lose population, lose congressional seats, would no longer not be increased because of persons here illegally, not eligible to vote, happen to be in that State. That is a matter I hear a lot about from my constituents. They ask how this is possible. They are shocked that is what might be happening. The truth is, it does happen.

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Wendell Potter, an executive at CIGNA and some other health insurance companies over the last 20 years, has put it this way. He testified before the Senate Commerce Committee earlier this year, and he said the health insurance companies—and I quote him—confuse their customers and dump the sick—all so they can satisfy their Wall Street investors."

That single-minded drive for profits is clear from the numbers. Here is a chart I have in the Chamber showing part of the outrage. This chart demonstrates the massive profit increases at some of our largest health insurance companies. Just look at them. The years for comparison are the year 2000 and 2008.

In 2000, the company called WellPoint earned $226 million worth of profit. That $226 million had grown to $2.5 billion at the end of 2008—an increase of 1,000 percent.

Aetna, another is the biggest: In 2000, they made $127 million worth of profit. Eight years later, the $127 million grew to $1.4 billion—an increase of 990 percent.

Humana: In 2000, they earned $90 million; in 2008, $647 million—a modest gain, only 619 percent.

United Health—one of the largest, earned in 2000, $736 million; in 2008, $8 billion, an increase of 504 percent.

Mr. President, we all know who paid the profits for these profits: working-class Americans. This condition tells you what we have to be on the lookout for as we develop our plan.

Just as the health insurance industry profits have risen, obviously, so has the CEO compensation. If we look at what has taken place over a 3-year period for the five largest health care companies, the CEO pay has grown steadily, while workers’ pay has barely moved. The average health care CEO, over the last 3 years, in these five companies, earned $134.8 million. That was his—in this case—all his compensation. And the average worker’s salary was $44.200. Look at that comparison: $14.8 million, while the average working person earned $44,000. There is an injustice there that I think is quite obvious.

So we look at that and say: Well, what is happening here? A single health insurance CEO earns approximately 335 times that of the average worker in this country. It is absolutely ridiculous—scandalous—scandalous—when we think about the struggle people go through to keep their families healthy and, at the same time, take care of the bare needs for existence.

In New Jersey, for example, the largest health care insurer is Horizon Blue Cross Blue Shield. Last year, the CEO of that nonprofit, Mr. William Marino, made $5.4 million—a nonprofit company. Although it is a company without profit, it certainly was pretty darn profitable.

Let me be clear. While health insurers and CEOs have made out like bandits, the industry has been increasing premiums relentlessly. According to a new report from the Kaiser Family Foundation, insurance premiums for American families more than doubled during the last 10 years. We see it: three times faster than wages over the last 10 years. That is what has happened to premiums.

Premiums, which now average more than $13,000 a year, are the highest cost on record. The chart shows it very clearly, that this expanding premium cost has gone way beyond the average family to be able to afford to pay the rate.

If today’s CEOs cared as much about the public’s health as their own financial wealth, our system would not look this way. We are stuffing the greedy and starving the needy. That is the situation we are in.

It is time to reshape health care in this country once and for all. It is time to make the insurance industry accountable so that health insurance works for everyone. It is time to lift the curtain of despair so those without insurance can get it, and those who are in dread fear of losing it can stop worrying. It is time to say that in the richest Nation in the world, decent health care belongs to everyone in our country.

The reality is, we spend 1½ times more per person on health care than any other country, and yet even as we pour more and more money into health care, America’s health has not improved.

Just take infant mortality. The infant mortality rate in the United States is a telling marker of how well a society delivers health care. Infant death rates in our country have been going up for the last 40 years. Now the United States has a higher infant mortality rate than 40 other countries in the world, including Cuba, Sweden, Taiwan, and most of Europe. By any means of measurement, the way we deliver health care in our country fairly, fully, or efficiently, and the time for change is upon us.

Many in this Chamber have been working for decades to reform our system so children, the working poor, and the sick get the care they deserve. No one worked harder than my former seatmate and dear friend, Senator Edward M. Kennedy. Today we are on the verge of a sweeping overhaul. We are proud of Senator Kennedy for all the years he labored so astray. Kill the Obama presidency with a missile gone astray. Kill the Obama presidency with this Waterloo, regardless of the number of casualties among the citizenry. The victory will be won with the political destruction of the Obama mission.

I say “no” is not the answer. It is time for us to act. I hope our colleagues in this Senate will join in the mission so children, the working poor, and those without insurance can get it, and they want to say no to those looking to government for help and no to those desperately in need of health care. All this is no, no, no. I summarize the Republican view and their health care mission. Theirs is a missile gone astray. Kill the Obama presidency with this Waterloo, regardless of the number of casualties among the citizenry.

The president has put it this way. He testified before the Senate Commerce Committee earlier this year. He said that in the wealthiest country in the world, no one should be left out and left behind if the government won’t respond to their cries for help.

And I close with a reminder to those in this Chamber that our obligation far exceeds the attention it has gotten over the years; far exceeds any stretch out there. We have an obligation to do something about it, that we show the shame we all feel when we look at millions of people who have no health insurance in this country while we see the compensation and the executive pay of these people. This is scandalous—scandalous.
Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HONORING OUR FALLEN HEROES

Mr. UDALL of New Mexico. Mr. President, I rise today to mourn the untimely deaths and celebrate the lives of two New Mexico heroes. One died just last week from injuries he sustained while serving his country in Afghanistan. The other was killed this past June in a helicopter crash after rescuing a stranded hiker lost on the Santa Fe Baldy Mountain.

Both men served their countries with distinction and honor. Both were raised in families with a strong tradition of public service. Both said “Choose me” when they were needed most. Both paid the ultimate sacrifice. They were Army SPC Kenneth Westbrook and New Mexico State police sergeant Andrew Tingwall.

I would like to tell you about them today.

Sergeant Westbrook’s career in the military began more than 20 years ago after he graduated from Shiprock High School in northwest New Mexico. He married his childhood sweetheart, Charlene. Along the way, they had three children—Zachary, Joshua, and Joseph.

He served in the Persian Gulf war and did numerous other stints overseas in places such as Korea and Germany. He was a proud member of the Navajo Nation. He loved to hunt and fish, build model military vehicles, and was an expert chef and grill master.

His brother says Kenneth was looking forward to retiring from the military and spending more time with his family when he got the call for one more tour of duty—this time to Afghanistan. As much as he cherished the idea of spending more time with his family, Kenneth knew what he had to do: Of course, I will go, he said. Kenneth believed in the work being done in Afghanistan, his brother said. And if the Army needed him to complete that work, there was no question he would be there.

Kenneth was gravely wounded on September 8 when his unit was attacked by insurgents in Afghanistan. He was flown to Walter Reed Army Medical Center for treatment. That is where I met his wife Charlene and other members of his family. That is where I met Sergeant Westbrook’s three boys. I saw a strength made even more striking when you realize this tragedy wasn’t their first.

Four years earlier, almost to the day, another Sergeant Westbrook died. His older brother—SGT Marshall Alan Westbrook—was killed in Iraq when an improvised explosive device detonated near his humvee in Baghdad.

The Westbrook family is no more than many families. Their tight-knit family has paid the ultimate sacrifice, and for the Westbrooks, it happened not once but twice. As Americans, we often take for granted our freedoms, but we should never forget those whose sacrifice makes those freedoms possible.

Sergeant Westbrook will be laid to rest on Friday in Farmington, but he will forever live in the memory of New Mexicans.

This story of New Mexican heroism doesn’t end there. I would also like to talk about New Mexico State Police SGT Andrew Tingwall, who was killed last June in a helicopter accident after rescuing a stranded, lost hiker. Sergeant Tingwall worked on Friday with a posthumous induction into the New Mexican Military Institute Alumni Association Hall of Fame, which I helped nominate him for. His honor is for Eminence in a Chosen Field. With Kenneth Westbrook, Andy Tingwall’s chosen field was service—service to his community, service to his State, and service to his country.

Known as “Ting” to his friends, Sergeant Tingwall graduated from the New Mexico Military Institute in Roswell in 1991 and joined the U.S. Marine Corps shortly after. During his military career, he became a jump-qualified reconnaissance marine and served with Delta Company’s Fourth Reconnaissance Battalion. He continued his distinguished career as a New Mexico reservist from 1993 to 1995, when he joined the New Mexico State Police.

Eventually, he became lead instructor for the Training and Recruiting Division of the New Mexico Law Enforcement Academy before joining the New Mexico State Police aircraft section, where he became a pilot. Sergeant Tingwall proved his merit there, serving as chief pilot of the unit—the youngest man to ever have that title.

Sergeant Tingwall was known by his colleagues, friends, and family for his heroism and love of the sky, saving many lives in his time with the State police. In 2008, he was celebrated as Officer of the Year by the New Mexico Sheriffs and Police Association and would have received a Medal of Valor in June, but for Sergeant Tingwall, that day would never come.

Sergeant Tingwall was in the middle of saving the life of a stranded hiker on June 9 when tragedy struck. He and his spotter, Officer Wesley Cox, had located the stranded hiker and Sergeant Tingwall was transporting her to safety when the chopper struck a mountainside and crashed.

After the crash, as he had throughout his career, Sergeant Tingwall put the safety of others before his own. Despite being severely injured, he managed to pull the hiker from the wreckage before they both died from their injuries. Sergeant Tingwall was just 36 years old.

Duty, honor, country—three words you hear often when talking about those who commit themselves to a life of public service. Sergeants Westbrook and Tingwall personified those words, both in the way they lived their lives and in the way those lives ultimately ended.

New Mexico is proud to honor these true American heroes. To their families, we say thank you and ask them to accept the thanks of a grateful State and a grateful nation.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

The Senator from Illinois is recognized.

Mr. DURBIN. I thank the Chair.

The remarks of Mr. DURBIN pertaining to the introduction of S. 1789 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”

THE FEDERAL DEBT

Mr. DURBIN. Madam President, we have had an ongoing debate on the floor about health care reform, its cost, whether it is going to add to the deficit. We had an exchange yesterday or the day before with Senator McCaskill, the Republican leader. We talked a little bit about the debt America faces and how this debt came about.

Senator Kyl, my counterpart, Republican whip from Arizona and a friend of mine, came to the floor and carried on this dialog and debate. When you consider the Senate Chamber is supposed to be about debate, it is all good that he would do that. But I do want to take exception to a couple of things my friend Senator Kyl said.

Let me say at the outset, between 1998 and 2000, under President Clinton, our Nation ran a fiscal surplus. It is hard for many people now, when they look at a multi-trillion-dollar deficit, to imagine just a few years back we did have a surplus. We actually reduced the Federal debt in those 2 years by $326 billion, our economy was doing well, creating jobs and businesses. That is what President George W. Bush inherited when he came to office.

Between 2001 and 2009, when President George W. Bush was in office, the economy grew. Normally you would think this period of economic growth would lead to improved fiscal picture since tax receipts for government usually grow with the economy. Instead, under President Bush our Nation...
ran deficits during his term of nearly $7 trillion. The cumulative Federal debt more than doubled under President George W. Bush, who inherited a surplus from President Clinton. It went up from $5.8 trillion in 2001 to $12.7 trillion in 2009.

At the end of the Bush administration, the economy faced the worst crisis since the Great Depression, the recession we are now encountering. That is what President Obama inherited when he was sworn in 9 months ago. Back in February, the Congressional Budget Office estimated that, assuming continuation of budget policies that were in effect in January of this year, the Federal budget deficit would average more than $1 trillion each year over the next 10 years and would climb higher in later years. That estimate was developed based completely on the budget policies that the current President inherited from the previous President. So to argue that the Nation’s fiscal system was all laid at the doorstep of President Obama overlooks the obvious. Given the soaring debts and woeful economy he inherited, it certainly is not defensible.

America will run a fiscal deficit this year of $1.4 trillion, which will be a large deficit, there is no question about it. In an economy such as this, where there is so little private sector demand, we have tried to create through stimulus packages, re-investment, and recovery good jobs and economic activity that will revitalize our economy.

Why did President Bush have such record-breaking deficits during his tenure? I can tell you that he was the first President in the history of the United States to call for tax cuts in the midst of a war—in fact, in the midst of two wars. Giving tax cuts to the wealthiest people in the Nation during a war is counterintuitive. A war is an added expense to a nation, over and above the ordinary costs of government, and to cut revenue sources by giving tax cuts to those in higher income categories drove us deeper and deeper into deficit.

In addition, President Bush during his term passed the Medicare Prescription Drug Program. I think it was a good program, although there were changes I certainly would have made before I would vote for it. But the fact is that the President did not pay for it. It was added to the deficit which the current President has inherited. It is little wonder then that the debt grew dramatically during President George Bush’s time in office.

Having said all of this, we have to do something serious about this debt. I think we have to focus on putting this economy back on its feet, getting people back to work, making sure that businesses have credit, making certain that the money spent by our government is spent well, without waste. Those are certainly monumental tasks for us to do. I want to say today that health care reform is going to add to the deficit is to overlook the obvious. President Obama has told Members of Congress: Don’t send me a health care reform bill if it adds to the deficit. The Senate Finance Committee bill that passed this week did not add to the deficit. In fact, it reduced the deficit over a 10-year period of time. So we have taken President Obama’s admonition seriously.

In a week or two, we will start the debate over the future of health care in this Nation with the understanding that whatever we do has to be paid for, that we cannot leave it as a debt to future generations. It is an awesome responsibility and challenge we face. It is one I think we are up to, that the American people would feel Congress had dropped the ball and had failed if we do not end up with health care reform. We have a lot of issues to work out among us. I hope Senator Snowe on the Republican side will be joined by other Senators who can in good faith join in trying to solve some of these awesome problems we face, problems we have inherited. It is a moral responsibility and one we accept with the leadership of the President to help us find that solution.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

THE NATIONAL DEBT

Mr. SESSIONS. Madam President, the American people are rightly very concerned about the reckless spending being conducted in Washington spending that has resulted in huge national deficits. People sometimes think that Republicans and Democrats are just bickering, but the truth is that we have never had deficits such as these in the history of our country—perhaps only during the peak of World War II, when we were in a life-and-death struggle with millions of men and women in combat from one end of the globe to the other.

The fiscal year 2010 deficit is $1.4 trillion. It is predicted to average $1 trillion for the next decade, without relief in the outyears. People often ask me: When are we going to start paying it back? There is no plan to do so. There is not even any plan to reduce the size of the deficit. In years 8, 9, 10, we are talking about over $900 billion in annual deficits. Interest today on our total debt is $170 billion, will rise to $800 billion in 1 year and that is just the interest on the money we must borrow in order to carry these deficits that are not being reduced in the outyears. It is unthinkable.

A lot of people think that the high deficit is due to costs from a health care reform bill. Health care reform will add to the deficit, but is not currently counted in the numbers I referenced because the Congressional Budget Office did its scoring before any health care bill was written. We don’t have a final bill, so CBO couldn’t score it accurately anyway.

The public debt will go from $5 trillion in 2009, $7 trillion in 10 years and triple to $17 trillion in 10 years, tripling the national debt. The total debt from the founding of the American Republic will be tripled. That is a big deal.

My colleague, Senator DURBIN, and our Democratic colleagues have taken great pleasure in attacking President Bush. I was critical of Bush’s spending, but his average deficit was $250 billion, which was too much and big. However, this year’s deficit is going to be $1.4 trillion. That is the deficit as of September 30, for this fiscal year. And we will carry an average deficit $900 billion annually in the coming years. You can blame the origins of the deficit on President Bush if you want to, but President Obama’s budget for the next 10 years, scored by the Congressional Budget Office, continues to score deficits at $900 billion. Regardless, we are spending too much money. Republicans are guilty of it, and so are the Democrats. They promised to do better after they got elected this time, but I haven’t seen any progress, frankly.

The media has reported recently that the valuation of the Finance Committee’s health care bill by the Congressional Budget Office was quite positive. They said—you may have heard the phrase—that it was deficit neutral. How did that happen? How can you add millions of people to the rolls of uninsured, and subsidize insurance for low-income people, all without having a cost? We need to examine that.

The CBO says the Finance Committee bill would cost $259 billion over 10 years, but they say they are going to increase the deficit. It will increase the number of people covered but not increase the deficit.

The Washington Post wrote:

The Finance Committee’s bill is the only legislation on the table that meets Obama’s objectives [. . .] all for less than $900 billion over 10 years, and without adding to the deficit.

So that has been the spin. That has been the statement from the media.

The President said in his September address to Congress that he would not sign a health care reform bill that adds one cent to the deficit. Senator Baucus, the Finance Committee chairman, said:

Our balanced approach in the Finance Committee to health reform has paid off once again.

He said the bill was “a smart investment on the federal balance sheet.” He added that it would do, but that is not an absolute statement. The American people know you cannot expand coverage for millions of the uninsured without incurring cost. There is no
such thing as a free lunch. Money borrowed has to be repaid. If you make obligations to expand the federal government's role in our health care system, you must have the money to back it up.

So how can the CBO make such a report? It is not because they are dishonest. It is because they scored the bill the Washington way, and the bill was written by Members of this body and staff who understand the Washington way of writing a bill in such a way to hide its true cost. Republicans have done this in the past, but we are reaching new levels of it today.

Under the Baucus plan, true costs are hidden. The bill's requirements that all individuals have insurance does not fully phase in, for example, until 2014. However, new fees on insurers, medical device companies, drug manufacturers and cuts to hospitals and doctors take effect almost immediately. For example, hospitals will take cuts and see more patients in 2010 while doctors in individual are not required to have insurance coverage until 2014. If you are an insurance company, you will face increased taxes and new annual fees beginning in 2010, but again—individuals are not required to have insurance until 2014. Doctors' pay is kept stable in 2010, but under the Finance Committee legislation, doctors are expected to take a 25-percent pay cut beginning in 2011.

What have we been engaging in these budget gimmicks? Both parties have been guilty of doing this. Why don't we just make the difficult decisions? We have succeeded in balancing the budget in the past. But under the Sustainable Growth Rate formula as it applies today, our physicians the people that take care of us—would take a 25-percent cut in 2011. So, Congress fixes the formula, so to speak. We now call it the doctors' fix. We arrange for a short-term reprieve of doctors who keep doctors from being cut, but do not address the larger problem. If Congress were to fix the physician pay formula for 10 years, we would have about $300 billion more in costs to figure in to our budget as a deficit. The proposal that came out of the Finance Committee proposes to raise the doctors' fees for 1 year. It does not propose what is absolutely necessary: a 10-year fix for doctor pay. So, the Chairman acts as if an update to doctor pay will not happen in 2011 so that we do not have to face the true costs. And Congress will update doctor pay, as it has every year since 2002.

The bottom line is this: the true costs of the Finance Committee bill will not begin until the new provisions are all phased in 2014. The Senate Budget Committee estimates—and I am a member of the committee—show that the Finance Committee bill cost that goes from 2011 to 2023 is actually $1.8 trillion. So although CBO says that it costs $289 billion from 2010 to 2019, if you look at numbers from 2014 to 2023, the cost is $1.8 trillion—twice as much—because the full benefits and expenses don't kick in until then that period.

Budget gimmicks used to offset the bill are misleading. This is not an honest way to represent the bill's costs, and it is designed for political reasons. It is designed to score look better than it is and to hide the true cost of enacting this legislation.

Let me use a chart.

The PRESIDING OFFICER. The Senator has used the existing time limit.

Mr. SESSIONS. I ask unanimous consent for 3 additional minutes.

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

Mr. SESSIONS. The Senate Finance Committee bill is paid for in a number of ways. Perhaps one of the most unjustified claims is that we are going to produce $404 billion in cuts to Medicare and Medicaid to fund an entirely new program.

First, it is doubtful that Congress will actually vote to cut $400 billion from Medicaid and Medicare. However, CBO must assume we are going to cut it because that it included in the Finance Committee bill. CBO also assumed in that there were going to raise a lot of tax money by being more efficient in tax collections last year, but those new collections did not materialize either. The IRS said they wouldn't get them, and they were right. Our number one priority, if we were to somehow make Medicare and Medicaid more efficient and more honest and more effective and more productive and save $300 billion, that money should stay in Medicare and Medicaid. Medicare is going broke. We know that to be true. Medicare experts and the trustees issued a dire warning that unless measures are taken to shore up the program, it will be insolvent by 2017. We have known that for a long time. These $400 billion in cuts that are used to pay for the rest of these basically are new taxes. I do not have time to go into them now.

But imagine this scenario: your family is running in a shortfall and you do not have enough money for your business and you have agreed that you would take on a Saturday job to make more income, would it be smart to buy a new car? You have a debt. You are trying to pay it down.

You take on more taxes, take on another job to bring in more income, but, in the midst of that, you start a new spending program? That is exactly what the Finance Committee bill proposes. Instead of getting Medicare on a sound footing, this bill raises taxes to create a new program. Supporters act like we should be thankful because it is deficit neutral, they say. That is not accurate. I know it, and every Senator in this body ought to know it if they have been around here very long.

I am sorry about what we are headed. This sort of scoring is the kind of flimflam financial management that has put us on the road to tripling the debt of the United States in 10 years. It is an abomination. Our children will be paying interest on our debts for the rest of their lives. Indeed, the interest on our national debt today is $170 billion. In 10 years, CBO says it will be $800 billion a year. Yet we spend only $100 billion a year on education, by comparison.

So I say, somehow we have to slow down, make some difficult choices, and recognize that we do not have the money to do everything we would like to do. We do not have the money, and Congress must be more serious and more committed to improving Medicare, saving the program, and not going hog wild with new programs that we do not have the money to fund.

I thank the Chair for allowing me to go over and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I ask unanimous consent to speak in morning business for 20 minutes.

Mr. DORGAN. Madam President, I know my colleague from South Dakota is waiting. I will try not to consume the entire 20 minutes. But let me first talk about deficit for a moment, since my colleague from Alabama discussed the deficit.

I do not think there is anyone in here who takes a look at the fiscal policy we are on—and have been on for a long time—and feels very comfortable about it. It is not sustainable and we have to change it. But I do want to say this. It was not too long ago that this country went to war and, at the same time, cut taxes and did not pay for a penny of the war. In fact, even now we have people saying: Let's send 40,000 more troops to Afghanistan. I do not hear anybody suggesting we pay for that. What is that going to cost?

I will talk next week about my interest in what is happening in Afghanistan. I have been there. I have some real concerns about sending a lot of additional troops to Afghanistan and about our vital national interests. But let me say, whether it is fighting a war or deciding to send 40,000 more troops to another country, it costs money. Is everybody here willing to pay for it? Anybody willing to pay for it?

We have talked about this for years. We are in the middle of a war. We send men and women to the battlefield, and the fact is, not a penny of it has been paid for. In the previous administration, they insisted on tax cuts and pursuing a war strategy in Iraq and sending troops to Afghanistan and not paying for a penny of it. That also results in Federal budget deficits, and we have to resolve them.

The deficit cannot continue to describe a level of government the American people are unwilling or unable to pay for, and we have to get this fiscal policy under some control. Republicans
and Democrats together are going to have to reconcile this. We must do it.

WALL STREET

Mr. DORGAN. Madam President, I came to the floor to talk about something else today. On the way to the Capitol this morning, I was thinking of this: a quote by Will Rogers. I heard on the radio again today that we have a couple things going on. No. 1, we have a whole lot of folks who have lost their home in the last quarter, with a record number of home foreclosures in our country—and then, in the same news cast, $140 billion in bonuses to be paid by the major firms on Wall Street. I am thinking maybe these are two different countries or at least two different economies. Here is what Will Rogers said many decades ago. He said:

The unemployed here ain’t eating regular, but we'll get around to them as soon as everybody else gets fixed up OK.

The unemployed “ain’t” eating regular, but we will get around to them when everybody else gets fixed up.

Well, last year we watched some big shots steer this economy into the ditch. It caused an unbelievable financial wreck. It has had an impact on everything in this country. The fact is, we need to reform the system that allowed that to happen. But—do you know what?—as to the story I heard this morning about $140 billion of expected bonuses to be paid by the top 23 firms on Wall Street, the fact is, less than a year later, after the economic collapse in this country, we see these stories:

The U.S. has lent, spent or guaranteed $11.6 trillion to bolster banks and fight the long-term recession in 70 years.

By the way, “banks” here mean the biggest financial institutions in the country.

The Wall Street Journal, August 31 of this year:

Wall Street is suiting up for a battle to protect one of its richest fiefdoms, the $92 trillion over-the-counter derivatives market.

... Five U.S. commercial banks, including JPMorgan Chase & Co., Goldman Sachs Group Inc. and Bank of America Corp., are on track to earn more than $35 billion this year trading unregulated derivatives contracts.

This story is what we have been reading day after day.

Steven Pearlstein: “The Dust Hasn’t Settled on Wall Street, but History’s Already Repeating Itself.”

The Wall Street herd is at it again. Even as the cleanup crew is carting away the debris left by the last financial crisis, the investment banks, hedge funds and exchanges are busy working on the next one.

I will go through these in a hurry because there is a narrative here that is pretty easy to see.


One year after the collapse of Lehman Brothers, the country has not changed much in the financial industry, but how little.

... banks still sell and trade unregulated derivatives, despite their role in last fall’s chaos.


Wall Street’s actual role is more like that of a giant casino where the gamblers are rewarded for taking outrageous, unconscionable risks with other people’s money. If the bets pay off, the gamblers win. If the long-odds bets turn out to have been foolish, we’re the ones who lose.

The Washington Post, September 8: “A year after Lehman, Wall Street’s Acting Like Wall Street Again.”

... still operates on the principle of taking care of itself first, really big and [most] important customers second, everyone else last.


Responsible securitization helped bring the financial system to its knees. Yet, as banks start to heal, little seems to have changed. Wall Street has quickly fallen back on old habits.

The Washington Post, September 11: “Wall Street’s Mania for Short-Term Results Hurts Economy.”

It’s been a year since the onset of a financial crisis that wiped out $15 trillion of wealth from the balance sheet of American households, and more than two years since serious cracks in the financial system became apparent. Yet while the system has been stabilized and the worst of the crisis has passed, little seems to keep another meltdown from happening.

The Los Angeles Times: “The Financial Meltdown: Crisis has not altered Wall Street.”

Bellwether firms led by Goldman Sachs Group are churning out mouth-watering profits. Risk-taking and aggressive securities trading are mounting a comeback. And compensation—the lifeblood of Wall Street—is pushing back toward pre-crisis levels.

The Wall Street Journal, October 14: “Wall Street’s Mania for Short-Term Pay.” That was yesterday.

Major U.S. banks and securities firms are on pace to pay their employees about $140 billion this year—a record high.

... Total compensation at firms analyzed by the Journal are on track to increase 20% from last year’s $117 billion—and to top 2007’s $130 billion payout.

Total compensation and benefits at 23 major Wall Street firms—this, from the Wall Street Journal—you can see what has happened—2009—a record in the last 3 years. Nothing has changed.

CNN news:

... there really is this disconnect still between what’s happening on Wall Street... and what’s happening with the every day Joe. We talked about record home foreclosures once again, as we said these problems with employment, worries about whether benefits, jobless benefits are going to continue.

On the flip side... major banks and security firms are on pace to pay employees $140 billion this year high.

And so it is. It was said once that investment banks are to productive enterprise like mud wrestling is to the performing arts. Well, I don’t know, I guess that was tongue in cheek. We need investment banking in this country. It is essential for the creation of capital. It can, working properly, assist this country, and has assisted this country in lifting our economic opportunities.

But we have all too often, in recent years, seen the creation of exotic financial instruments that have almost nothing to do with creating wealth, except for those whose role it was to create an unhealthy bubble of risk that began to wind this economy down and finally steered this economy into a serious wreck last fall. The question is, What do we do about that? Well, when you hear on the same newscasts that we reached a record number of home foreclosures and people are still losing their jobs, and then, on the other hand, we see the very same interests that have been at the trough of the Federal Reserve Board for at least $8 trillion at risk, in loans and commitments to some of the biggest financial enterprises in the country and then you see $140 billion in compensation and bonuses from those firms? There is something disconnected here.

I want our financial system to work. I am not someone who comes to the floor of the Senate who says investment banks are worthless. That is not my point. We need investment banking. But we also need to understand we cannot take FDIC insured banks, those that are insured by the Federal Government, and decide it is OK if you trade on your own proprietary accounts on risky enterprises such as derivatives. That is all right. That is not all right. They may just as well put a keno pit or a craps table right in the middle of the bank lobby. Just call it what it is. It is simply flatout gambling with the taxpayers’ money.

We and we end this is the financial reform, there are a lot of ideas around. What do you do to make sure this does not happen again? I wish to make this point: There is a doctrine called too big to fail. We have seen it in practice in the last year: interests that are too big, banks, investment banks especially, that are too big to fail, and so it is no-fault capitalism. Whatever risks they have taken, whatever losses they have had, the taxpayer picks that up to the tune of $11 trillion in exposure from Federal programs.

Well—do you know what?—when the dust is settled, and whatever is done on financial reform, if we will not address this one of the root causes of risk on us. In fact, the very firms that are declared too big to fail are now getting bigger, supported by the Federal government, and that is flat wrong.

Let me quote Professor Joseph Stiglitz:

... our bail-outs run the risk of transferring large amounts of money... to those...
The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. THUNE. Mr. President, earlier this week the Senate Finance Committee, by a vote of 14 to 9, reported out its version of health care reform.

That makes now five committees that have acted on this issue, five committees of jurisdiction—three in the House of Representatives and two in the Senate—all of which have now at least put out their products. But I say that we should go by the one that was emerged from the Senate Finance Committee was not, in fact, legislative language; it was a concept paper. It is yet to be reduced to legislative language. That will take some time, I suspect, because many of the concepts that were included in the concept paper now.

So what is happening now on the issue of health care reform, at least in the Senate, is in the leader’s office. The chairman of the Health, Education, Labor, and Pensions Committee is meeting with the chairman of the Finance Committee, and I suspect a number of the members of the White House to hammer out what will eventually be the bill I suspect will come to the floor of the Senate. I say that only because the process has been so much changed from the beginning. It is not one that is inclusive in terms of allowing ideas from our side of the aisle to be incorporated. It has not been a bipartisan process, to say the least.

My guess is that at the end of the day, what comes out of the leader’s office will be a very different bill than anything we have seen so far. But I think there are certain characteristics in that bill that have been in all of the bills. I know basic things about all of the bills so far that are consistent, those things that have not changed.

The first one is it will lead to higher premiums. The second one is it will lead to higher taxes. The third one is it will include cuts in Medicare. So those three basic characteristics are the same with regard to all of the bills, the three that have emerged from the committees in the House of Representatives and the three that have emerged from Senate committees and are currently being married up in the leader’s office.

I predict when that bill comes to the floor of the Senate, the American people will have the same thing to look forward to that they have now with all of these various bills: higher premiums, higher taxes, and cuts in Medicare. Why is that significant? It is significant for this reason: Health care reform, as an end product of its purpose, is to lower costs. For the past decade and beyond we have been talking about health care costs in this country and how we have to do something to rein in the escalating costs people deal with every single year for health care and double-digit increases in health care costs for many of those years.

So the whole purpose of health care reform, at least my understanding of it, and I think as stated by the President and others, is that we need to rein in and get control of health care costs in this country. That is why it is ironic that of the five bills so far that have emerged from House and Senate committees, none bend the cost curve down. All increases premiums for people in this country, increase the costs for health care coverage.

In the Senate Finance Committee bill, the most recent revision, which, as I said earlier, was reported out this week by a 14-to-9 vote—there wasn’t a direct assessment or estimate of what that increase in premiums would be. There were simply generalized comments by the Congressional Budget Office that, yes, these increased taxes in the bill would be passed on generally dollar for dollar. In other words, the taxes that are imposed—a 40-percent excise tax on some of these insurance companies—would be passed on in the form of higher costs or premiums to health care consumers in this country without being more specific or quantifying in any more precise way what those increased costs would be. Nevertheless, they said basically the same things that have been seen in various bills, and that is that health care costs—coverage, premiums—are going to go up. We are going to have higher premiums.

In the last week or so we have now seen two studies where independent analysts have looked at this and concluded the same thing. In fact, the PricewaterhouseCoopers study from a few days ago went so far as to say if you are an individual buying in the individual marketplace, you would see your health care premiums go up about $2,600 if this bill becomes law. That would be in the year 2019 at the end of a 10-year window, which is what the people who analyze these things look at. So it is about a $2,600-per-person increase in premium if you are buying on the individual market.

If you are a small employer who is employing 50 or fewer employees or an individual who is employed at one of those small businesses, you would see premiums increase $2,100 if you are an individual. If you are a family, you would see premiums increase $5,400 under the bill that was produced and emerged from the Senate Finance Committee.

So whether you are an individual buying on the individual marketplace or whether you are getting your insurance through your employer, you will see higher premiums, higher health care costs according to this bill. And if you are an employer, it is the same thing. It is just a varying difference in the amounts, but it is anywhere from $2,100 up to $5,400 of increased premium costs, according to the PricewaterhouseCoopers study.

This week there was a study released by Oliver Wyman which came to the conclusion that if you buy your insurance on the individual marketplace, you will see a $1,500 increase for single coverage and $3,300 for family coverage annually. That is not in addition. That does not include the normal inflationary costs that we deal with year in year out for health care in this country. This study concluded the...
same thing the Pricewaterhouse-Coopers study did; that is, whether you buy on the individual marketplace, whether you get it through your employer, if you are an individual or you are a family, you will see higher premiums. As I said, in this particular study, it is $1,500 for single coverage, $3,300 for family coverage annually.

They also broke it down State by State, which is important because I think this is the key question, that is, how this is going to impact our constituents, including my constituents in South Dakota. In this particular case, if you are someone buying on the individual market and you are an individual buying a single policy, you will see your health care premiums go up 47 percent. If you are someone who has a family buying on the individual marketplace, buying a family policy, you are going to see your premiums go up 50 percent. If you are in the small group market, you will see your premiums go up 15 percent, exclusive of inflation. So those are two recent studies where independent analysts have looked at the bill produced by the Senate Finance Committee and concluded there would be significant increases in premiums and that is what people would pay for health care in this country.

So it begs the question: How is this reforming health care? The stated purpose of health care reform is to lower costs, to drive down costs for individuals and families. As you can see from these studies, that certainly isn't the case. Of course, the Congressional Budget Office, as I said earlier, indicated in response to questioning about the Senate Finance Committee that although they hadn't drilled down and figured out exactly what those premium increases would be, that inevitably you would have higher premium costs simply because the taxes imposed under the legislation would be passed on to health care consumers, and everybody who is buying health care out there would see their premiums increase, generally speaking, dollar for dollar. That was the conclusion of the Congressional Budget Office.

So I think that is the first thing we know about all of the health care reform plans so far that have been put forward.

The second thing we know as well, with certainty, is that they all include higher taxes. The House versions of this legislation used payroll taxes. They have an employer mandate—what we refer to as a pay-or-play mandate. There are additional, I guess you would say, “add-on” taxes for people who are in higher income categories, so they finance this reform in different forms of taxes. The tax increases proposed by the Senate Finance Committee—as I said earlier, there is an individual mandate, so if you don’t have insurance, you will pay penalties. That will be a certain tax or fee on individuals in this country which will hit a lot of lower income individuals. But the insurance companies which would be hit with these tax increases, of course, would then pass those on to their customers. So, again, we see increases in taxes.

What the Congressional Budget Office did with respect to the issue of taxes is, it did go so far as to say where the Senate Finance Committee had under the old legislation that the Congressional Budget Office estimate, 89 percent of the higher taxes in this bill produced by the Senate Finance Committee would fall on those wage earners, those taxpayers in this country earning less than $200,000 a year. They went so far as to say that if you were making more than half of that tax burden would fall on those earning under $200,000 a year when the bill initially kicks in. So we could be seeing significantly higher taxes on people making under $200,000 a year, according to the Congressional Budget Office.

The Joint Committee on Taxation has also analyzed this issue, and they came to the exact same conclusions this week as well, one of which was that, similarly, we would see almost 90 percent of the tax burden under this bill falling on those households with incomes under $200,000 a year. They went so far as to say that more than half of the tax burden would fall on those households with incomes under $100,000 a year. So almost 90 percent of the tax burden falls on wage earners, taxpayers with incomes under $200,000 a year, and over half of the tax burden falls on those wage earners, those taxpayers with incomes under $100,000 a year. That is according to the Joint Committee on Taxation.

So what does that mean? Well, that means the President’s promise that health care reform would not impose taxes on those earning less than $250,000 is just a bunch of hot air. It just doesn’t add up. We have the Joint Committee on Taxation and the Congressional Budget Office all saying that the disproportionate share of those taxes—the tax burden—about 90 percent is going to fall on $250,000 and under and over half, over 50 percent of the tax burden, falling on income earners, that is, $100,000 in income.

So the whole idea that somehow working families are going to be spared from the higher taxes under this bill just doesn’t hold water. So what we are going to see in this bill is not only higher premiums that are going to affect people across this country who are expecting, because they have heard that health care reform is supposed to lower their health care costs—they are going to see higher premiums. Premiums are going to go up. They are also going to see their taxes go up, and go up significantly because if you look at the Joint Committee on Taxation—and this is a letter that was written in response to questions that were raised by members of the Senate Finance Committee, and it says:

Subsidy phase-outs raise marginal tax rates because for every additional dollar you earn, you are eligible for a smaller subsidy, imposing potentially high effective tax rates on that additional dollar and reducing your incentive to earn that additional dollar.

According to the Joint Committee on Taxation, families earning 150 percent of the Federal poverty line—and that is $32,200 of income in this country; that is, 150 percent of the Federal poverty line—will face an effective marginal tax rate of 59 percent, meaning that for every additional dollar these taxpayers earn, they are losing 59 cents of it in foregone subsidies in taxes: Effective marginal tax rate, 59 percent on a wage earner who is making—that is 150 percent of the Federal poverty level or $32,200. So there are lots of higher taxes in this legislation and lots of higher premiums.

Of course, the final point I will mention, and the other point we know is consistent in all the bills, is significant cuts in Medicare. Under the Senate Finance Committee, there is a half a trillion dollars’ worth of cuts in Medicare in the form of Medicare Advantage, which is about $133 billion that will be cut out of seniors who are receiving benefits under Medicare Advantage: hospitals, home health agencies, hospices, pharmaceuticals—everybody gets a haircut under this proposal, all of which I would argue is unlikely to happen. Here is why.

Anything Congress has enacted changes in Medicare that were designed to achieve savings, they inevitably go back and reverse course. We have lots of history to support that assumption. But, nevertheless, let’s assume for a minute these cuts did occur. A $500 billion, or a half trillion, cut in Medicare that impacts seniors and health care providers in this country will be one of the results of the reform legislation that is being proposed by the Democrats in the Senate. The Finance Committee’s version of that is the most recent. So that is $½ trillion in Medicare cuts, $½ trillion in tax increases, and $1.8 trillion in new spending when it is fully implemented.

There was sort of a smoke-and-mirrors approach used to shield the true impact of these changes by basing—in, you know, a certain Vantage: hospitals, home health agencies, hospices, pharmaceuticals—everybody gets a haircut under this proposal, all of which I would argue is unlikely to happen. Here is why.

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going to lead to higher premiums. I argue as well, in addition to higher premiums, there will be higher taxes and Medicare cuts.

You are also going to see a significant reduction in the quality of service in the health care system. You will have new and more government expansion in Washington, DC, more and more government involvement in the decisions that are made. The government will now put mandates on what types of policies meet their standards. I think, inevitably, in every model around the world where you have that level of government intervention, it leads to a rationing of care, denials of care, and delays with respect to care.

I argue that the whole idea of this being characterized or labeled as a reform is completely mislabeled. There is nothing that is reform about this. It raises premiums, raises taxes, and cuts Medicare. I think you are going to see, in addition to that, diminishment in the services that are available to people in this country through many of these programs.

What is the alternative? We believe that rather than throwing the entire health care system overboard in this country, we ought to be looking at what we can do on a step-by-step basis to improve it. Republicans have offered a number of alternatives. We can allow buying insurance across State lines. We believe introducing competitive and buying insurance would put downward pressure on prices in this country. That is a good solution. We can have small business health plans, allowing small businesses to join groups. Group purchasing power will bring downward pressure on insurance prices. By the way, that is something a number of us voted for many times here in the Congress. It has always been defeated. Also, we can deal with the issue of medical malpractice reform, which, according to CBO, has significant savings—$54 billion. That applies to the government side of health care. If you extend that to private health care—I think there are estimates that defensive medicine in this country costs $100 billion to $200 billion annually. So if you could address that issue that deals with litigation costs and defensive medicine, you would see savings grow over the estimates of the CBO.

Having said that, those are several things that are not top right there that we think are step-by-step improvements in our health care system in this country. That doesn’t throw overboard everything that is good about American health care. It doesn’t move us toward a government plan or a single-payer system like they have in Europe, Canada, or someplace like that. It preserves the competition we have in the marketplace today and a market-based delivery system for health care in this country.

We will continue to talk about those ideas, as well as many others, including providing tax credits that will give access to health care for those who don’t have it. There is a way to do that that is very simple.

By the way, the Baucus bill, the Finance Committee bill, still leaves 29 million people in this country without health insurance. In spite of $1.8 trillion in new government health care premiums, and everything that goes with that, you are still not getting many of the people who don’t have health insurance covered.

We think the bill that will be brought before the Senate—we don’t know what it is at this point because it is being written behind closed doors—is the wrong approach, and the correct approach is a step-by-step process that addresses the shortcomings, the flaws, and attempts to fix those in a way that doesn’t bust the bank or the budget, that doesn’t raise taxes on consumers and raise premiums for health care consumers, and that doesn’t cut Medicare for seniors across this country and for many of the providers that are out there.

Mr. President, I hope that as the American people listen to this debate, they will engage on this issue; that the millions of seniors who are discussions going on in the leader’s office, I hope there is an ample amount of time for the American people to analyze it and for Members of the Senate to digest it. This is literally one-sixth of the American economy. We are talking about reorganizing one-sixth of our entire economy. We should do it with great deliberation and great diligence and with a great amount of care and, I argue, not by throwing the current system overboard and wrecking it but by taking a step-by-step approach that improves the system we have today and provides access to those who don’t have health insurance and does something to bend the cost curve down and drive it downward rather than raising it, like all the bills that have been produced by the Democratic majority in the Congress. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, I wish to spend a few minutes talking on an issue that I think is of concern to tens of millions of seniors and veterans. We ought to be looking at reorganizing one-sixth of our entire economy. We should do it with great deliberation and great diligence and with a great amount of care and, I argue, not by throwing the current system overboard and wrecking it but by taking a step-by-step approach that improves the system we have today and provides access to those who don’t have health insurance and does something to bend the cost curve down and drive it downward rather than raising them, like all the bills that have been produced by the Democratic majority in the Congress.

I yield the floor.

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

SOCIAL SECURITY

Mr. SANDERS. Mr. President, as you know, today the Social Security Administration announced there will be no COLA, or cost of living increase, next year for more than 50 million seniors. That is the first time in 35 years that situation has occurred, and it worries me very much.

About a month ago, I introduced legislation which the occupant of the chair is a cosponsor of, along with Senator LEAHY, DODD, STABENOW, BEGICH, and CASEY.

I ask unanimous consent to add Senator MIKULSKI and Senator TOM UdALL as cosponsors of S. 1685.

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

Mr. SANDERS. Mr. President, I am saying that in the midst of this major economic downturn, the worst recession since the Great Depression, while we are keenly concerned about the 9.8 million Americans who are unemployed officially, the American worker is giving up looking for work, the millions of Americans who are working part time when they want to work full time—when you add that all together, that is something like 17 percent of our workforce, about 26 million Americans. We are concerned about that issue, and we have to do everything we can to make sure we get this economy going in a way that benefits not just Wall Street but ordinary Americans.

One-time payment to seniors on Social Security and to disabled veterans. He did not yet determine, in his judgment, the best way to fund that program. I think it is a real step forward that he is doing that. I am delighted that the majority leader, Senator RENZI, has also been very strong on saying we have to make sure our seniors get some help this year, as has Speaker PELOSI and the chairman of the Ways and Means Committee, Congressman RANGEL. I think we are making some real steps in the right direction.

Let me quote what the President said because I think he was right on:

Even as we seek to bring about recovery, we must act on behalf of those hardest hit by this recession. That is why I am announcing my support for an additional $250 in emergency recovery assistance to seniors, veterans, and people with disabilities to help them make it through these difficult times. These payments will provide aid to more than 50 million people in the coming year, reducing their monthly payments by $250, and millions of seniors are facing extraordinary cost increases for them, but for our economy as a whole, complementing the tax cuts we’ve provided working families and small businesses through the Recovery Act.

I very much appreciate that support from the President.

The bottom line is that this legislation is now in our jurisdiction. My
hope and expectation is that we are going to move it as quickly as possible. With the President’s support, we should be able to accomplish that in a short while.

In Vermont, I can tell you there are many seniors making this difficult choice because they need to heat their homes or pay for prescription drugs. Those are choices Americans should not have to make. Many seniors are also going to be seeing an increase in the cost of Medicare Part D.

If we consider this one-time $250 payment, you are going to see millions of seniors with a reduced amount in their Social Security check. That is not acceptable.

I think we are making some progress on this issue. Again, I thank Senator Reid for his strong support, Speaker Pelosi for her support, and most important, the President for his support. Let’s get this done on behalf of seniors and disabled veterans. I think we will have done something that is very important.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RETIREE OF FURMAN BISHER

Mr. CHAMBLISS. Mr. President, I rise to honor a giant in the world of journalism, Furman Bisher.

Last Saturday, after nearly 60 years of elegant observation of the sports world for the Atlanta Journal-Constitution, my friend Furman Bisher pecked out his last and final column before retirement on the thinning keys of his trusty, old Royal typewriter. His choice of instrument to convey his thoughts in this age of instantaneous, inane chatter says a lot about why newspaper readers, after all these years, have continued to seek out his column on the AJC’s sports page.

It all comes down to this: Furman’s graceful prose, courtly voice, and sharp observations are unfailingly backed up by his old-fashioned shoe-leather reporting. He prefers in doing his homework, making that extra call, interviewing one more player or assistant coach or trainer in order to breathe even more life into the game or the race or the fight for his readers.

It is also why Furman has become a Georgian—and American—institution.

Simply put, Furman Bisher loved sports and he loved journalism. At age 90, he was still driving out on summer nights to cover minor league baseball games.

In his career, Furman scored many journalistic knockouts, including a 1949 interview with Shoeless Joe Jackson, the only one Jackson ever gave regarding his involvement in the 1919 Black Sox scandal.

He got stock tips from Ty Cobb and watched every Masters, including Jack Nicklaus’s 1986 Masters victory, which he gloried in. He sat in the press box at countless Falcon games at Atlanta’s Fulton County Stadium and the Georgia Dome and covered the Olympics, both winter and summer.

He wrote 11 books, including co-authoring two editions of a Hank Aaron autobiography. At the Masters Tournament, every April, Furman reigned among the azaleas and oaks as the dean of the sports press corps.

In a testament to his longevity in a tough business, Furman has covered nearly every Kentucky Derby since 1930 and every Super Bowl but the first one. Furman even branched out into TV. Although I did not grow up in Atlanta, I have heard from many people that preachers across the city would cut a sermon short so that their congregation could be home for Furman’s kickoff on “Football Review.”

Along the way, he earned the respect of his colleagues and the loyalty of his readers, garnering writing awards too numerous to mention. Red Smith is acknowledged as probably the dean of all journalists from a sports perspective, and Furman Bisher has often been referred to as the “Red Smith of the South.” He served as president of the National Sportscasters and Sportswriters Association from 1974 to 1976, and of the Football Writers Association of America from 1959 to 1960. His features have appeared in The Saturday Evening Post, Golf Digest, and Sports Illustrated, to name but a few.

In 1961, Time magazine named him one of the five best columnists in the Nation. I would argue that even today, that honor still fits.

No less than the great Jack Nicklaus said of Furman’s retirement:

He might be the last column for the newspaper, but Furman will never stop writing or giving his opinion. I guess you could say that when it comes to the last writings of Furman Bisher, I will believe it when I don’t see it.

Furman would close every column with a single valediction—the word “selah,” a Hebrew word that ends many Psalms and that exhorts the reader to reflect.

It is appropriate then to reflect on Furman’s long, fruitful career, one that began in Atlanta as the Korean War was starting, when Joe Louis was still boxing, when the Minneapolis Lakers were the NBA champs, before the Atlanta Hawks joined the Major Leagues, and before Sports Illustrated even existed.

Ever since, with wit and style, Furman Bisher has chronicled the triumphs and the travails of the sports world and its often all too human heroes.

Furman is leaving the AJC at almost 91 years old, and he is still going strong. While we may not be seeing his column on a regular basis, I am quite sure we have not heard the last of Furman Bisher. As Furman would say, selah. I am thankful for Furman Bisher.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

AFGHANISTAN AND PAKISTAN

Mr. CASEY. Mr. President, I know the hour is late and many are ready to end the week. I wish to say a few words tonight about the challenge we have with regard to Afghanistan and Pakistan and our strategy going forward.

I spent some time in the last couple of weeks talking about the obligation we have in the Senate to have a full debate on these issues and not simply to point down Pennsylvania Avenue and say the White House has to do this or that or the President has to do this or that.

It is important, I believe, that the President and his team have taken the kind of time they have to get the strategy right with regard to Afghanistan and Pakistan. But I believe the Congress has a role to play. If we simply fall into partisan corners with regard to our strategy in Afghanistan and dust off and reintroduce talking points from the war in Iraq, we will not get it right; we will get it wrong.

I believe we have to listen to a lot of different points of view. The President has undertaken that kind of review, and we have to do that as well.

As part of that is that we have already begun to do, which is to have a series of hearings.

In the Foreign Relations Committee, we have had a number of hearings. I know the President, as a member of the Intelligence Committee and his work as a Senator, has engaged in this review as well. We are trying to get different points of view in front of us. I know Chairman Kerry and the Foreign Relations Committee have already had too many hearings to count, and not just in the last couple of weeks but over many months.

Chairman Levin and the Armed Services Committee have outlined a strategy, or at least an approach to part of a strategy, to focus on building up the Afghan National Army and the police on an accelerated basis so we can begin to move the responsibility more to the Afghan people and the Afghan governing institutions as opposed to having the United States and other coalition partners bear this responsibility solely. Chairman Levin has spent a good deal of time trying to contribute to this debate.

We have heard both Democrats and Republicans contributing to this discussion. As much as we have heard
about General McChrystal’s report and his recommendations—and we have heard a good bit about that, and we should, and we have heard an awful lot about his recommendation with regard to troop levels, almost exclusively. General McChrystal’s recommendations about troop levels.

If you read his report—the report that is now public—he talks at length in that report about every topic under that heading and does refer to troops, but he focuses a good bit about at least four areas. One, he talks about security. Obviously, as the commander, he should address that issue, and he does. But he also talks about governance and development. Those three areas are critically important. We can get the troop level right and get the whole strategy wrong. Even if we focus on security, which obviously involves troop levels and military determinations we have to make, we have to get it right with regard to development and also with regard to governance.

I note for the record an article from—I do not have it in front of me, but I will refer to it. The New York Times on October 2 had a story about General McChrystal’s approach to the strategy, but he was quoted in that story talking about debate and deliberation.

I have been listening to some people who talked about what he is recommending. One would think all he did was put together a report, send it to Washington, and the report said “add troops” and that is all he had to say. General McChrystal—I am paraphrasing—did refer to both debate and deliberation to get the strategy right. He also said we do not have the luxury of moving too fast. I think that is instructive of what he has been recommending.

I want to talk tonight briefly about one of those three areas, not security or development, but governance. I particular talk for a moment about elections and other aspects of governance as well as the judiciary.

I know the Senator from Rhode Island, the Presiding Officer, is a member of the Senate Judiciary Committee and a former prosecutor and understands how important the judiciary is to a functioning democracy. We have a ways to go and the Afghan people have a ways to go between here and there, meaning to get to where they are today and where they must get to with regard to their judiciary.

In terms of the election, we heard a lot about the problems, and some of it bears repeating. As documented by the National Democratic Institute, the International Republican Institute, Democracy International, and a host of other international observers, the elections in Afghanistan saw widespread fraud amid an atmosphere of escalated violence. We saw many of these problems in the elections, and despite having years to prepare, there is still not a reliable voters list, which opened the possibility of wholesale fraud on election day. The “single nontransferable vote system” for the provincial government elections has led to candidates gaining seats with only a few actual votes. On election day, many citizens were too scared to vote, citing Taliban threats to bomb polling stations and to extract off of the voters. Afghanistan itself can and should take several concrete steps or measures to address these issues prior to the next election, including fixing the voters list, considering moving away from a transferable voter system, and enhancing the security environment for voters in the preelection period and on election day.

I would add to this that when I was in Afghanistan and Pakistan back in August with Senator Brown and Congressman ZACK SPACE, we had several brieﬁngs and one of them was on the election. One point that was made we shouldn’t lose sight of. This election, for all the focus now is on the record now, for all the problems, the security environment was generally good. The fact that despite those threats by the Taliban an election took place in a time of war and under an adverse, security environment shouldn’t be glossed over. It was a significant challenge. So we had a lot of fraud, but in terms of security there is some good news on the security front. Organized representation of any citizens’ interests in Afghanistan also remains underdeveloped. The electoral system disincentivizes the development of vibrant party structures. This is problematic, because without political parties—it is hard for us to understand this is still a problem—without political parties that can help to organize and represent the policy concerns of the people, there is little hope that the Parliament’s legislation can truly reflect the will of the people.

Governing institutions in Afghanistan have atrophied over decades of civil war and Taliban rule and have begun to develop other problems as well, but in an era that is so critical, it is vital. We know that the idea of a strong central government in the history of Afghanistan is somewhat of a foreign concept. In recent years, the international community has placed an emphasis on the development of governing institutions in Kabul, capable of projecting its presence and influence across the country, but it has been a difficult challenge. Not enough attention has been paid to the development of proper financing of local governing institutions. Provincial government is underfunded, and that opens the door to local level corruption.

Local and international development nongovernmental organizations often take the lead in local development projects, which can serve to minimize the role of the provincial government at a time when we need their role to be strengthened in terms of what people see. So just as a tip when you need strong evidence of local government, sometimes the NGOs are doing a lot of the work.

While the international community has not paid enough attention to the development of local governing structures, the Taliban, unfortunately, understands the importance of connecting with the people at the local level. Over the past few years, the Taliban has established shadow governments across the south which mete out their form of Sharia justice. They have ombudsmen who travel from district to district to gauge the work of the Taliban shadow government and their officials. And of course we know that Mullah Omar, the former head of the Taliban-led government, now runs the so-called Quetta Shura—QST as it is known by its acronym—and they have produced a 30-page manual, believe it or not, on how best to win the favor of the local population.

So the Taliban is not just thinking in military terms. They have already not just thought about but have begun to implement a governing strategy, and the government—and also the Afghan people, as well as our coalition partners—have to think this through as well and get it right. It is important we get this right—the governing part of our challenge—as much as we get the military part of this right.

The Afghan Government should make every effort to devolve power and resources to the local level to bring good governance as close to the people as possible. The military reconstruction teams can help and play a supporting role, but this essential connection between the Afghan citizen and government must be an Afghan-led enterprise.

Let me conclude with this thought about the judiciary. The Taliban are threatened by a strong judiciary, as evidenced by its deadly attack on the Ministry of Justice in Kabul earlier this year. High levels of endemic corruption and insufficiently trained, staff, and a complicated system of western, customary, and Sharia law hinders the Afghan Government’s ability to provide justice for its people. This is perhaps the biggest threat to the Afghan Government’s viability, the Taliban’s ability to provide quick, albeit brutal, justice, which sharply contrasts with the corrupt government officials who are unwilling or unable to take action. So in the absence of a strong effort by the government to provide the kind of judiciary that we would hope they could provide, the Taliban has filled the void. Thus a majority of legal disputes are settled outside of the state’s formal justice system. With little trust in the government, the population can easily turn to the Taliban for a swift, brutal form of justice.

As we ramp up our efforts to train the Afghan National Police force, we must at the same time consider parallel reforms that must take place within the formal justice sector. We must support Afghan efforts toward institutional reform in the Ministry of Justice so that the local population
will not rely only upon the informal justice sector, or worse, turn in fact to the Taliban for justice.

There has been noteworthy progress in some democratic institution building within the country. First, by way of example, Mauritania, Morocco, and Kenya are often recognized for their positive efforts. And while considerable work remains to be done, each has made significant strides in recent years. I can say from somewhat of a first-hand observation that both Defense Minister Wardal and Interior Minister Akmar, two ministers we met with on our trip in August and sat down with, indicated to me they have a strong sense of where they have to go to develop the Afghan army and police force, the security for the country. But they still have to demonstrate that over time. No matter who ultimately wins the Presidential election, I hope that the Afghan Government will retain these important ministers, who have made a strategic and a national knowledge of success and of clear plans for continued development.

Second, the health sector, in particular, has seen impressive gains since the fall of the Taliban government. Today, in Afghanistan, 82 percent of the population lives in districts with access to a government-provided health care package, up from 9 percent in 2003. That is a bit of good news we don’t often hear about, but I am sure time will prove that it has to be made there as well in terms of health care.

Third, the education sector has seen improvements as well. In 2001, less than 1 million children—probably about 10 percent of the school-aged population—were enrolled in elementary or secondary education, and almost none of them were girls at that time. Today, more than 6 million children are enrolled, 2 million of whom are girls. So there has been measurable and some progress in the country. Despite the recent deteriorating security environment.

Building on these fragile gains will rest in large part on the viability of the Afghan democratic institutions. The United States can help in this effort through the continued provision of development assistance and other forms of diplomatic and political support for Afghanistan’s institutions. While the security situation is increasingly precarious, 79 and 91 percent of the population remains opposed to the Taliban and their brand of violent politics and their brand of justice. I hope we can consolidate on the gains made in Afghanistan and seriously begin to address the severe shortcomings that remain in the democratic development of the country.

In conclusion, I would say that despite all the bad news about the security environment, which is news we need to hear, we need to put it in the context of the two other challenges beyond security—governance and development. I have pointed out some real problems with the governance, especially as it relates to the judiciary, but we have had some progress on health and on education. We need to accelerate and develop that and incentivize it and get it right, but we have seen some good news.

So I think as we debate this strategy going forward, those of us in the Senate who have a role to play here and who feel the obligation to get this right have to focus on more than just security and troops and the military. We have to make sure that we get strategies in place that will increase the governance priority as well as development. We will talk more at another time about development.

I thank the Chair and yield the floor.

HONORING OUR ARMED FORCES

SERGEANT JOSHUA KIRK

Mrs. SHAHEEN. Mr. President, it is with deep sympathy and a heavy heart that I express my condolences to the family of SGT Joshua Kirk who was killed on October 3 in Afghanistan. Joshua was serving his second tour of duty as part of Operation Enduring Freedom. The American people will forever be grateful for his ultimate sacrifice.

Sergeant Kirk enlisted in the Army in the spring of 2005, joining the 4th Infantry Division based out of Fort Carson in Colorado Springs, CO. He was originally from ME origin from New Hampshire. He attended Southern Maine Community College, where he met his wife Megan of Exeter, NH, and earned a degree in construction technology. Joshua believed deeply in his mission and in the cause of freedom for which he and seven of his fellow soldiers sacrificed their lives together. Words will not assuage the anguish each of these soldier’s family will feel, nor the sense of loss at Fort Carson when these brave men fell. But we hope that on that day these families will take solace in what President Lincoln described as “the solemn pride that must forever be yours to have laid so costly a sacrifice upon the altar of freedom.”

Our Nation can never fully repay the sacrifice Sergeant Kirk and his family have made. Through his service, he helped preserve the safety and security of the American people. It now falls to all of us to take up this responsibility and ensure that the cause Sergeant Kirk gave his life for is won for his wife and young daughter.

I ask my colleagues to join me and all Americans in honoring the life of SGT Joshua Kirk.

STAFF SERGEANT KURT R. CURTISS

Mr. HATCH. Mr. President, I rise today to pay tribute to U.S. Army SSG Kurt R. Curtiss of Utah who made the ultimate sacrifice for his country on August 26, 2009. The staff sergeant died from injuries sustained from enemy small arms fire in Pakhtika Province, Afghanistan. Staff Sergeant Curtiss was leading his unit into a hospital trying to rescue patients trapped inside when the attack occurred.

Staff Sergeant Curtiss was assigned to Headquarters and Headquarters Company, 1st Battalion, 501st Parachute Infantry Regiment, 25th Infantry Division, Fort Richardson, AK, in support of Operation Enduring Freedom.

On the day after the September 11 attacks, Kurt Curtiss enlisted in the Army. He wanted to protect his country and make the world a better place. This call to service led to two tours in Iraq and a final tour in Afghanistan. The sense of patriotism exhibited by his actions provides a striking example to us all.

Early in his youth, Staff Sergeant Curtiss learned of selflessness and acceptance as he grew up in a home where his mother cared for over 60 foster children. He will be remembered for his love, devotion, compassion, and humor. Curtiss loved life. He was a caring man who always placed others before himself, a characteristic exemplified by his final sacrifice.

Staff Sergeant Curtiss left behind a wife and two young children who I hope can find solace in the immense gratitude that our Nation owes for his selfless service to his countrymen. We are forever in his home and forever in his memory.

Therefore I know that I am joined by all of my colleagues in the Senate in mourning the loss of SSG Kurt R. Curtiss, our protector and hero.

REMEMBERING SENATOR EDWARD M. KENNEDY

Mr. KIRK. Mr. President, yesterday evening, President Obama delivered another eloquent tribute to Senator Edward M. Kennedy. I am sure my colleagues will be pleased and touched to see it, and I ask unanimous consent that excerpts from the tribute may be printed at this point in the RECORD. I also ask unanimous consent that a collection of tributes to Senator Kennedy from “The Hill” newspaper on August 29, 2009 may be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM REMARKS BY THE PRESIDENT AT AN EVENT CELEBRATING THE EDWARD M. KENNEDY INSTITUTE FOR THE UNITED STATES SENATE

(Ritz Carlton Hotel, Washington, DC, Oct. 14, 2009)

THE PRESIDENT: Thank you so much. Thank you, Patrick, for that generous introduction, and for ensuring that the Kennedy spirit of public service lives on as strong as ever.

And to Vicki and all the members of the Kennedy family—to Ted and Kara, obviously. Patrick—there are few who are not inspired by the grace and love that all of you have shown throughout a difficult time.

Our friend Ted left us less than two months ago. In the days that followed, we gathered in Boston to celebrate his life—with a joyous Irish wake of sorts at the John F. Kennedy Library, and with heavy hearts on Mission Hill. We watched as mourners lined the streets of Massachusetts and Washington in the rain to say a final thank you; and as dozens of those of his colleagues and staff lined the steps of the Capitol to say a final goodbye. We smiled as the Caucus Room in the
Russell Building, a room where so much American history was made, was renamed for the three Kennedy brothers who served there.

And over those days, there was some small measure of comfort in the fact that millions of Americans were reminded of Ted Kennedy's legacy, and a new generation came to know him. But still, I know that thousands, if not millions, from both parties, shared Ted's sentiment that something vital about the Senate has been lost. Where it once was a more personal and more moderate place, it's become for a few more polarized, and more confrontational. And gone, sometimes, is that deeper understanding of one another; that ideas that there are great battles to be waged—but not against the person on the other side of the aisle, rather to be waged on behalf of issues.

What Ted wanted to save, above anything else, is that sense of community and collegiality and mutual responsibility—to our constituents, to the institution, and to one another. "As senators," he wrote, "we need to be vigilant that we don't lose track of the whole essence of what the Senate is; of our role in it; of what all of our relationship is to people; and of what all of that should lead to, which is the unfettered and vital exchange of ideas."

That's why when a breaking point struck a colleague—he was always the first to call. That's why whenever a stalemate needed to be broken—he was the first to visit another senator to try to get debate going. But when credit was due, he never got personal—because that was the fastest way to ensure nothing got done. Once, after he and Strom Thurmond—all of 1963—had been there for a few months, Ted said, 'If you'd ever imagine Ted and Strom might do—Ted put his arm around him and said, 'O'mon, Strom. Let's go upstairs and I'll give you a few judges.'"

The thing is, even though he never technically ran the Senate, it often felt like Teddy did. It was his arena. That's why, if you came to the Senate hoping to be a great senator someday, he was who you went to see first. I know that's who I went to see. And I'm sure he was who you went to see. Any of us who've had the privilege to serve in that institution know that it's impossible not to share Teddy's feeling for the history that swirls around us. It's a place where you instinctively pull yourself a little straighter and commit yourself to acting a little nobler.

I still remember the first time I pulled open the drawer of my desk and saw the names like Taft and Baker; Simon and Welstone—and Robert F. Kennedy. I thought, I'd like to be in those battles they're fighting now and how they still echo through the Senate chambers. And one can't enter the chamber without thinking of the momentous debates that defined the Senate and the times within the Senate's deliberations, choices of war and peace; of tangled bargain between North and South; of federal and state; of the origins of slavery and prejudice; of the unfinished battles for civil rights and equality and opportunity.

It was where Americans of great eloquence deliberated and discussed the great issues of the age; where Webster and Clay and Calhoun fought and forfeited compromise; where LBJ stalked the aisles, imposing his will and collecting votes; and where Ted Kennedy raged at the American people before the Senate chambers. And one can't enter the chamber without thinking of the momentous debates that defined the Senate and the times within the Senate's deliberations, choices of war and peace; of tangled bargain between North and South; of federal and state; of the origins of slavery and prejudice; of the unfinished battles for civil rights and equality and opportunity.

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The reach of Sen. Kennedy’s achievements extends far beyond any one state, issue, or group. And the light of his example shines bright across lines of party or philosophy. Because of his work, countless students can afford to reach for a college diploma.

Because he returned to the Senate floor for one day last July, once-fierce opponents of Medicare Part D joined hands in a historic show of unity to allow the bill to advance. And one day in 2008, he led a Senate roll call that voted for the Affordable Care Act.

As a very junior senator from Idaho, I selected an office on the third floor of the Russell Building, which was next door to Sen. Ted Kennedy’s office. The first day that we were allowed to officially occupy the space, in came Sen. Kennedy, walking through each of the offices, introducing himself to all of my staff and welcoming each of them to the Russell. Later that day, a beautiful bouquet of flowers showed up for my wife, Patricia, with a note saying, “Welcome to the neighborhood—Ted.” With that, Patricia and I began a wonderful and endearing relationship with Ted and Vicki Kennedy.

Our offices shared a common balcony, and I had a friend from the Kennedy offices who used that route to come see me every day. Sen. Kennedy, his daughter, Kara, was diagnosed with lung cancer, Sen. Kennedy turned to his faith for solace, going to Mass each morning. After his funeral service, his family conducted a basilica service that became a source of hope and optimism for him in recent years.

Perhaps more than any other issue, Sen. Kennedy never stopped fighting for what he called “the cause of my life”—ensuring quality, affordable healthcare. Let’s realize this dream for Ted and for America.

A DEDICATED SERVANT AND A DEAR FRIEND (By Secretary Dirk Kempthorne, former Secretary of the Interior)

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call from him. It was a good visit on the phone, but, as usual, he also had some business he wanted to discuss. He always worked so diligently for his constituents. I last spoke to him in January of this year. It was that same jovial voice of a friend with no hint of the personal health battle he was fighting.

It is universally noted how hard he worked as a senator. He also worked hard at affirming and maintaining friendships. Wouldn’t this be a hell of a way to live with us all? I remember the harder at affirming and maintaining friendships? Perhaps this too, was one of Ted Kennedy’s lasting legacies.

I will miss my friend.

IN MEMORY OF TED KENNEDY

(By Nancy Reagans)

Sometimes the most successful friendships are made under unlikely circumstances. Such was the case with the Kennedys and the Reagans.

Of course there were differences in our political beliefs, and some believed that those differences would make it impossible for us to get along. Most people are very surprised to learn that our families are actually quite close.

Ted and I have corresponded regularly for years. He always wrote lovely letters of support, encouragement and appreciation. He phoned me on my birthday. It amazed me that he managed to track me down in the middle of the Pacific Ocean to wish me a happy birthday one year. I enjoyed working together with him on behalf of cancer. He knew that was important to both of us, stem cell research.

As a Republican president and a Democratic senator, Ronnie and Ted certainly had their battles. There were conflicts to overcome, disagreements to settle and compromises to be made, but in doing so, the mutual respect that came from struggling to work together led to a deeper understanding and friendship. Both were men of strong convictions, but they understood an important principle: Politicians can disagree without being disagreeable.

When Ronnie and I were presented with the Congressional Gold Medal in 2002, Ted gave a beautiful tribute to Ronnie. As I reread that speech today, I was struck by how some of the wonderful things he said about Ronnie also could apply to Ted. As a fierce competitor, Ted was a born winner; but what I will miss—just for himself, but for his beliefs. He sought to defeat his opponents, not destroy them. He taught us that there is no need to become the next morning, at the end of each day we could put aside the divisions and the debates. We could sit down together side by side... And above all, whatever our differences, we were bound together by our love of our country and its ideals. That was Ronnie, all right, but that was Ted, too.

Ted was born into the kind of old-fashioned politicians who could see beyond their own partisan convictions and work together for the good of the country. I wish there were more of that spirit in Washington today. I am encouraged to see how many politicians “from across the aisle” spoke of their admiration for Ted after his passing, but it’s not really lost. Maybe we can all be inspired by Ted and Ronnie to renew that spirit of bipartisan cooperation.

Ted Kennedy was a kind man, a great ally and dear friend. I will miss him.

KENNEDY AND THE GOP: A MARRIAGE OF MUTUAL RESPECT

(By J. Taylor Rushing)

Despite his affinity for liberal policy-making, Republicans on Capitol Hill greatly admired Ted Kennedy. (D-Mass.)

“He’s a legislator’s legislator,” Sen. Jon Kyl (R-Ariz.) told The Hill last May, immediately after Kennedy’s diagnosis of brain cancer. “At the end of the day, he wants to legislate, he understands how, and he understands compromise. And it’s worth talking about how he has drawn with dramatically different points of view can come together.”

In April, The Hill conducted a survey of all sitting senators and Republican senators from the opposing party they most enjoyed working with. The most common answer among Republicans was Kennedy, being specifically about his heartache by his brother, Democrat John F. Kennedy, was born with a silver spoon in his mouth, was re-emerging barely in time to win reelection later amazed at how he carried the heavy senator.

“We’ve all heard adrenaline stories about how a mother can lift a car off a trapped infant. Well, Kennedy was no small guy, and I was able to lug him out of there like a sack of potatoes under my arm,” Rep. John Boehner (R-Ohio) said about Kennedy aide Ed Moss were both mortally wounded and Kennedy was barely responsive.

Boehner said he resisted initial thoughts of leaving Kennedy in the wreckage, but was later amazed at how he carried the hefty senator.

 “…all the older senators were wondering if they were going to have to kiss his ring. I mean, he could have been a pariah,” Bayh said. “But he had no airs, and just did a remarkable job of ingratiating himself not only to his new colleagues but the older members.”

Bayh said he had Kennedy, and you could say he was born with a silver spoon in his mouth, but he was determined to spend his life helping the little people. That tells you what he was made of.”

BOEHNER FOUND KENNEDY A GENEROUS PARTNER IN FAITH

(By Christina Willie)

Rep. John Boehner (R-Ohio) needed a favor.

In 2003, Boehner wanted to support Washington’s Catholic schools, which were suffering severe budget shortfalls. He needed an A-list Democrat willing to lend his name to the effort.

What he got instead was access to one of the most powerful Democratic fundraising machines in politics.

The GOP congressman was setting up a gala dinner complete with celebrities, political and media personalities. He went for the most powerful Catholic in Congress, Sen. Edward Kennedy, to be his partner at the event and balance the politics.

Presented with Boehner’s request to co-chair the inaugural gala, which Kennedy “didn’t blink” before signing on; and true to his reputation for generosity, Kennedy’s response went well beyond that. He actually introduced himself into the project, offering Boehner the use of his entire fundraising staff to assist with the event. He
wrote letters and made personal appeals on behalf of the struggling schools. And perhaps most importantly, Kennedy pulled in real talent: NBC’s Tim Russert to emcee the inaug-

Boehner and Kennedy were both lifelong Catholocs and graduates of Catholic schools. They served radarly different constituencies, but who found com-

TRIBUTES TO EDWARD M. KENNEDY

The tributes to Edward M. Kennedy during this past week were touching, heart-wrenching and inspiring. They have shown the world how much he meant to us and to the country. Kennedy was a national leader who served the country with integrity, dedication and a sense of purpose. He was a true American hero and his legacy will live on. I extend my condolences to his family and friends and to all Americans who have lost a great leader. May God bless his memory and may he rest in peace.

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Kennedy was a seminal figure in the United States Senate—a leader who answered the call to duty for some 47 years, and whose death closes a remarkable chapter in that body’s history.—Former President George W.H. Bush

Roselynn and I extend our condolences to the Kennedy family. Sen. Kennedy was a passionate voice for the citizens of Massachusetts and an unwavering advocate for the millions of less fortunate in our country. The courage and dignity he exhibited in his fight with cancer was surpassed only by his lifelong commitment and service to his country.—Former President Jimmy Carter

I am very saddened to learn of the passing of Sen. Ted Kennedy last night. Ted Kennedy will be mourned not just by his great affinity and enduring respect here in Ireland. Ted Kennedy was a great friend of Ireland. In good days and bad, Ted Kennedy worked valiantly for the cause of peace on this island. He played a particularly important role in the formative days of the Northern Ireland Peace Process. He maintained a strong and genuine interest in Ireland that reflected a belief that only politics would provide a sustainable and enduring way forward. His belief that the United States could play a strong and positive role in addressing our problems has been vindicated by the success of the Peace Process.

Today, America has lost a great and respected senator, and Ireland has lost a long-standing and true friend. Ar dheis De go raibh a anam.—Brian Cowen, prime minister of Ireland

Sen. Edward Kennedy will be mourned not just in America but in every continent. He is admired around the world as the Senator of Senators. He led the world in championing children’s education and health care, and believed that every single child should have the chance to realise their potential to the full. Even facing illness and death he never stopped fighting for the causes which were his life’s work.

I am so grateful to have counted him as a friend and proud that the United Kingdom recognised his service earlier this year with the award of an honorary knighthood.—Gordon Brown, prime minister of the United Kingdom

I’m not sure America has ever had a greater senator, but I know for certain that no one has had a greater friend than I and so many others did in Ted Kennedy. I will always remember Ted. As the ultimate American, Ted knew how to serve—a hero for those Americans in the shadow of life who so desperately needed one. He worked tirelessly to lift Americans out of poverty and improve the cause of civil rights, and provide opportunity to all. He fought to the very end for the cause of his life—ensuring that all Americans have the health care they need.

The commitment to build a stronger and fairer America, a more perfect union, was deeply imprinted in the fiber of who he was, and what he believed in, and why he served.

That’s why he stands among the most respected senators in history. But it was his sympathetic ear, his razor wit, and his booming, raucous laugh that made him among the most beloved.

Whatever tragedy befell Teddy’s family, he would always be there for them. Whatever tragedy befell the family of one of his friends, he would always be there for us.—Chris Dodd (D-Conn.), a close friend who in Kennedy’s absence took over the Senate Health, Education, Labor, and Pensions (HELP) Committee

I had hoped and prayed that this day would never come. My heart and soul weep at the lost of my best friend in the Senate, my beloved friend, Ted Kennedy. Sen. Kennedy and I both witnessed too many wars in our lives, and believed too strongly in the Constitution of the United States to allow us to go blindly into war. That is why we stood side by side in the Senate against the war in Iraq.

Neither the many years of political combat, nor his illness, diminished the idealism and energy of this talented, imaginative, and intelligent man. And that is the kind of Sen. Kennedy I knew. One friend, one supporter, one colleague. Sen. Kennedy believed in a simple premise: that our society’s greatness lies in its ability and willingness to provide for its less fortunate members. Whether striving to increase the minimum wage, ensuring that all children have medical insurance, or securing better access to higher education, his political influence was wisely used. He was the voice of moderation and common sense. He was unequivocal in his rejection of violence at all times from all quarters. He believed that only politics would provide a sustainable and enduring way forward. His belief that the United States could play a strong and positive role in addressing our problems has been vindicated by the success of the Peace Process.

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Ted Kennedy was an institution within the United States Senate—a leader who answered the call to duty for some 47 years, and whose death closes a remarkable chapter in that body’s history.—Former President George W.H. Bush

Many have come before, and many will come after, but Ted Kennedy’s name will always be remembered as someone who lived and breathed the Senate and the work completed within its chamber. When I first came to the United States Senate I was filled with conservative fire in my belly and any and every name that stood in my way, including Ted Kennedy. As I began working within the confines of my office I soon found out that while we often disagreed on most issues, once in a while we could actually get together and find the common ground, which is essential in passing legislation.—Sen. Orrin Hatch (R-Utah), one of Kennedy’s closest Republican friends in the Senate

Ted Kennedy was a great storyteller. But all of those things probably pale in—comparison to the fact that his great affection was never any—any variance from that, to the point where he would cast votes on amendments that really were against his own position in order to keep a carefully crafted compromise intact. And when others cast their own votes, he didn’t do that. I’ve seen him chastise them rather severely.

History judges all of us. And after a period of time, I think history will make a judgment about Ted Kennedy. All of us had our failings and weaknesses. But the fact is that Sen. Kennedy was an institution within the institution of the Senate. And all of my colleagues, no matter how they felt about his causes or his positions, I think, would agree with me that Sen. John McCain, who often referred to Kennedy as a “good friend”, talked about what made the liberal senator likable to his GOP adversaries, about their time working together on immigration legislation and about his spirit in the end, in an interview with CNN’s “Larry King Live” on Thursday

We have now come for some time that this day was coming, but nothing makes it easier. We have lost a great light in our lives and our politics, and it will never be the same again. Ted Kennedy was such an extraordinary force, yes for the issues he cared about, yes for his political influence, yes for the issues he cared deeply for those whose needs exceed their political clout. Unbowed by personal setbacks or by the terrible sorrows that have fallen upon him, he remained unshaken in his principles and his commitment to his country. In his honor and as a tribute to his commitment to his country, let us stop the shouting and name calling and have a civilized debate on health care reform which I hope, when legislation has been signed into law, will bear his name for his commitment to insuring the health of every American.

God bless his wife Vicki, his family, and the institution of the Senate which, I think, will never be the same without his voice of eloquence and reason. And God bless you, Ted. I love you and will miss you terribly. In my autobiography I wrote that during a visit to West Virginia in 1968 to help dedicate the “Robert F. Kennedy Youth Center” in Morgantown, “Sen. Kennedy’s voice quivered with emotion as he talked of his late brothers and their love for West Virginia. ‘These hills, these people, this state have had a very special meaning for my family. Our lives have been tightly intertwined with yours.’

I am sure the people of the great state of West Virginia join me in expressing our heartfelt condolences to the Kennedy family and friends and our love for West Virginia. ‘These hills, these people, and this state have had a very special meaning for my family. Our lives have been tightly intertwined with yours.’

Byrd (D-W.Va.)

Many have come before, and many will come after, but Ted Kennedy’s name will always be remembered as someone who lived and breathed the Senate and the work completed within its chamber. When I first came to the United States Senate I was filled with conservative fire in my belly and any and every name that stood in my way, including Ted Kennedy. As I began working within the confines of my office I soon found out that while we often disagreed on most issues, once in a while we could actually get together and find the common ground, which is essential in passing legislation.—Sen. Orrin Hatch (R-Utah), one of Kennedy’s closest Republican friends in the Senate

Sen. Edward Kennedy will be mourned not just in America but in every continent. He is admired around the world as the Senator of Senators. He led the world in championing children’s education and health care, and believed that every single child should have the chance to realise their potential to the full. Even facing illness and death he never stopped fighting for the causes which were his life’s work.

I am so grateful to have counted him as a friend and proud that the United Kingdom recognised his service earlier this year with the award of an honorary knighthood.—Gordon Brown, prime minister of the United Kingdom

I’m not sure America has ever had a greater senator, but I know for certain that no one has had a greater friend than I and so many others did in Ted Kennedy. I will always remember Ted. As the ultimate American, Ted knew how to serve—a hero for those Americans in the shadow of life who so desperately needed one. He worked tirelessly to lift Americans out of poverty and improve the cause of civil rights, and provide opportunity to all. He fought to the very end for the cause of his life—ensuring that all Americans have the health care they need.

The commitment to build a stronger and fairer America, a more perfect union, was deeply imprinted in the fiber of who he was, and what he believed in, and why he served.

That’s why he stands among the most respected senators in history. But it was his sympathetic ear, his razor wit, and his booming, raucous laugh that made him among the most beloved.

Whatever tragedy befell Teddy’s family, he would always be there for them. Whatever tragedy befell the family of one of his friends, he would always be there for us.—
Sen. Kennedy was never afraid to work across the aisle to get things done. We can all learn from the example he set and work together to build a stronger nation.—Sen. Lindsey Graham (R-SC)

Today, America mourns the death of Sen. Ted Kennedy. He was one of the most dynamic and influential legislators in our Nation’s history, and his legacy will live on in the work of the colleagues he inspired, and in the millions of Americans for whom his passion for social justice made a difference. My thoughts and prayers are with his family and friends; even though this day was a time of sadness that will soften the blow. Throughout his final illness, Sen. Kennedy was privileged to have the best doctors and the best treatment. But he never forgot, in this as in all cases, those who were not similarly privileged: those waiting hours in emergency rooms this morning for a doctor’s care; those who went to sleep last night unsure that they were covered, uncertain that their families could cope with the financial burden of an illness. For their sake, health care reform was the cause of Ted Kennedy’s life, and his, in the end, must be the cause of ours.—House Majority Leader Steny Hoyer (D-MD)

I have known Ted Kennedy for more than 47 years. In that time, it has been my greatest pleasure to work with him in Congress on many human problems, but I am especially grateful for his contributions to the cause of civil rights and voting rights.

At some of the most tragic and difficult moments in this nation’s history, Ted Kennedy gathered his strength and led us toward a moral purpose. As a national actor, a people, he encouraged us to build upon the inspirational leadership of his two brothers and use it to leave a legacy of social transformation. He left an indelible mark on our history.—Rep. John Lewis (D-GA)

Sen. Kennedy devoted his entire life to public policy. At any point he could have accepted a life of leisure. Instead he carried on with his family’s commitment to public service.

The Senate will be a smaller and sadder place without his enthusiasm, his energy, and his persistent courage.—Former House Speaker Newt Gingrich (R-GA)

The loss of Sen. Ted Kennedy is a sad event for America, and especially for Massachussetts. His last son, Rose Fitzgerald and Joseph Kennedy was granted a much longer life than his brothers, and he filled those years with endeavor and achievement that would have made them proud. In 1994, I joined the long list of those who ran against Ted and came up short. But he was the kind of man you could like even if he was your adversary. I came to admire Ted immensely for his charm and sense of humor—qualities all the more impressive in a man who had known so much loss and sorrow. I will always remember him with profound kindness, and the fighting spirit he brought to every cause he served and every challenge he faced. I was proud to know Ted Kennedy as a friend, and today I mourn the passing of this big-hearted, unforgettable man.—Former Massachusetts Gov. Mitt Romney (R), who ran against Kennedy in 1994

I would like to extend our sympathies to the Kennedy family as we hear word about the passing of Sen. Ted Kennedy. He believed in our country and fought passionately for his convictions.—Former Alaska Gov. Sarah Palin (R)

Maria and I are immensely saddened by the passing of Uncle Teddy. He was known to the world as the Lion of the Senate, a champion of social justice, and a political icon.

Most importantly, he was the rock of our family; a loving husband, father, brother and uncle. He was a man of great faith and character.—California Gov. Arnold Schwarzenegger (R) and wife Maria Shriver, a niece of Kennedy

HISPANIC HERITAGE MONTH

Mr. UDALL of Colorado. Mr. President, just a month ago, I joined fellow Coloradans, my colleagues in the U.S. Congress, and others across the country to celebrate and acknowledge the many accomplishments and contributions of the Hispanic community in the United States and Colorado. I am particularly proud to highlight the long history of Hispanics in Colorado, as they established some of Colorado’s oldest communities, irrigation systems, and earliest businesses. I am equally proud that this community continues to be a vibrant part of the fabric of our State.

Throughout this month, my colleagues and I have been hard at work to move forward on many policy concerns that are vitally important to Colorado’s Hispanic community. From confirming the first Latina Supreme Court Justice, Sonia Sotomayor, to progress on health insurance reform, and continued support for efforts to create and save jobs, I have been working with the best interests of Coloradans in mind. Still, there is much to be accomplished.

We must come together to find opportunities to improve the quality of life all Coloradans. In doing so, it is important to keep in mind that certain populations, such as Latinos, are disproportionately affected by many of the challenges we face as a State and country. At a national level, Latinos face an unemployment rate that is 3 percent higher than the national rate. In Colorado, the Latino poverty rate that is 12 percent higher than the State’s overall poverty rate. Latinos also face other challenges—40 percent of Hispanics in Colorado are uninsured, and 24 percent higher than the State average, according to a Colorado Department of Public Health and Environment report. Though these issues are not a concern for Latinos in Colorado alone, they undoubtedly raise heightened concerns for the Hispanic community, given these statistics.

These long-standing concerns have continued to support and develop policies that provide both quality jobs and help reduce the costs of hard-working Coloradans. Most notably, we have made significant progress toward reforming our health insurance system so that it better meets the health needs of all Americans. Making our health system more efficient, fiscally manageable, and accessible is vitally important to making health insurance more affordable for Hispanic and non-Hispanic families alike.

As a member of the Senate Energy and Natural Resources Committee, I have also been working to develop new ways to help low-income and working families afford to make their homes more energy efficient. By improving access to energy-saving technology and making homes more energy efficient, families can reduce their energy costs, while helping to maintain and communities better places to live. This is just one part of a new energy economy that can bring more jobs to our State.

We have had much to celebrate during this year’s Hispanic Heritage Month, but we also have much to do, and I understand there are many more goals that we have yet to achieve. So while we have enjoyed the celebration of Hispanic heritage and the contributions Latinos make in our communities, over the last month, I will continue my efforts to improve the quality of life for Coloradans of all backgrounds in every month of the year.

20TH ANNIVERSARY OF POINTS OF LIGHT

Mr. HATCH. Mr. President, I stand today to recognize and honor an extraordinary organization that began its important work 20 years ago, born from the words of a new President who was dedicated to engaging the American spirit of giving and service. The words of that President resonate even now: "I have spoken of a thousand points of light. I have spoken of a thousand centers of civic endeavor in the lives of others, a new activism, hands-on and involved that gets the job done." This 1989 speech given by President George H.W. Bush outlined the vision for the Points of Light Foundation, now merged with HandsOn Network as the Points of Light Institute, the largest volunteer network in the country.

This independent, nonpartisan organization has worked to encourage, recognize, and empower the spirit of volunteer service that is encoded in our Nation’s cultural DNA and is, as President Bush stated, central to living a meaningful life.

Throughout our Nation’s history, Americans have demonstrated their willingness to give back and serve in their communities, even in the hardest of times. Last year alone, over 60 million Americans performed volunteer service in this country. I am proud that my home State of Utah had the highest volunteerism rate, with over 45 percent of adults volunteering in the State in 2008. All told, these volunteers contributed almost 162 million hours of service in a single year.

Earlier this year, I had the privilege of joining with my good friend, the late Senator Ted Kennedy in sponsoring the Edward M. Kennedy Serve America Act, a new law that expands volunteer opportunities for Americans of all ages. I know that the Points of Light Institute is working to realize the full potential of this important legislation, creating healthy communities by inspiring and equipping
And last but certainly not least, Laura’s family—her husband Don, daughter Allison, and four grandchildren—are not only inspirations for her but also stalwart supporters. In fact, her daughter Allison shares her mother’s mission and has served the Rice Depot for the past 12 years. In addition, Laura’s granddaughter worked there over the summer, bringing three generations of her family to the effort to wipe out hunger.

As you can see, Laura Rhea is a generous, compassionate, and dedicated individual. So as Rice Depot celebrates its 27th year of progress in finding sensible solutions to hunger in Arkansas, I salute The Rice Depot, its staff, the many volunteers, and especially Laura Rhea for their commitment to feeding those who hunger in Arkansas.

TRIBUTE TO PARKER WESTBROOK

- Mrs. LINCOLN. Mr. President, it is with Arkansas pride that today I honor one of the great sons of the Natural State, Parker Westbrook of Nashville, AR. On October 20, 2009, the Howard County Democratic Central Committee is sponsoring a dinner to honor his lifelong public service to Arkansas and his country.

The day after Christmas in 1948, Westbrook set out with newly elected Congressman Boyd Tuckett of Nashville for Washington, DC. Over the course of the next 28 years, Parker served his home State in our Nation’s Capital for four members of the Arkansas congressional delegation, most notably as a special assistant to U.S. Senator J. William Fulbright. In 1975, he returned to Arkansas and served as a special assistant to Governor David Pryor.

Although public service in government was a calling for much of Mr. Westbrook’s life, his true passion was history. Parker Westbrook was born in 1926 and was the third generation of the Westbrook-Parker families to live in the home of his maternal grandfather, which is listed on the National Register of Historic Places. The house and farmstead provided Parker with an early appreciation for historic preservation, and after leaving Washington in 1974, he set out on a course to help preserve Arkansas’s cultural legacy.

While working for Governor Pryor, Westbrook was elected to the Pioneer Washington Foundation, Inc., Board, a private nonprofit group committed to preserving Historic Washington. Washington, AR, is home to the oldest continuous post office in Arkansas, established on February 25, 1920 shortly after Arkansas became a territory. In 1979, Westbrook became a full-time volunteer and restoration adviser. In 1980, he became the executive director and was elected president of the foundation in 1986. He continued in that role until May of this year.

In 1975, Westbrook was elected to the Historic Arkansas Museum Board of Directors and has served that organization continuously for 34 years. For many years, he was chairman and now holds the title of chairman emeritus.

Westbrook was also appointed to the Arkansas State Review Board of the Historic Preservation Program in 1975. He was reappointed three times by Governor Bill Clinton and again by Governor Jim Guy Tucker and served as chairman for 4 1/2 years.

In addition, Westbrook has served on a number of other Arkansas historic entities including the Historic Preservation Alliance of Arkansas, Department of Arkansas Heritage Advisory Board, the President William J. Clinton Birthplace Foundation, Corinth Cemetery Association in Howard County, Friends of the Carousel, and Main Street Arkansas Advisory Board.

He has been awarded the Arkansas Historical Association’s Endowed History Award and was recognized in 1986 as Arkansas’s Distinguished Citizen for his volunteer work.

In 1995, President Clinton recognized Westbrook’s longstanding service to historic preservation and appointed him to the President’s Council for Historic Preservation where he served until 2003.

As you can see, Parker Westbrook has a long and distinguished career serving his community, Arkansas, and our Nation.

As the Howard County Democratic Central Committee recognizes Mr. Westbrook’s service, I extend my sincere thanks and appreciation on behalf of all Arkansans for his devotion and commitment to public service throughout his life.

TRIBUTE TO LAURA RHEA

- Mrs. LINCOLN. Mr. President, it is with great pleasure that today I honor Laura Rhea to our great State of Arkansas. Laura has served the Arkansas Rice Depot with steadfast leadership as President and CEO, ensuring the organization remained a faith-based ministry and developing innovative solutions to ending hunger.

Hunger and poverty are not just global issues; they are so pervasive that we all have some experience with them in our local communities. Worldwide, three billion people, nearly half the world’s population, live on merely $2 per day. In our Nation alone, almost 36.2 million Americans struggle day in and day out to find adequate nutritious food. More than 12.4 million children live in households that are food insecure. According to the Arkansas Hunger Relief Alliance, approximately 80 percent of supplemental nutrition assistance goes to households with children, many of them in working families, including military families.

In 1990, Laura Rhea has been making a difference to reduce those figures. Under her leadership, Arkansas Rice Depot has grown from a small hunger program that distributed only rice, to a comprehensive hunger agency that distributes almost 7 million pounds of food and supplies in Arkansas each year.

Laura grew up in North Little Rock. As a child she dreamed of becoming a missionary, but never dreamed that her role would be feeding hungry Arkansans. She is a certified volunteer manager and was recognized as a certified fund raising executive in 1995.

Laura developed Food for Kids, a backpack program serving over 600 schools in Arkansas, sending home backpacks of food to over 25,000 students who face food insecurity. This program has been recognized by the Wall Street Journal, CNN, and has been covered by 40 States.

Laur have also developed Simple Pleasures, a gourmet gift shop that sells the Rice Depot line of soup and chili mixes. Proceeds from the gift shop are used to purchase food for Rice Depot’s hunger relief efforts.

Faith is an important part of Laura’s life. In 2003, Laura suffered a heart-stroke unloading a truck. Although she would continue to serve her life’s mission from a wheelchair, she is not limited by her disability. She often quotes Psalms 37:11 to sum up her life, “Delight yourself in the Lord and he will give you the desires of your heart.”

And last but certainly not least, Laura’s family—her husband Don, daughter Allison, and four grandchildren are not only inspirations for her but also stalwart supporters. In fact, her daughter Allison shares her mother’s mission and has served the Rice Depot for the past 12 years. In addition, Laura’s granddaughter worked there over the summer, bringing three generations of her family to the effort to wipe out hunger.

As you can see, Laura Rhea is a generous, compassionate, and dedicated individual. So as Rice Depot celebrates its 27th year of progress in finding sensible solutions to hunger in Arkansas, I salute The Rice Depot, its staff, the many volunteers, and especially Laura Rhea for their commitment to feeding those who hunger in Arkansas.

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South Portland area are truly remarkable. The First Congregational Church, United Church of Christ concentrates its energies and attention on its current and future role within the greater community—to serve members of its congregation and the people whose lives are enriched through the interaction of the ministry, the congregants, and the faith that binds them to a benevolence of purpose that is an inspiration to all.

Through such practical programs as the Discovery Center preschool, the Community Crisis Ministries Program, the Mission and Outreach Team—which offer soup kitchen and food pantry assistance—and the Social Witness Ministries that address current socioeconomic and environmental challenges, this church truly extends its reach beyond its walls in the selfless quest to contribute to others.

As 2009 represents a monumental moment of celebration in the life of the First Congregational Church, United Church of Christ, I wish to offer my heartfelt congratulations and profound gratitude to all who have sustained the dynamic work of this church in centuries past and who will do so for many more years to come.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:46 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:


At 1:27 p.m., a message from the House of Representatives, delivered by Ms. Noland, one of its reading clerks, announced that the House agrees 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. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. BYRD) announced that on today, October 15, 2009, he had signed the following enrolled bills, previously signed by the Speaker of the House:

S. 1717. A bill to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010, and for other purposes.

H.R. 1016. An act to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes.

H.R. 2997. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

At 3:50 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2423. An act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse," and to designate the jury room in that Federal building and United States courthouse as the "Marcel C. Notzon II Jury Room"; to the Committee on Environment and Public Works.

H.R. 2425. An act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse," and to designate the jury room in that Federal building and United States courthouse as the "Marcel C. Notzon II Jury Room"; to the Committee on Environment and Public Works.

H.R. 3371. An act to amend title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career training loan program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:


MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Foreign Relations pursuant to 42 U.S.C. 2159, and placed on the calendar:

S.J. Res. 18. Joint resolution relating to the approval of the proposed agreement for nuclear cooperation between the United States and the United Arab Emirates.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 15, 2009, she had presented to the President of the United States the following enrolled bill:

S. 1717. An act to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers and documents, and were referred as indicated:

EC-3371. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Acquisition Regulation Supplement; Department of Defense Inspector General Address" (KIRN0750-AG04/DFARS Case 2009-D001) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Armed Services.
EC-3372. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Modification of Class D and E Airspace; Bellingham, WA” ((RIN2120–AA65)(Docket No. FAA–2009–0555)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Armed Services.

EC-3373. A communication from the Acting Deputy Assistant Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled “Exception to the Maturity Limit on Second Mortgages; Boreas Financial Corporation” ((RIN3133–AD64)(Docket No. OMC–2009–014)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-3374. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Requirement for Amateur Rocket Activities; CORRECTION” ((RIN2120–A188) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3375. A communication from the Para-legals, Federal Transportation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Bus Testing: Phase-In of Brake Performance and Emissions Testing, and Provisions for Demonstration of Safety” ((RIN2120–AA66) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3376. A communication from the Assistant Chief Counsel, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Hazardous Materials: Minor Editorial Corrections and Clarifications” ((RIN2137–A509) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3377. A communication from the Regulator, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Express Lane Demonstration Program” ((RIN2215–AF07) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3378. A communication from the Regulation Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Next Generation Air Travel System: Final Rule” ((RIN2185–A130) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3379. A communication from the Director of Aviation Regulation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Congestion Management Rule for LaGuardia Airport; RESCISSION’’ ((RIN0759–A033)(DFARS Case 2009–D005)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Armed Services.

EC-3380. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Congestion Management Rule for Newark Liberty International Airport; RESCISSION” ((RIN2120–A49) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3381. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Restricted Area R–2502A; Fort Irwin, CA; Docket No. 09–1 WPF” ((RIN2120–AA65) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3382. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures (105); Amdt. No. 3439” ((RIN2120–AA66) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3383. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Express Lane Demonstration Program” ((RIN2120–AA64)(Docket No. FAA–2009–0314)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3384. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures (8); Amdt. No. 3511” ((RIN2120–AA66) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3385. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Part 95 Instrument Flight Rules (20); Amdt. No. 483” ((RIN2120–AA65) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3386. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing 727” ((RIN2120– AA64)(Docket No. FAA–2008–11117)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3387. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: DORNIER LUPTAHRT GmbH Models Dornier 228–100, Dornier 228–101, Dornier 228–200, Dornier 228–201, and Dornier 228–202 Airplanes” ((RIN2120–AA64)(Docket No. FAA–2009–0574)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3388. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: DORNIER LUPTAHRT GmbH Model Dornier 228–200” ((RIN2120–AA66)(Docket No. FAA–2009–0574)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3389. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Platteville, Wisconsin” ((RIN2120–AA66)(Docket No. FAA–2009–0089)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3390. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A319, A320 and A321 Series Airplanes” ((RIN2120– AA64)(Docket No. FAA–2007–0390)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3391. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A319–203 and –222 Airplanes and Model A300 B1–620 Airplanes” ((RIN2120– AA64)(Docket No. FAA–2009–0431)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3392. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Ronan, MT” ((RIN2120–AA66)(Docket No. FAA–2008–0006)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3393. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class D Airspace and Amendment of Class E Airspace; North Bend, OR” ((RIN2120–AA66)(Docket No. FAA–2009–0053)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3394. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class D Airspace and Amendment of Class E Airspace; Bunnell, Florida” ((RIN2120–AA66)(9–249–25/0377–ASO–014)) received in the Office of the President of the Senate on October 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3395. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class E Airspace; McFarland, California” ((RIN2120–AA66)(9–249–25/0380–557)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3396. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class E Airspace; Franklin, North Carolina” ((RIN2120–AA66)(9–249–25/0986–ASO–15)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3397. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class D Airspace; New York, New York” ((RIN2120–AA66)(9–249–25/0382–ASO–014)) received in the Office of the President of the Senate on October 1, 2009; to the Committee on Commerce, Science, and Transportation.
EC-3389. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to the law, the report of a rule entitled “Establishment of Class E Airspace; Littlefield, Arizona” ((RIN2120-AA66)(10-9/10-9/0617/AWP-5)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3400. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to the law, the report of a rule entitled “Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG–100 Gliders” ((RIN2120-AA64)(10-9-10-9/0977/CE-048)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3401. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to the law, the report of a rule entitled “Airworthiness Directives; Boeing Model 747–100, –100B, –100H Sudan, –200B, –200C, –200F, –300, –400, –600D, –600F, and 747SR Series Airplanes” ((RIN2120-AA64)(10-9-10-9/0293/NM–221)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3402. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to the law, the report of a rule entitled “Airworthiness Directives; Teledyne Continental Motors O–470, TSIO–470, IO–470, IO–550, and IOE–550 Model 727 Airplanes” ((RIN2120-AA64)(9-21-9/21-1325/NM–157)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3403. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to the law, the report of a rule entitled “Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes” ((RIN2120-AA64)(10-1-10-1/05321/NM–187)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3407. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to the law, the report of a rule entitled “Airworthiness Directives; Boeing Model 767–200 and –300 Series Airplanes” ((RIN2120-AA64)(2-9-9/29-0628/NM–237)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3408. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Direct Final Rule; Safety and Security Zones; Pilgrim Nuclear Power Plant, Plymouth, Massachusetts” ((RIN2120-AA26)(Docket No. USG–2009–0311)) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3409. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technical Approaches” ((RIN2120-AA26)(Docket No. USG–2001–6661)) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3410. A communication from the Acting Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the activities performed by the agency that are not inherently governmental functions; to the Committee on Commerce, Science, and Transportation.

EC-3411. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the Report on “Television Broadcasting Services; New Orleans, Louisiana” (MB Docket No. 09–187) received in the Office of the President of the Senate on October 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3412. 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 manufacturer’s license for the export of defense articles, including, technical data, and defense services to Japan relative to the activities performed by the agency that are not inherently governmental functions; to the Committee on Foreign Relations.

EC-3413. 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 related to firearms and defense services to the United Kingdom relative to Lewis Machine and Tool Co. (LMT) 309 caliber machine guns; and all articles, including, to an amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC-3414. A communication from the Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General; received October 1, 2009; through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-3415. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Privacy Office Fourth Quarterly Fiscal Year 2009 Report to Congress”; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 369. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 378. A bill to provide fair compensation to and protect for use of their organs:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 1893. An original bill to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary:

Jacqueline H. Nguyen, of California, to be United States District Judge for the Central District of California.

Edward Milton Chen, of California, to be United States District Judge for the Northern District of California.

Edward M. Gue, of California, to be United States District Judge for the Central District of California.

Richard Seebo, of California, to be United States District Judge for the Northern District of California.

(Nominations without an asterisk were reported with the recommendation 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. FRANKEN:

S. 1788. A bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, direct-care registered nurses, and other health care workers by establishing a safe patient handling and injury prevention standard, and for other purposes; to the Committees on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. SPICER, Mr. FRINGOLD, Mr. CARDIN, Mr. KAUFMAN, Mr. FRANKEN, Mr. DODD, Mr. KERRY, and Mr. LEVIN):
S. 1789. A bill to restore fairness to Federal cocaine sentencing; to the Committee on the Judiciary.

By Mr. DORGAN (for himself, Mr. BROWNSTONE, Mr. MURKOWSKI, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, Mr. JOHNSON, Mr. Tester, Mr. Akaka, Mr. Conrad, Mr. BINGGELI, Mr. BURRESS, Mr. BURN, Mr. STABENOW, Mr. UDALL of Colorado, and Ms. KLOBUCHAR).

S. 1790. A bill to amend the Indian Health Care Improvement Act to revise and extend that Act, and for other purposes; to the Committee on Indian Affairs.

By Mr. BROWN.

S. 1791. A bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKETT (for himself and Mr. GRASSLEY).

S. 1792. A bill to amend the Internal Revenue Code of 1986 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.

By Mr. BROWN.

S. 1793. An original bill to amend title XV of the Social Security Act to provide life-saving care for those with HIV/AIDS; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Mr. BROWNBACK (for himself and Mr. ROBERTS).

S. 1794. A bill to authorize and request the President to award the Medal of Honor posthumously to Captain Emil Kapaun of the United States Army for acts of valor during the Korean War; to the Committee on Armed Services.

By Ms. MURKOWSKI (for herself and Mr. BROICH).

S. 1795. A bill to amend title 49, United States Code, to permit certain revenues of private providers of public transportation by vanpool received from providing public transportation to be used for the purpose of acquiring rolling stock, and to permit certain state or local vanpool contractors to be credited toward the local matching share of the costs of public transportation projects; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENZIEN, the names of the Senator from Georgia (Mr. Chambliss) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 46, a bill to amend title XVII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy cap.

S. 451

At the request of Ms. COLLINS, the names of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 461

At the request of Mrs. LINCOLN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 546

At the request of Mr. REID, the name of the Senator from Montana (Mr. Baucus) was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either re-tired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 619

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. Lieberman) was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 658

At the request of Mr. Tester, the name of the Senator from Oregon (Mr. Wyden) was added as a cosponsor of S. 658, a bill to amend title 38, United States Code, to improve health care for veterans who live in rural areas, and for other purposes.

S. 663

At the request of Mr. NELSON of Nebraska, the names of the Senator from Montana (Mr. Baucus) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 663, a bill to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army 'Transport Service and the Naval Transport Service) during World War II.

S. 727

At the request of Ms. Landrieu, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 729

At the request of Mr. DUBIN, the name of the Senator from Delaware (Mr. Kaufman) was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 823

At the request of Ms. Snowe, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 823, a bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes.

S. 831

At the request of Mr. Kerry, the names of the Senator from Virginia (Mr. Warner) was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-service related retired pay.

S. 870

At the request of Mrs. Lincoln, the name of the Senator from Georgia (Mr. Chambliss) was added as a cosponsor 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.

S. 956

At the request of Mr. Voinovich, the names of the Senator from New Hampshire (Mrs. Shaheen) and the Senator from Idaho (Mr. Risch) were added as cosponsors of S. 956, a bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and ensure a sound fiscal future for the United States, and for other purposes.

S. 1076

At the request of Mr. Menendez, the names of the Senator from Massachusetts (Mr. Kerry) was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1136

At the request of Ms. Stabenow, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1136, a bill to establish a chronic care improvement demonstration program for Medicaid beneficiaries with severe mental illnesses.

S. 1147

At the request of Mr. Kohl, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. 1147, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1171

At the request of Mr. Pryor, the name of the Senator from Ohio (Mr. Voinovich) was added as a cosponsor of...
At the request of Mr. KOSKI, the name of the Senator from Wyoming (Mr. LUGAR) was added as a cosponsor of S. 170, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 170

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 170, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 170

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1665, a bill to provide an emergency benefit of $250 to seniors, veterans, and persons with disabilities in 2010 to compensate for the lack of a cost-of-living adjustment for such year, and for other purposes.

S. 1665

At the request of Mr. BERNSTEIN, the name of the Senator from Missouri (Mr. MCCASKILL) was added as a cosponsor of S. Res. 307, a resolution in support of worker safety and health in an effort to counteract the economic downturn.

S. Res. 307

At the request of Mr. DEBBLER, the name of the Senator from Pennsylvania (Ms. KLOBUCHAR) was added as a cosponsor of S. 783, a bill to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes.

S. 783

At the request of Ms. SMITH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 783, a bill to amend the Agricultural Marketing Act of 1946 to provide for consistent labeling of dairy products.

S. 783

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1608, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1608

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island (Ms. WILKINSON) was added as a cosponsor of S. 1608, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1608

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1584, a bill to prohibit employers from requiring employees to pay for health care coverage.

S. 1584

At the request of Mr. COYNE, the name of the Senator from Michigan (Mr. CONYERS) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. 1603, a bill to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes.

S. 1603

At the request of Mr. KORNITZ, the name of the Senator from Wisconsin (Ms. REICKERT) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. ROBPORT, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. 1603, a bill to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes.

S. 1603

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312

At the request of Mr. BURRIS, the name of the Senator from Illinois (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

S. Res. 312
Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD. There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 788  

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

SECTION 1. SHORT TITLE; FINDINGS; TABLE OF CONTENTS.  
(a) SHORT TITLE.—This Act may be cited as the ‘‘Nurse and Health Care Worker Protection Act of 2009’’.  
(b) FINDINGS.—Congress finds the following:  
(1) In 2007, direct-care registered nurses ranked seventh among all occupations for the number of cases of musculoskeletal disorders resulting in days away from work—8,360 total cases. Nursing aides, orderlies, and attendants sustained 24,340 musculoskeletal disorders in 2007, the second highest of any occupation. The leading cause of these injuries in health care are the result of patient lifting, transferring, and repositioning injuries.  
(2) The physical demands of the nursing profession lead many nurses to leave the profession. Fifty-two percent of nurses complain of chronic back pain and 38 percent suffer from pain severe enough to require leave from work. Many nurses and other health care workers suffering back injury do not return to work.  
(3) Patients are not at optimum levels of safety while being lifted, transferred, or repositioned. Mechanical lift programs can substantially reduce skin tears suffered by patients and the frequency of patients being dropped, thus allowing patients a safer means to progress through their care.  
(4) The development of assistive patient handling equipment and devices has essentially rendered the act of strict manual patient handling unnecessary as a function of nursing care.  
(5) A growing number of health care facilities have incorporated patient handling technology and have reported positive results. Injuries among nursing staff have dramatically declined since implementing patient handling equipment and devices. As a result, the number of work days due to injury and staff turnover has declined. Studies have also shown that assistive patient handling technology successfully reduces workers’ compensation costs for musculoskeletal disorders.  
(6) Establishing a safe patient handling and injury prevention standard for direct-care registered nurses and other health care workers is a critical component in protecting nurses and other health care workers, addressing the nursing shortage, and in creating patient safety.  
(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:  
Sec. 1. Short title; findings; table of contents.  
Sec. 2. Safe patient handling and injury prevention standard.  
Sec. 3. Protection of direct-care registered nurses and health care workers.  
Sec. 4. Application of safe patient handling and injury prevention standard to health care facilities not covered by OSHA.  
Sec. 5. Financial assistance to needy health care facilities in the purchase of safe patient handling and injury prevention equipment.  
Sec. 6. Definitions.  

SEC. 2. SAFE PATIENT HANDLING AND INJURY PREVENTION STANDARD.  
(a) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Labor, shall, pursuant to section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), propose a standard for safe patient handling and injury prevention (in this section such standard referred to as the ‘‘safe patient handling and injury prevention standard’’) under such section to prevent musculoskeletal disorders for direct-care registered nurses and all other health care workers handling patients in health care facilities. The safe patient handling and injury prevention standard shall be promulgated not later than 2 years after the date of the enactment of this Act.  
(b) Requirements.—The safe patient handling and injury prevention standard shall require the use of engineering controls to perform lifting, transferring, and repositioning of patients and the elimination of manual lifting of patients by direct-care registered nurses and all other health care workers, through the use of mechanical devices to the greatest degree feasible except where the use of safe patient handling practices can be demonstrated to compromise patient safety. Such requirements shall apply to all health care employers and shall require at least the following:  
(1) Each health care employer to develop and implement a safe patient handling and injury prevention plan within 6 months of the date of promulgation of the final standard, which plan shall include hazard identification, risk assessments, and control measures in relation to patient care duties and patient handling.  
(2) Each health care employer to purchase, use, and implement appropriate and adequate number of safe lift mechanical devices not later than 2 years after the date of issuance of a final regulation establishing such standard.  
(3) Each health care employer to obtain input from direct-care registered nurses, health care workers, and employee representatives of direct-care registered nurses and health care workers in developing and implementing the safe patient handling and injury prevention plan, including the purchase of equipment.  
(4) Each health care employer to establish and maintain a data system that tracks and analyzes trends in incidents related to the application of the safe patient handling and injury prevention standard and to make such data and analyses available to employees and employee representatives.  
(5) Each health care employer to establish a system to document in each instance when safe patient handling equipment was not utilized due to legitimate concerns about patient care and to generate a written report in each such instance. The report shall list the following:  
(A) The work task being performed.  
(B) The reason why safe patient handling equipment was not used.  
(C) The nature of the risk posed to the worker from manual lifting.  
(D) The steps taken by management to reduce the likelihood of manual lifting and transferring when performing similar work tasks in the future.  
Such reports shall be made available to OSHA compliance officers, workers, and their representatives upon request within one business day.  
(6) Each health care employer to train nurses and other health care workers on safe patient handling and injury prevention policies, equipment, and devices at least on an annual basis. Such training shall include:  
(A) Providing information on hazard identification, assessment, and control of musculoskeletal hazards in patient care areas and shall be conducted by an individual with knowledge in the subject matter, and delivered, at least in part, in an interactive classroom-based and hands-on format.  
(B) Each health care employer to post a uniform notice in a form specified by the Secretary that—  
(1) explains the safe patient handling and injury prevention standard;  
(2) includes information regarding safe patient handling and injury prevention policies and training; and  
(C) explains procedures to report patient handling-related injuries.  
(7) Each health care employer to conduct and maintain written evaluations to implement the safe patient handling and injury prevention plan, including handling procedures, selection of equipment and engineering controls, and new safe patient handling and injury prevention technology and devices that have been developed.  
(c) INVESTIGATIONS.—The Secretary shall investigate any complaint about a health care employer that—  
(1) the employer shall not discriminate or retaliate against a registered nurse or any health care worker in any manner with respect to any aspect of employment, including, discharge, promotion, compensation, or terms, conditions, or privileges of employment against a direct-care registered nurse or other health care worker based on the nurse’s or worker’s refusal of a lifting assignment under subsection (a).  
(2) The complaint shall be filed within 60 days of the complainant’s knowledge of the violation.  
(3) The Secretary of Labor shall not discriminate or retaliate against any nurse or health care worker in any manner with respect to any aspect of employment, including, discharge, promotion, compensation, or terms, conditions, or privileges of employment against any nurse or health care worker who in good faith, individually or in conjunction with another person or persons—  
(A) reports a violation of a suspected violation of this Act or the safe patient handling and injury prevention standard to the Secretary of Labor, a public regulatory agency, a private accreditation body, or the management personnel of the employer;  
(B) initiates, cooperates, or otherwise participates in an investigation or proceeding

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brought by the Secretary, a public regulatory agency, or a private accreditation body concerning matters covered by this Act; or

(c) Informs or discusses with other individuals or with representatives of health care employees a violation or suspected violation of this Act.

(d) COMPLAINT TO SECRETARY.—

(1) FILING.—A direct-care registered nurse, health care worker, or other individual may file a complaint with the Secretary of Labor against a health care employer that violates this section within 180 days of the date of the violation.

(2) RESPONSE TO COMPLAINT.—For any complaint so filed, the Secretary shall—

(A) receive and investigate the complaint;

(B) determine whether a violation of this Act as alleged in the complaint has occurred; and

(C) if such a violation has occurred, issue an order to the employer to stop the violation and the required remedy or remedies.

(2) REMEDIES.—The Secretary shall have the authority to order all appropriate remedial actions, including

(e) CAUSE OF ACTION.—Any direct-care registered nurse or other health care worker who has been discharged, discriminated, or retaliated against in violation of this section may bring a cause of action in a United States district court. A direct-care registered nurse or other health care worker who prevails on the cause of action shall be entitled to the following:

(1) Reinstatement, reimbursement of lost wages, compensation, and benefits.

(2) Attorneys’ fees.

(3) Court costs.

(4) Other damages.

(f) NOTICE.—A health care employer shall include in the notice required under section 2(b)(7) an explanation of the rights of direct-care registered nurses or health care workers under this section and a statement that a direct-care registered nurse or health care worker may file a complaint with the Secretary against a health care employer that violates the safe patient handling and injury prevention standard required under this section.

(g) ADDITION TO CURRENT PROTECTIONS.—

(1) DIRECT-CARE REGISTERED NURSE.—The term "direct-care registered nurse" means an individual who has been granted a license by at least one State to practice as a registered nurse and who provides bedside care to patients in a hospital or similar health care facility.

(2) HEALTH CARE WORKER.—The term "health care worker" means an individual who has been assigned to lift, reposition, or move patients or residents in a health care facility.

(3) EMPLOYMENT.—The term "employment" includes the provision of services under a contract or other arrangement.

(4) HEALTH CARE EMPLOYER.—The term "health care employer" means an outpatient health care facility, hospital, nursing home, nursing facility, home health care agency, hospice, federally qualified health care center, rural health clinic, or any similar health care facility that employs direct-care registered nurses or other health care workers.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to health care facilities 1 year after date of issuance of the final safe patient handling and injury prevention standard required under section 2.

SEC. 5. FINANCIAL ASSISTANCE TO NEEDY HEALTH CARE FACILITIES IN THE PURSUIT OF SAFE PATIENT HANDLING AND INJURY PREVENTION EQUIPMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish a grant program that provides financial assistance to cover some or all of the costs of purchasing and installing injury prevention equipment for health care facilities, such as hospitals, nursing facilities, home health care, and outpatient facilities, that—

(1) require the use of such equipment in order to comply with the safe patient handling and injury prevention standard; but

(2) demonstrate the financial need for assistance for purchasing the equipment required under such standard.

(b) APPLICATION.—No financial assistance shall be provided under this section except pursuant to an application made to the Secretary of Health and Human Services in such form and manner as the Secretary shall specify.

(c) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated for financial assistance under this section $200,000,000, of which $50,000,000 will be available for a fiscal year to all health care facilities 1 year after date of issuance of the final safe patient handling and injury prevention standard.

(d) MANNER OF ALLOCATION.—The Secretary shall allocate the financial assistance under this section in such manner as to give effect to the purposes of this Act and to assure that funds are distributed in such manner as to provide financial assistance to neediest health care facilities in the most effective manner.

(e) MONITORING.—The Secretary shall monitor the programs to ensure compliance with this section and shall report such information to Congress to provide evidence of the impact of the program to control costs and to provide information on the effectiveness of the programs.

SEC. 6. DEFINITIONS.

For purposes of this Act:

(1) DIRECT-CARE REGISTERED NURSE.—The term "direct-care registered nurse" means an individual who has been granted a license to practice as a registered nurse by the Secretary under this Act or the safe patient handling and injury prevention standard required under the Federal Occupational Safety and Health Act, and is employed by an employer within 180 days following the issuance of the final safe patient handling and injury prevention standard.

(2) IN GENERAL.—The term "in general" means that unless otherwise specified.

(3) MANDATORY MINIMUMSENTENCE.—The term "mandatory minimum sentence" includes any sentence required upon conviction of any Federal offense, including any sentence required pursuant to statute or mandatory minimum sentencing law.

Mr. DURBIN (for himself, Mr. LEAHY, Mr. SPECTER, Mr. FEINGOLD, Mr. BOND, Mr. WHITEHOUSE, Mr. KAUFMAN, Mr. FRANKEN, Mr. DODD, Mr. KERRY, and Mr. LEVIN):

S. 1789. A bill to restore fairness to Federal cocaine sentencing; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I rise to speak about the Fair Sentencing Act of 2009, which I am introducing today.

This narrowly tailored bill would eliminate the sentencing disparity that exists in the United States between crack and powder cocaine. At the same time, it would increase penalties for the worst offenders for crimes involving these substances. It accom-
Those of us who supported the law establishing this disparity had good intentions. We followed the lead and advice of people in law enforcement. We wanted to address this crack epidemic that was spreading fear and ravaging communities. And we have learned a great deal in the last 20 years. We now know the assumptions that led us to create this disparity were wrong.

Vice President Joe BIDEN, one of the authors of the legislation creating this disparity in sentencing, has said: "Each of the myths upon which we create this disparity were wrong. Each of the assumptions that led us to this gross disparity in sentencing, has said: "Under the current disparity, the credibility of our entire drug enforcement system is weakened."

The crack disparity also diverts resources away from the prosecution of large-scale drug traffickers. In fact, most of those convicted of Federal crack crimes are street-level dealers or mules. During these difficult economic times, it is also important to note that the crack/powder disparity has placed an enormous burden on taxpayers and the prison system. Based on the Bureau of Prison’s estimates of the annual costs of incarceration and the U.S. Sentencing Commission’s projections of the number of new admissions per year, we know that eliminating this disparity could save more than $510 million in prison beds over 15 years.

There is widespread and growing agreement that the Federal cocaine and sentencing policy in the United States today is unjustified and unjust. At the hearing I held on the crack/powder disparity, Lanny Breuer, the Acting Associate Attorney General of the Criminal Division, announced that the Justice Department and this administration support completely eliminating the crack/powder disparity and establishing a 1-to-1 ratio, which is included in my bill.

In June, Attorney General Eric Holder testified before the Senate Judiciary Committee. I asked him about this issue and here is what he said:

"When one looks at the racial implications of the crack/powder disparity, it is hard to have an argument for it. It has made the job of those of us in law enforcement more difficult. . . . It is time to do away with that disparity.

Here on Capitol Hill, Democrats and Republicans alike have advocated fixing the disparity for years. The following 10 Senators are original cosponsors of the Fair Sentencing Act: Senators ARLEN SPECTER, the Chair of the Judiciary Committee, who for years has advocated for drug sentencing reform; Senator ARLEN SPECTER, the Chair of the Judiciary Committee’s Crime and Drugs Subcommittee; Five other members of the Senate Judiciary Committee—Senators RUSSELL FEINGOLD, BEN CARDIN, SHELDON WHITEHOUSE, TED KAUFMAN, and AL FRANKEN; and Senators JOHN KERRY, CHRIS DODD, and CARL LEVIN.

I would also like to recognize at this point, though he is not a cosponsor of the bill, Senator JEFF SESSIONS, the ranking member of the Judiciary Committee. He has been a leader in calling for reform of crack/powder sentencing policy.

The Senator from Alabama is a former U.S. attorney, not known to be soft on crime in any way, shape, or form, but he was one of the first to speak out about the injustice of the crack/powder disparity. I continue my dialogue with Senator Sessions in the hope that he and I can come to a common place with regard to this important issue.

There is a bipartisan consensus about the need to fix the crack-powder disparity. I have been in discussions with Chairman LEAHY and Ranking Member SESSIONS, as well as Republican Senators LINDSEY GRAHAM, ORRIN HATCH, Tom Coburn, and I am confident that the Judiciary Committee can come together to find a bipartisan solution to this problem.

A broad coalition of legal, law enforcement, civil rights, and religious leaders and groups from across the political spectrum supports eliminating the crack-powder disparity, including, for example: Los Angeles Police Chief Bill Bratton, Miami Police Chief John Timoney, The American Bar Association, The Leadership Conference on Civil Rights, The National Black Police Association, and The United Methodist Church.

The bipartisan United States Sentencing Commission has been urging Congress to act for 15 years. They have repeatedly recommended that Congress do away with that disparity. The bipartisan United States Sentencing Commission recommended that Congress take two important steps: No. 1, reduce the sentencing disparity by increasing the quantities of crack cocaine that trigger mandatory minimum sentences; and No. 2, eliminate the mandatory minimum penalty for simple possession of crack cocaine. This is the only mandatory minimum sentence for simple possession of a drug by a first time offender.

The bill that I have introduced does both those things. In order to ensure that limited Federal resources are directed toward the largest drug traffickers and the most violent offenders, the Fair and Sentencing Act provides for increased penalties for drug offenses involving vulnerable victims, violence and other aggravating factors.

For example, an individual being prosecuted for possessing either crack or powder cocaine will face more jail time if he: uses or threatens to use violence; uses or possesses a dangerous weapon; is a manager, leader or organizer of drug trafficking activities; or distributes drugs to a pregnant woman or minor.

The bill would also increase the financial penalties for drug trafficking. This sentencing structure will shift Federal resources towards violent drug traffickers and away from nonviolent drug users who are best dealt with at the State level.

In the final analysis, this legislation is about fixing an unjust law that has taken a great human toll. At the hearing held in the Judiciary Committee, we heard testimony from Cedric Parker, who is from Alton in my home State of Illinois. In 2000, Mr. Parker’s
sister, Eugenia Jennings, was sentenced to 22 years in prison for selling 14 grams of crack cocaine. Mr. Parker told us that Eugenia was physically and sexually abused from a young age. She was addicted to crack by the time she was 3 years old. Eugenia has three children, Radley, Radeisha, and Cardez. They are now 11, 14, and 15. These children were 2, 5, and 6 when their mother went to prison for selling the equivalent of 6 sugar cubes of crack cocaine. They have seen their mother once in the last 9 years. They will be 21, 24, and 25 when she is released in 2019.

At Eugenia’s sentencing, Judge Patrick Murphy said this: Mrs. Jennings, nobody has ever been there for you when you needed it. When you were a child and you were being abused, the Government wasn’t there. But when you had a little boy, they were there. And it is an awful thing, an awful thing to separate a mother from her children. That’s what the Government has done for Eugenia Jennings.

It is time to right this wrong. We have talked about the need to address the crack-powder disparity for long enough. Now, it’s time to act. I urge my colleagues to join me in supporting the Fair Sentencing Act of 2009.

Mr. SESSIONS. Mr. President, I see my colleague, the assistant majority leader. I know we have been talking about improvement in the sentencing process for crack cocaine. I have offered legislation for almost a decade that would substantially improve the sentencing process in a way that I think is fair and constructive and allows us to deal with serious criminals like drug dealers. I believe it is pretty close to being a good policy. Senator Salazar, now a member of the Obama Cabinet, and Senator Mark Pryor, my Democratic colleague from Arkansas, Senator John Cornyn from Texas, and I, all four former attorneys general, offered that legislation. Senator Durbin has sponsored legislation that would substantially improve the sentencing process in a way that I think is fair and constructive and allows us to deal with serious criminals like drug dealers.

I do think it is past time to act. I will not favor alterations that massively undercut the sentencing we have in place, but I definitely believe that the current system is not fair and that we are not able to defend the sentences that are required to be imposed under the law today.

I am a strong believer in law enforcement. I believe it is a key tool in the prevention of the commission of crimes. We must have equal laws and equality in the enforcement of those laws. We must ensure that every American is treated equally.

Mr. LEAHY. Mr. President, today, I am proud to join Senators Durbin, Specter, Feingold, Cardin, Whitehouse, Kaufman, Franklen, and others to introduce the Fair Sentencing Act of 2009. Our bill will eliminate the current 100-to-1 disparity between Federal sentences for crack and powder cocaine, equalizing the penalties for both forms of cocaine. I hope that this legislation will finally enable us to address the racial imbalance that has resulted from the cocaine sentencing disparity. It makes our drug laws more fair, more rational, and more consistent with our core values of justice.

I commend Senator Durbin for his leadership in fixing this decades-old injustice. He chaired a hearing before our Crime and Drug Subcommittee six months ago to examine this issue where we heard from the Assistant Attorney General for the Criminal Division at the Justice Department. We should work towards restoring public confidence in our criminal justice system. Correcting biases in our criminal sentencing laws is a step in that direction.

Today, the criminal justice system has unfair and biased cocaine penalties that undermine the Constitution’s promise of equal treatment for all Americans. For more than 20 years, our Nation has used a Federal cocaine sentencing policy that treats “crack” offenders more harshly than other cocaine offenders without any legitimate basis for the difference. We know that there is little or no pharmacological distinction between crack and powder cocaine, yet the resulting punishments for these offenses is radically different and the resulting impact on minorities has been particularly unjust.

Under this flawed policy, a first-time offender caught selling five grams of powder cocaine would receive a 6-month sentence, and would often be eligible for probation. That same first-time offender selling the same amount of crack faces a mandatory five year prison sentence, with little or no possibility of leniency. This policy is wrong and unfair, and it has needlessly swelled our prisons, wasting precious Federal resources.

Even more disturbingly, this policy has had a significantly disparate impact on racial and ethnic minorities. According to the latest statistics assembled by the United States Sentencing Commission, African-American offenders continue to make up the largest majority of Federal crack cocaine offenders, accounting for 80 percent of all Federal crack cocaine offenses, compared to white offenders who account for just 10 percent. These statistics are startling. It is no wonder this policy has sparked a nationwide debate about racial bias and undermined citizens’ confidence in the justice system.

These penalties, which Congress created in the mid-1980s, have failed to address basic concerns. The primary goal was to punish the major traffickers and drug kingpins who were bringing crack into our neighborhoods. But the law has not been used to go after the most serious offenders. In fact, just the opposite has happened.

The Sentencing Commission has consistently reported for many years that more than half of Federal crack cocaine offenders are low-level street dealers and users, not the major traffickers Congress intended to target.

The Fair Sentencing Act of 2009 would return the focus of Federal cocaine sentencing policy to drug kingpins, rather than street level dealers, and address the racial disparity in cocaine sentencing. The legislation we introduce today would align crack and powder cocaine sentences by setting the mandatory minimum sentencing trigger at the same level.

This equalization is a sound way to address the unjust sentencing disparity between crack and powder cocaine.

We have heard calls for this reform from Senators on both sides of the aisle. Senator Harkin called the current ratio “an unjustifiable disparity,” recognizes that because “crack and powder cocaine are pharmacologically the same drug” our sentencing laws do “not warrant such an extreme disparity.” Even Senator Sessions, now the ranking Republican member of the Judiciary Committee, has called the 100-to-1 disparity in sentencing between crack cocaine and powder cocaine “misleading” and called for changes to make the criminal justice system more effective and fair.

The legislation we introduce today would also eliminate the mandatory minimum sentence for possession of crack cocaine. The 5-year mandatory minimum sentence penalty for simple possession of crack is unique under Federal law. There is no other mandatory minimum for more simple possession of a drug. This bill would correct this inequity, as well. Still, the Federal penalties for drug crimes remain very tough. This bill toughens some of those penalties. It would increase fines for major drug traffickers, as well as provide sentencing enhancements for acts of violence committed during the course of a drug trafficking offense. As a former prosecutor, I support strong punishments for drug traffickers, as well as assist Attorney
General Lanny Breuer announced at our hearing this spring.

For over 20 years, the "crack-powder" disparity in the law has contributed to swelling prison populations without focusing on the drug kingpins. We must retool our national drug policy. Law enforcement has been and continues to be a central part of our efforts against illegal drugs, but we must also find meaningful, community-based solutions.

American justice is about fairness for each individual. To have faith in our system Americans must have confidence that the laws of this country, including our drug laws, are fair and administered fairly. I believe the Fair Sentencing Act of 2009 will move us one step closer to reaching that goal. I urge all Senators to support this measure.

Mr. SPECTER. Mr. President. I have sought recognition to urge support for the legislation introduced today by Senator DURBIN to completely eliminate unwarranted sentencing disparity between crack and powder cocaine. I am an original co-sponsor of this bill.

Since the passage of the Anti-Drug Abuse Act of 1986, which established the framework of mandatory minimum penalties currently applicable to Federal drug trafficking offenses, there exists a 100-to-1 ratio between crack and powder cocaine. That means it takes 100 times as much powder cocaine as crack to trigger the same 5-year and 10-year mandatory minimum penalties.

On April 29, 2009, 6 witnesses testified before the Senate Judiciary Subcommittee on Crime and Drugs regarding the sentencing disparity between crack and powder cocaine, including the Assistant Attorney General for the Criminal Division at the Department of Justice, the Acting Chair of the U.S. Sentencing Commission, a U.S. District Court representative of the Judicial Conference of the U.S. Courts, and a Police Commissioner from a major urban city. All six witnesses testified in favor of an immediate reduction or elimination of this disparity.

At the time Congress established the crack-powder disparity in 1986, it did so because it was believed that crack was uniquely addictive and was associated with greater levels of violence than powder cocaine.

Today, more than 20 years later, research has shown that the addictive qualities of crack have more to do with its mode of administration—smoking compared to inhaling—rather than its chemical structure. Moreover, recent studies suggest that levels of violence associated with crack are stable or even declining.

Last year, 80.6 percent of crack offenders were African Americans, while only 10.2 percent were white. Compare that with powder cocaine prosecutions. For that same year, 30.25 percent of powder cocaine offenders were African Americans, 52.5 percent were Hispanic, and 16.4 percent were white. The average sentence for crack offenders is 2 years longer than the average sentence for powder cocaine.

Let me repeat that. African Americans, who make up approximately 12.3 percent of the population in the U.S., comprise 52.5 percent of the Federal crack offenders.

It takes about $14,000 worth of powder cocaine compared to only about $150 of crack to trigger the 5-year mandatory minimum penalty. Given that crack and cocaine powder are the same drug, one must wonder—why should we impose the same 5-year sentence for the $150 drug deal as for the $14,000 drug deal?

These sentencing disparities undermine the confidence in the criminal justice system. Our courts and our laws must be fundamentally fair; just as importantly, they must be perceived as fair by the public. I do not believe that the 1986 Act intended to have a disparate impact on minorities but the reality is that it did.

The White House and the Department of Justice have asked Congress to eliminate this unfair sentencing disparity. It is time to correct this injustice.

By Mr. DORGAN (for himself, Mr. REID, Ms. MURKOWSKI, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, Mr. JOHNSON, Mr. TESTER, Mr. AKAKA, Mr. CONRAD, Mr. BEGICH, Mr. FRANKEN, Mr. BURRIS, Mr. INOUYE, Ms. STABENOW, Mr. UDALL of Colorado, and Ms. KLOBUCHAR):

S. 1790. A bill to amend the Indian Health Care Improvement Act to revise and extend that Act, and for other purposes; to the Committee on Indian Affairs.

Mr. DORGAN. Mr. President, today I introduce the Indian Health Care Improvement Reauthorization and Extension Act of 2009. We face a bona fide crisis in health care in our Native American communities, and this bill is a first step toward fulfilling our treaty obligations and trust responsibility to provide quality health care in Indian Country.

I introduce this bill on behalf of myself, Leader REID and Senators MURKOWSKI, UDALL of New Mexico, BEGICH, FRANKEN, WHITEHOUSE, INOUYE, AKAKA, JOHNSON, TESTER, CONRAD, BURRIS, STABENOW, UDALL of Colorado, and KLOBUCHAR.

As Chairman of the Senate Committee on Indian Affairs, I have again made health care a top priority for the Committee this Congress. Native Americans suffer staggering health disparities due to an outdated, strained and underfunded health care system. We have a federal health care system for Native Americans that is only funded at about half of its need. Clinician vacancy rates within this system are the highest seen for any health care system. Only those with "life or limb" emergencies seem to get care. Native Americans die of tuberculosis at a rate 600 percent higher than the general population, suicide rates are nearly double, alcoholism rates are 510 percent higher, and diabetes rates are 189 percent higher than the general population.

These numbers are appalling and represent third world conditions right here in the U.S. I have heard the heartbreaking stories about the lack of health care on our Native American reservations: people like Ta'shon Rain Littlelight, Jami Russell and Little Wind, who likely still would be living today had they had access to adequate health care. Our Federal system has failed them and so many other Native Americans. We owe our First Americans something better, and the bill I introduced today with my colleagues will provide a better system.

For over a decade, Indian Country has asked Congress to reauthorize and amend the Indian Health Care Improvement Act, P.L. 94-446. The National Indian Health Board, the National Congress of American Indians, National Indian Health Board, and other Native American health advocates have been dedicated to improving the health care available to Native Americans across the country. I am committed to ensuring the United States fulfills its trust responsibility to provide decent health care to the Native Americans.

Last Congress, the Senate passed the Indian Health Care Improvement Act Amendments of 2008, which would have brought needed improvements to the Native American health care system. The bill passed by an overwhelming 83 to 10 vote. This was the first time in almost 17 years that the Senate considered and passed a Native American health care bill. Ultimately, the bill failed to be considered in the House of Representatives. My colleagues and I remain committed to getting a bill enacted into law.

In July, I developed a Native American health concept paper which was sent out to Indian Country for comments. I and the Committee on Indian Affairs held many listening sessions and meetings with many Native Americans across the country to discuss the concept paper. In addition, the Committee has held five hearings focused on Native American health issues this Congress. The Committee has worked to compile the feedback received from the concept paper into guidelines to develop the Native American health bill I introduced today.

Similar legislation has been considered in the 106, 107, 108, 109, and 110 Congresses. Today, my colleagues and I put forward a Native American health bill for the 111 Congress which builds on the work of prior Congresses, but goes beyond to include innovative solutions and reforms for the Native American health care system.

I would like to highlight some of the important updates the Indian Health Care Improvement Reauthorization and Extension Act of 2009 will bring to
the Native American health care system.

Perhaps most importantly, the Native American health bill permanently reauthorizes all current laws governing the Native American health care system. But once this bill is passed, Indian Country will never again have to wait nearly 20 years for a reauthorization of the Indian Health Care Improvement Act.

This bill also authorizes long-term care services, including hospice care, assisted living, long-term care and home- and community-based care. Current law does not allow for these services to be provided by the Indian Health Service or tribal facilities. Although some areas of Indian Country are merely focused on addressing life or limb medical emergencies, other areas are in need of long-term care. Thus, I believe they should be authorized.

In addition, the bill establishes mental and behavioral health programs beyond alcohol and substance abuse, such as fetal alcohol spectrum disorders, child sexual abuse and prevention treatment programs. The mental health needs in Native American communities beyond alcohol and substance abuse, in fact over 1/3 of the health care needs in Indian Country are related to mental health. The comprehensive mental and behavioral health programs established as a result of this bill will bring necessary care and resources to Native Americans.

In order to address the tragic level of youth suicide, the bill includes behavioral health provisions solely focused on preventing Native American youth suicide. The youth suicide rate in Indian Country is 3.5 times higher than the general population. Earlier this year, I chaired an Indian Affairs hearing to draw attention to this important topic.

The bill also incorporates many new ideas aimed at improving the access to health care available to Native Americans. The bill authorizes projects which will incentivize tribes to use innovative facilities construction which save money and expand the health care services available to Native American communities. For example, these projects include the use of modular component facility construction and mobile health stations.

Mobile component health facilities can be built at often one-third the cost and a fraction of the time of a typical health facility. In addition, mobile health stations will allow for Native Americans in rural areas without a hospital, increased access to specialty health services like dialysis, same-day surgery, dental care, or other services. Currently, there is an estimated $3 billion backlog for maintenance, improvement and construction of Native American health care facilities. In addition, the average Indian Health Service facility is 33 years, as compared to 7 years in the general population. These innovative health care facilities will go a long way in this disparity and improving access to health care for Native Americans across the country.

The Native American health bill establishes a health delivery demonstration project. This project provides for cost-containment which could be offered in local grocery stores and other venues, to make health care more available to Native American communities. The health delivery demonstration project authorizes the Indian Health Service to consider other innovative health delivery models, like community health centers, and other models which will increase access to health care services.

I want to end by saying the need for health care is not new for Indian Country. Nowadays, the need for national health care reform is front page news, but our Native Americans have long been in need of health care reforms. Therefore, I intend to offer this Native American health bill as an amendment to any national health care reform bill considered on the Senate floor.

I want to thank all the Native American health advocates who assisted us in the development of this crucial piece of legislation. The Federal Government signed the dotted lines years ago, and today, we make an important step towards finally fulfilling those obligations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2691. Ms. SNOWE (for herself, Mr. KERRY, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2691. Ms. SNOWE (for herself, Mr. KERRY, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 124, line 21, strike “section.” and insert “section, including an assessment of actions other than increased Federal spending that would develop and interdepartmental coordination of the policies of the United States under the United States-Canada Transboundary Resource Sharing Understanding for shared groundfish stocks.”.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks.

The hearing will be held on Wednesday, October 28, 2009, at 2:30 p.m. in room SD-306 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the current and expected impacts of climate change on units of the National Park System.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources. United States Senate, Washington, DC 20510-6150, or by email to allison_seyerth@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or Allison.Seyerth@energy.senate.gov.

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 Subcommittee on Public Lands and Forests.

The hearing will be held on Thursday, October 29, 2009, at 2:30 p.m., in room SD-306 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 555, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes; S. 607, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that are subject to ski area permits, and for other purposes; S. 721, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes; S. 1122, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services; S. 1228 and H.R. 669, to interlace the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes; S. 1442, to amend the Public Lands Corps Act of 1988 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service-learning opportunities on public lands, establish a grant program for Indian Youth Service Corps, help restore the Nation’s natural, cultural, historic, archaeological, recreational, and scenic resources, train a new generation of public land managers and enthusiasts, and promote the value of public lands service.

H.R. 129, to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to
the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact Scott Miller at (202) 224-5488 or Allison Seyferth at (202) 224-4900.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 15, 2009, at 2:30 p.m. in room 235 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on October 15, 2009, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “What Women Want: Equal Benefits for Equal Premiums” on October 15, 2009. The hearing will commence at 10:30 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. SHAHEEN. 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 15, 2009, at 10 a.m., to conduct a hearing entitled “Domestic Partner Benefits: Fair Policy and Good Business for the Federal Government.”

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

COMMITTEE ON THE JUDICIARY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 15, 2009, at 10 a.m., in the 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

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate, on October 15, 2009, at 2:30 p.m.

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

SUBCOMMITTEE ON INTERNATIONAL DEVELOPMENT AND FOREIGN ASSISTANCE, ECONOMIC AFFAIRS, AND INTERNATIONAL ENVIRONMENTAL PROTECTION

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 15, 2009, at 10 a.m., to hold a subcommittee hearing entitled “Drought, Flooding, and Refugees: Addressing the Impacts of Climate Change in the World’s Most Vulnerable Nations.”

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

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, HUMAN RIGHTS, DEMOCRACY, AND GLOBAL WOMEN’S ISSUES

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 15, 2009, at 2:30 p.m., to hold a subcommittee hearing entitled “U.S. International Broadcasting into the War Zones: Iraq and Afghanistan.”

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

EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 481, 482 and 483; that the nominations be confirmed en bloc; that the motions to reconsider be laid upon the table; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD as if read; provided further that the President be immediately notified of the Senate’s action and the Senate return to legislative session.

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

EXECUTIVE SESSION

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 481, 482 and 483; that the nominations be confirmed en bloc; that the motions to reconsider be laid upon the table; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD as if read; provided further that the President be immediately notified of the Senate’s action and the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Brendan V. Johnson, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.

Karen Louise Loefler, of Alaska, to be United States Attorney for the District of Alaska for the term of four years.

Steven Gerard O’Donnell, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate, on October 15, 2009, at 2:30 p.m.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate returns to legislative session.

ORDERS FOR MONDAY, OCTOBER 19, 2009

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, October 19; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of the motion to proceed to S. 1776, the Medicare Physicians Fairness Act of 2009, under the previous order.

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

PROGRAM

Mr. CASEY. Mr. President, under the previous order, at 5:30 p.m., Monday, the Senate will proceed to vote on the motion to invoke cloture on the motion to proceed to S. 1776.

ADJOURNMENT UNTIL MONDAY, OCTOBER 19, 2009, AT 2 P.M.

Mr. CASEY. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:59 p.m., adjourned until Monday, October 19, 2009, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

CLIFFORD L. STANLEY, OF PENNSYLVANIA, TO BE ASSISTANT SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE DAVID S. C. CHU, RESIGNED.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JESSIE HILL ROBBINS, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2012 (REAPPOINTMENT).

CHARLES P. BLAHOUS, III, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND FOR A TERM OF SIX YEARS (APPOINTMENT).
The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under Title 10, U.S.C., Section 601:

To be vice admiral

VICE ADM. HARRY B. HARRIS, JR.

IN THE AIR FORCE

The following named officers for regular appointment in the grades indicated in the United States Air Force under Title 10, U.S.C., Section 531:

To be lieutenant colonel

CHRISTOPHER J. OGRADY
MICHAEL B. SPENCER
SCOTT A. PAPERNOTH
EDWARD D. SOMMER

To be major

ROBERT M. TAYLOR
MISAEL C. ALONSO
SHARON M. DAY
ROBYN T. KARMER
DERRICK B. WILLSEY

IN THE ARMY

The following officers for appointment to the grade indicated in the Reserve of the Army under Title 10, U.S.C., Section 12203:

To be colonel

KENNETH E. LAWSON
KRISTINA D. MOELLER
LAWRENCE C. DENNIS
ROBERT L. GUY
WILLIAM C. HENSEN
RONALD E. MARTINMINNICH
JOHN H. TATUM
BARRY R. BARON
EDWARD M. GRICE
DOUGLAS B. JONES
RICHARD I. MAESTAS
PATRICK J. MORGAN
JAMES C. OSBORN
MARK F. PLAUSCHIN
WILLIAM H. RALSTON
GEORGE D. ROBERTS
PETER E. SOUSA
JEREMY N. STRINBERG
ISTVAN SZASZ, JR.

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under Title 10, U.S.C., Section 601:

To be major

ROBERT R. LIU
LUZ E. RODRIGUEZ

IN THE AIR FORCE

The following named individuals for appointment in the grade indicated in the regular United States Air Force under Title 10, U.S.C., Section 531:

To be lieutenant colonel

SCOTT A. PAFFENROTH
EDWARD D. SOMMER

To be major

DANA J. ALBALATE
JOSEPH H. BOYLE
JAMES D. COLLINS
PATRICK L. LANAGHAN
ROBERT R. LIU
LUZ E. RODRIGUEZ

CONFIRMATIONS

Executive nominations confirmed by the Senate, Thursday, October 15, 2009:

BRENDAN V. JOHNSON, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.

KAREN LOUISE LOEFFLER, of Alaska, to be United States Attorney for the District of Alaska for the term of four years.

STEVEN GERARD O’DONNELL, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

BRENDAN V. JOHNSON, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.

KAREN LOUISE LOEFFLER, of Alaska, to be United States Attorney for the District of Alaska for the term of four years.

STEVEN GERARD O’DONNELL, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.
JUNIOR DUCK STAMP CONSERVATION AND DESIGN PROGRAM REAUTHORIZATION ACT OF 2009

SPRECH OF
HON. RON KIND
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 13, 2009

Mr. KIND. Mr. Speaker, for the past 20 years, the Junior Duck Stamp Conservation and Design Program Reauthorization Act has been one of the most successful government-sponsored, youth-focused conservation education programs. This dynamic program incorporates scientific and wildlife management principles into visual arts curriculum in both public and private schools. As a national program, children in all states have the opportunity to learn about bird conservation while simultaneously developing a strong appreciation for art.

I can attest to the success of this program and would like to congratulate the 2009 Wisconsin Federal Junior Duck Stamp competitors and, in particular, the 22 students from Wisconsin’s Third District who placed in the contest. I am proud to say that of the over 600 entries from the 53 schools participating in the State of Wisconsin, the “Best of Show” went to Yvette Bauer of Ithaca Public School in Richland Center, located in my District.

The youth of today will become the leaders of tomorrow. We must therefore encourage our youth to become stewards of America’s irreplaceable wild places and treasured outdoor heritage.

I strongly support the reauthorization of the successful Junior Duck Stamp Conservation and Design Program and look forward to seeing this bill passed in the House today.

AIRLINE SAFETY AND PILOT TRAINING IMPROVEMENT ACT OF 2009

SPRECH OF
HON. EARL POMEROY
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 14, 2009

Mr. POMEROY. Mr. Speaker, I rise today to express concern with certain provisions of H.R. 3371, the Airline Safety and Pilot Training Improvement Act of 2009.

While I strongly support the goal of the bill to increase airline safety and improve pilot training, I am concerned about changing current rules to require an airline pilot to hold an Airline Transport Pilot (ATP) certificate, which necessitates a minimum of 1,500 flight hours. During a hearing in September Tim Brady, dean of Embry-Riddle Aeronautical University’s College of Aviation, testified that these added requirements could increase the cost of pilot training fivefold from $40,000 to $200,000. I am concerned that these increased costs could encourage pilots to seek less costly training alternatives and potentially be counter to the bills intended goal, of increasing safety.

By dramatically increasing the costs of training we will drive our most qualified potential pilots out of accredited flight schools such as the John D. Odegard School of Aerospace Sciences at the University of North Dakota that have produced exceptional pilots for decades. Graduates of these programs receive high quality flight instruction that is much more valuable than a pilot who might just be racking up straight and level flight time that has no increased educational or safety benefits. The focus on total flight hours rather than the quality of those hours will not provide the increased safety and pilot quality that is the goal of this legislation. It could in practice have the opposite effect, by driving students to undertake low value flying at the expense of high quality directed flight training. I believe that as this legislation moves forward some consideration must be given to Collegiate Aviation Programs that have been accredited by the Aviation Accreditation Board International (AABI). This will help to increase the focus of these requirements on quality of training rather than quantity of flight hours.

While I will be voting in favor of this legislation in order to move forward the important process of increasing the safety of commercial aviation, I do so with reservations. Before this legislation becomes law I believe that it is vital that the bill be modified to recognize the tremendous benefits that our nation’s accredited flight schools provide.

RECOGNIZING HOLLAND MAYOR ALBERT “AL” McGEEHAN FOR HIS MANY YEARS OF SERVICE WITH THE HOLLAND CITY COUNCIL

HON. PETER HOEKSTRA
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. HOEKSTRA. Madam Speaker, I rise here today to honor Holland Mayor Albert “Al” McGeehan for his years of selfless service on the Holland City Council.

Mayor McGeehan was born on Staten Island in New York Harbor in October 1944. He first moved to Holland to attend Hope College. He graduated from Hope College in June of 1966 with a Bachelor of Arts degree in History and a Michigan Secondary Teaching Certificate.

With his educational preparation and certification, Mayor McGeehan began a teaching career in the Holland Public Schools that spanned five decades.

In the summer of 2004, President George W. Bush, while addressing a crowd of 15,000 Holland residents, shortened Mayor McGeehan to simply, Mayor “Al.” The title better suited the Mayor and stuck like glue.

Mayor “Al” was first elected to city council in 1977 where he served four “four-year” terms as a Councilman-at-Large. He is now in his eighth term as mayor of the city.

As a teacher, Al McGeehan served as Chair of the Social Studies Department for Holland Public Schools. Upon his retirement, he worked as a morning radio talk show host for WJQ 1260 AM.

For three years, Al represented the Michigan Municipal League as the League’s West Michigan Regional Coordinator. He has served on several committees of the Michigan Municipal League and the National League of Cities. From 2006 to 2008, Mayor “Al” served consecutive terms as President of the Michigan Association of Mayors.

The Mayor’s passion for studying and collecting artifacts from the time of the American Civil War is well-known throughout Michigan and beyond. He has taught and lectured on the subject. He has authored a book and several magazine articles relating to the Civil War and he has been known to often occupy the very best parking spaces at local antique shops.

Mayor Al has been married to his wife Marsha for 45 years.

ST. JOHN LUTHERAN CHURCH

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to commemorate the 150th anniversary of St. John Lutheran Church in Dieterich, IL. On January 1, 1860, 14 men signed the constitution of St. John, a document that continues to govern the church to this day. St. John is one of the oldest churches in the Central Illinois District of the Lutheran Church Missouri Synod.

I would like to congratulate the members of St. John Lutheran Church for reaching this milestone and wish them a blessed and joyful celebration as they mark 150 years of service to God and their community.

RECOGNIZING JOHN KEETON

HON. JAMES P. McGOVERN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. McGOVERN. Madam Speaker, I rise today in recognition of John Keeton of Shrewsbury, Massachusetts. Mr. Keeton has been an outstanding Democratic activist for more than twenty years throughout Worcester County. An attorney in the Worcester area, Mr. Keeton’s devotion to the pursuit of justice has portrayed his passions of human rights, social justice, and equality for all. In acknowledgement of his dedication, passionate beliefs, and hard work, Mr. Keeton has been selected to receive the 2009 Eleanor Roosevelt
HONORING THE SOUTH TEXAS COUNCIL ON ALCOHOL AND DRUG ABUSE

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. CUELLAR. Madam Speaker,

Whereas, the South Texas Council on Alcohol and Drug Abuse was founded in 1990 by a group of concerned citizens who wished to address issues related to substance abuse; and

Whereas, October 15th is National Latino AIDS Awareness Day; and

Whereas, Latinos represent 15% of the U.S. population, but make up 18% of new HIV infections; and

Whereas, Latino women are infected with HIV at a rate of up to four times greater than other women; and

Whereas, citizens from Hebbronville, Zapata, Roma, Rio Grande established the South Texas Council on Alcohol and Drug Abuse 19 years ago as a non-profit agency; and

Whereas, the agency was created out of a grant from the Texas Commission on Alcohol and Drug Abuse to develop a Statewide Initiative Council for the four county regions consisting of Jim Hogg, Starr, Webb, and Zapata; and

Whereas, the South Texas Council on Alcohol and Drug Abuse was established to provide screening, assessment, referrals related to substance abuse, and education services to the region for substance abuse; and

Whereas, the South Texas Council on Alcohol and Drug Abuse has expanded its services to include HIV prevention, treatment, and Voces Fronterizas—an HIV prevention and intervention program from the CDC; and

Whereas, the South Texas Council on Alcohol and Drug Abuse has expanded their role to encompass not only that of being a Clinical Training Institute but also providing intervention outreach studies to impoverished border communities like the colonias; and

Whereas, the South Texas Council on Alcohol and Drug Abuse has served over 12,000 clients through HIV programs in the past 6 years; and

Whereas, the South Texas Council on Alcohol and Drug Abuse has invested over $1,000,000 annually on HIV programs; and

Be it hereby resolved, that Congressman HENRY CUELLAR, in representing the 28th Congressional District of the State of Texas, honors the contributions of the South Texas Council on Alcohol and Drug Abuse for their exceptional service to South Texas communities.

PERSONAL EXPLANATION

HON. MICHAEL M. HONDA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. HONDA. Madam Speaker, on Wednesday, October 14th, I was unavoidably detained due to official business at the White House and was not present for a number of roll call votes.

Had I been present I would have voted: "Yea" on Rollcall 776, H.R. 1327, the Iran Sanctions Enabling Act of 2009; "Yea" on Rollcall 777, H. Res. 816, mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa and Samoa; "Yea" on Rollcall 778, H. Res. 786, commemorating the canonization of Father Damien de Veuster, SS.CC. to sainthood; "Yea" on Rollcall 779, H.R. 3371, the Airline Safety and Pilot Training Improvement Act of 2009.

RECOGNIZING THE 140TH ANNIVERSARY OF THE BIRTH OF MAHATMA GANDHI

SPREECH OF

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. KUCINICH. Mr. Speaker, I rise in strong support of this resolution. I join my colleagues in celebrating the amazing life and accomplishments of Mahatma Gandhi. Through his fearless leadership in promoting civil rights and justice for the people of India, he demonstrated the power of non-violent civil disobedience to effect change. He has contributed immeasurably to the legacy of peace.

While I wholeheartedly support this resolution, the best way for this body to recognize Gandhi's accomplishments is to stop funding the wars in Iraq and Afghanistan. Stability in Iraq and Afghanistan cannot be achieved as long as war and occupation are the tools with which we support to build peace. When the U.S. kills innocent civilians and destroys families, homes and communities, the results often incite fear and rage. After more than 8 years of war in Afghanistan and more than 6 years of war in Iraq it is clear that lasting peace and stability cannot emerge from such beginnings.

Rather, stability is best fomented through the seeds of peace such as upholding human rights, promoting social justice, and ensuring education, employment and access to basic goods and services. Regrettably, the billions of dollars of funding that this body has dedicated to the wars have devastated Iraq and Afghanistan. If this body wants to see peace and stability in Iraq and Afghanistan, the U.S. must stop engaging in policies of aggression.

I strongly support this bill, the powerful accomplishments of the great Mahatma Gandhi, and urge my colleagues to honor his vision.

FORT MASSAC

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to mark the unveiling of a commemorative mural at Fort Massac in Massac County, Illinois.

Fort Massac was built on the bank of the Ohio River in 1757 by the French during the French and Indian War. In 1794, during the Northwest Indian War, President George Washington ordered the fort be rebuilt. For the next 20 years Fort Massac protected U.S. military and commercial interests in the Ohio Valley.

In the fall of 1803, the Lewis and Clark Expedition stopped and recruited two volunteers at Fort Massac as they journeyed west. The Fort Massac site was designated a State Park in 1908, becoming the first Illinois State Park.

Every October, the Fort Massac Encampment draws 80,000 visitors to re-create the lifestyles and atmosphere of the late 1700s. As a part of this year’s celebration on October 17th and 18th, the Fort Massac Museum is presenting a mural depicting a restored cabin from the early 1800s. More than 100,000 visitors are expected to attend the celebration to take part in the mural unveiling.

I want to congratulate the volunteers, supporters, and everyone else who helped make this mural and museum such a great success. I wish them my best as they open this new exhibit to offer a glimpse into the fascinating history of the United States and Illinois.

IMMIGRATION LAWS WORK

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. SMITH of Texas. Madam Speaker, the New York Times once again misses the mark with its latest immigration editorial, "Wrong Paths to Immigration Reform."

The Times wrongly suggests that the 287(g) program should be used only for serious criminals.

As one of the authors of the legislation that created 287(g), I can testify that Congress created 287(g) to let state and local law enforcement officials help enforce all immigration laws, not a select few.
When it comes to Sheriff Arpaio, the Times laments that his “raids use minor infractions like broken tail lights as pretexts for mass immigration arrests.” In fact, minor infractions can ensnare major bad guys. As the Times itself reported in another story, accused Dallas terrorist Hosam (Maher) Smaihi was pulled over for “a broken tail light” before he was arrested for terrorist activities.

This is a powerful reminder that enforcing immigration laws against all those who violate them can prevent crime.

RECOGNIZING THE AMERICAN RED CROSS OTTAWA COUNTY CHAPTER ON 100 YEARS

HON. PETER HOEKSTRA
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. HOEKSTRA. Madam Speaker, I rise here today to congratulate Ottawa County’s Red Cross on such a significant milestone—100 years serving Ottawa County.

The American Red Cross of Ottawa County, a humanitarian organization led by volunteers and guided by its Congressional Charter and the Fundamental Principles of the International Red Cross Movement, provides relief to victims of disasters and helps people prevent, prepare for and respond to emergencies.

The organization has helped people throughout the world, but closer to home it has provided residents of Ottawa County with tremendous help, whether it is emergency relief, offering health and safety classes or assisting active duty military personnel.

It is rightfully proud of its record in preventing and relieving suffering, offering community assistance and offering compassionate services across the board.

Most notably, it has facilitated in giving people the gift of life through countless blood drives every year. It is amazing that it is able to do all that it does with no taxpayer dollars, but by the generous donations of time, money and blood.

Moving into the next 100 years of dedication to Ottawa County, ongoing fundraising and community partnerships are crucial to the Red Cross’s ability to serve.

Madam Speaker, I am proud to honor the American Red Cross Ottawa County on its celebration of a century of success.

RECOGNIZING 10TH ANNIVERSARY OF THE ATLANTIC INTRA-COASTAL WATERWAY ASSOCIATION

SPREAD OF
HON. MIKE McINTYRE
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. McINTYRE. Mr. Speaker, I rise today to honor the Atlantic Intracoastal Waterway Association, Date which has been fighting on behalf of our great Atlantic marine highway for 10 years.

The AIWA was formed in 1999 to address the declining condition of the Atlantic Intra-coastal Waterway, running along the eastern seaboard from Virginia to Florida. A persistent lack of maintenance funding has resulted in severe shoaling of the waterway through many sections, rendering the waterway impassable at times. The AIWA has been a strong advocate for the Atlantic Intracoastal Waterway and the Association has earned the title “Voice of the Waterway”.

I am pleased to have had the opportunity to work closely with members of the AIWA over the years to secure funding to maintain North Carolina’s portion of the waterway. The resolution on the floor before us today officially recognizes the contribution made by the Atlantic Intracoastal Waterway Association and I am pleased to rise in strong support of it. I look forward to continuing to work with the AIWA and my colleagues in Congress to support the AIWA and to secure funding to dredge the waterway to its full authorized depth.

GASKIN CITY MISSIONARY BAPTIST CHURCH

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to recognize Gaskin City Missionary Baptist Church, which celebrated its 100th anniversary this past August.

Pastor Andrew Yates and the congregation of 160 held its first service on August 21, 1909. Although the congregation is smaller today, its members still make an impact on both the local community and the mission field worldwide. Their commitment to service can be seen in many ways, such as singing at local care centers and retirement homes and sending pens to Botswana that are used to copy chapters from the Bible.

I would like to congratulate the members of Gaskin City Missionary Baptist Church for reaching this milestone and wish them a blessed and joyous celebration as they mark 100 years of service to God and their community, both at home and around the world.

SCHWEITZER ENGINEERING LABORATORIES CELEBRATES 25TH ANNIVERSARY

HON. CATHY MC MorRIS RODGERS
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mrs. McMorRIS RODGERS. Madam Speaker, I rise today to recognize Schweitzer Engineering Laboratories (SEL) and its founder, Dr. Edmund O. Schweitzer III, on the 25th anniversary of the lab’s first sale from its headquarters in Pullman, Washington.

From its first delivery to the Otter Tail Power Company in Fergus Falls, MN in 1984, Schweitzer Engineering Laboratories has grown to provide a variety of power management systems and automated networking devices that are capable of withstanding extreme electrical and mechanical stresses. Ed Schweitzer is a pioneer in the field of power protection, having invented the first all-digital protective relay. This device reduces the cost and complexity of power protection. This digital technology can respond in milliseconds to systems faults and keep millions of customers safely supplied with power.

The spirit of entrepreneurship is alive and well in Eastern Washington. Today, SEL continues to develop the next generation of energy-efficient technologies and to promote smart use of our nation’s natural resources. The company is proud to be 100 percent employee-owned and to serve 126 countries, employing more than 2,000 people here at home and around the world.

Madam Speaker, Schweitzer Engineering Laboratories and Ed Schweitzer represent the creative and bold nature of our country’s innovators and the trailblazing spirit of the Inland Northwest in particular. I ask my colleagues to join me in congratulating Schweitzer Engineering on twenty-five successful years in business and in wishing them many more successful, productive years to come.

HONORING MR. JERRY RASMUSSEN

HON. STEPHANIE HERSETH SANDLIN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Ms. HERSETH SANDLIN. Madam Speaker, I want to take this opportunity to recognize Mr. Jerry Rasmussen, Principal of Dakota Valley High School in North Sioux City, South Dakota. Mr. Rasmussen was named South Dakota High School Principal of the Year by the MetLife/National Association of Secondary School Principals, NASSP, National Principal of the Year Program. This award recognizes the achievements of secondary school principals like Mr. Rasmussen who have succeeded in providing high-quality learning opportunities for students as well as demonstrating exemplary contributions to the profession.

Mr. Rasmussen has proudly devoted 21 years to education, including 10 years as an administrator. Mr. Rasmussen is most proud of his efforts to create a caring, student-centered culture which permeates throughout the community in North Sioux City. Mr. Rasmussen’s devotion to the success and well-being of all of his students and efforts to ensure that all are welcomed at school is an example readily followed by his fellow teachers and staff.

I send best wishes and congratulations to Mr. Rasmussen on this noteworthy honor and commend him for his years of service as an educator in South Dakota.

EXPRESSING CONDOLENCES AND SUPPORT TO INDONESIA IN THE AFTERMATH OF THE EARTHQUAKE THAT STRUCK SUMATRA

SPEECH OF
HON. EDDIE BERNICE JOHNSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. EDDIE BERNICE JOHNSON. Madam Speaker, I rise today in support of H. Res. 810 to express condolences to the people of
Indonesia for the tragic earthquake that struck the island of Sumatra on September 30, 2009. This earthquake took the lives of more than 700 individuals, and many more are injured or remain missing. In addition to the loss of life, the infrastructure of this island was devastated, and this tragedy resulted in the destruction of 80,000 houses, 200 public buildings, 285 schools and 20 miles of road. The Indonesian government has worked rapidly to get relief teams to Sumatra to find survivors, distribute food, and provide medical assistance, as well as assess damage and make plans for the future.

Mr. Speaker, my most heartfelt condolences go out to the people of Indonesia and Sumatra for their suffering, and I join them in grieving. I urge my fellow colleagues to support H. Res. 810 for the people of Indonesia and to remember the victims of this terrible earthquake.

SAINT CECILIA’S CATHOLIC CHURCH 125TH ANNIVERSARY

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to commemorate the 125th anniversary of St. Cecilia’s Catholic Church in Bartelso, Illinois.

In the mid-nineteenth century immigrants of primarily German descent settled in the area. By 1880 there were about 75 Catholic families living in the vicinity, most of whom were members of St. Boniface Church. However, flooding of the Kaskaskia River and Shoal Creek made the roads leading to St. Boniface virtually impassable.

In 1884, St. Cecilia’s Catholic Church was built to better accommodate the area’s families. Building supplies were hauled from the surrounding area to the construction site by horse-drawn wagons. The project culminated in the beautiful church that is still one of the finest in Southern Illinois. The town of Bartelso flourished with the new attention that St. Cecilia’s brought.

I would like to congratulate the members of St. Cecilia’s Catholic Church for reaching this milestone and wish them a blessed and joyous celebration as they mark 125 years of service to God and their community.

IN HONOR OF INTERNATIONAL CREDIT UNION DAY

HON. BRAD SHERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. SHERMAN. Madam Speaker, I rise today to recognize the importance and many achievements of credit unions worldwide in celebration of the 61st annual International Credit Union Day.

The difference credit unions make in the United States by providing affordable and safe financial services to many Americans of moderate means has been significant and widely recognized.

However, the contributions credit unions have made on an international scale are equally notable. Since the mid-1800s, credit unions have established themselves in communities around the world struggling with social dislocation, political unrest and economic depression as a means to promote economic growth and democratic practices at the local level. Today, more than 44,000 credit unions provide financial services to more than 560 million members in 97 nations.

Credit unions make a difference on a global scale by providing access to affordable financial services for those who otherwise would have been excluded from the financial sector. Such financial inclusion is the provision of savings and loans, which enable some of the poorest individuals in the world to start their own microenterprises, improve household stability and stimulate growth in their communities.

Credit unions are the largest source of these microfinance services in countries as diverse as Colombia, Kenya, Russia, Mexico, Thailand and Rwanda.

Credit unions are also at the forefront of expanding access to finance for people living in rural areas who can’t afford the time or money it takes to visit a financial institution. Credit unions are working with the World Council of Credit Unions (WOCCU) to introduce a variety of innovative technology solutions to bank the unbanked in rural areas. In Mexico, credit union officers carry hand-held personal digital assistant (PDA) devices to conduct financial transactions with members in communities located up to 90 minutes from the credit union office. In Kenya, Peru and Mexico, point-of-sale devices enable credit unions to partner with local merchants in rural areas, allowing members to deposit and withdraw money from their credit union accounts. Finally, mobile banking capabilities in Mexico will enable members to check their balances and transfer funds without leaving their homes.

In addition, credit unions throughout the world are filling the agricultural lending gap that has kept the vast majority of small farmers stuck in low-production, low-return cycles.

In countries such as Peru, Kenya and Colombia, credit unions are taking an integrated, value-chain approach to financing that includes access to agricultural training and markets for their products. As a result, farmers are not only increasing their incomes and producing more food for their families, they are also playing a role in securing their nation’s food supply.

Credit unions have also contributed to post-conflict rebuilding of societies and economies in war-torn countries. WOCCU has been on the ground in Afghanistan since 2003, working with communities at the grassroots level to form the country’s first credit unions and rural financial system. Afghan credit unions are known as “Islamic financial cooperatives” in order to comply with Islamic lending practices. They are playing a powerful role in communities, bringing together people from different tribes to work together to finance the individual needs of each other and those of the community through reconstruction projects. In Helmand province, for example, access to credit provides poppy farmers with the opportunity to start a new life by growing alternative crops such as paprika. This will have an impact on the overall security and stability of the region.

As democratically owned and operated not-for-profit financial cooperatives, credit unions also contribute to the democratization of societies. The one-member-one-vote principle of credit unions is often the first vehicle for local expressions of democratic participation.

In many countries, credit unions lead economic democratization, a step closer to political democratization by providing economic security and sustainability and exposing lower-income communities to free-market principles and democratic values that will help eradicate terrorism at its roots.

U.S. credit union members, staff and leagues, along with CUNA and the United States government, support the global work of credit unions and WOCCU. Through WOCCU’s International Parachute Program, 25 U.S. credit union leagues are matched with developing credit union movements overseas to encourage the direct transfer of technology, skills and experience among peers across borders.

Madam Speaker, I ask you and my other distinguished colleagues to join me in commending the work of credit unions, both domestically and internationally, for providing vital financial services that improve the lives of people demonstrating the greatest need around the world. By providing the world’s poor with the most basic financial services, credit unions help expand job opportunities, improve local economies and promote democracy. In short, credit unions offer a sustainable development solution to some of the world’s poorest countries, and this is the “credit union difference.”

COMMENORATING THE 90TH ANNIVERSARY OF THE SAINT BENEDICT PAROCHIAL SCHOOL IN RICHMOND, VIRGINIA

HON. ERIC CANTOR
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. CANTOR. Madam Speaker, I rise today to commemorate the 90th anniversary of the Saint Benedict Parochial School in Richmond, Virginia.

Saint Benedict Parochial School has been serving the Richmond area since 1919 when it opened on the corner of Grove and Belmont Avenues. Classes were temporarily held in the convent, which was moved just a few years later to make room for the proposed school building. An addition to the school was built in 1949 after an increasing number of students outgrew the existing school.

Today, Saint Benedict Parochial School continues to offer a traditional education in a faith-filled environment to both elementary and middle school students. Along with language arts, mathematics, social studies and science, religion is taught as one of the core subjects. In fact, the school motto is Ut in Omnibus Glorificetur Deus, or in other words, “So that in all things God may be glorified!”

In addition to concentrating on their education, Saint Benedict students spend countless hours serving the community. Once a month, students prepare and deliver bagged lunches to the homeless. They also collect canned food for the Central Virginia Food Bank, and have worked to raise money for organizations like the St. Vincent’s Children’s Research Hospital as well as a school in the greater Richmond area that was facing the possibility of closing.
Honoring the 50th Anniversary of Crocker Middle School

Hon. Jackie Speier
Of California
In the House of Representatives
Thursday, October 15, 2009
Ms. SPEIER. Madam Speaker, this year marks the 50th Anniversary of William H. Crocker Middle School in Hillsborough, California.

Crocker Middle School has been recognized as a California Distinguished School seven times, most recently in 2007, and is one of only three schools in the entire nation to be awarded a National Blue Ribbon for Secondary Schools on four occasions. Among the school’s many other rewards, in 1993, Crocker was named to the Royal Swedish Academy of Engineering Science’s “Top Five World Class Schools.”

Crocker Middle School has served the community by constantly reviewing and improving its curriculum and continually striving for academic excellence. The newest addition to the Crocker campus is a building housing a state-of-the-art studio for Hillsborough Television (HTV), band and music instruction rooms, a lecture hall modeled after facilities at Harvard University, and much needed classrooms. This completed a ten year Hillsborough School District renovation project.

Madam Speaker, William H. Crocker Middle School has educated my own children, Jack- son and Stephanie, so I can vouch first-hand to its excellence and the caring and passion of its incredible staff. In addition to strong academic programs in English, mathematics, science, social studies, foreign language, and physical education, Crocker offers electives in the arts and personal development skills such as leadership and public speaking.

The entire Crocker School family believes strongly that its role is to help each child build a foundation that will serve her or him for their entire life. Every aspect of its educational curriculum is designed to build a close, caring community in which every child and every adult is recognized and respected.

Madam Speaker, I am proud to be a William H. Crocker Middle School parent and I salute Crocker’s longtime principal, Janet Chun, who has been a beacon of expanded learning that includes a strong community service component. She follows in the impressive footsteps of her predecessors, Fred Schwartz, Carl Zon, Marilyn Loshin Miller, Dan Kreuzer and Larry Raflo, all of whom deserve our recognition and our gratitude. I congratulate everyone in the Crocker community for half a century of academic and community achievement.

A Tribute in Recognition of the City of Commerce’s 50 Year Anniversary

Hon. Lucille Roybal-Allard
Of California
In the House of Representatives
Thursday, October 15, 2009
Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to recognize the City of Commerce and ask my colleagues to join me in congratulating its residents on the city’s 50th Birthday.

I am proud to represent this unique city—aptly characterized by its motto, the “Model City”—as part of my 34th Congressional District of California.

While we honor the city’s 50 years of official incorporation, the exciting story of the founding and growth of one of Southern California’s leading industrial cities dates back to 1810 when a humble Spanish soldier acquired a Spanish land grant that included the present-day City of Commerce.

The city’s industrial roots began to take hold from 1871 to 1912 when the land’s then-owner, Arcadia Bandini, leased the property to the railroads and other developers—a move that would make the landowner one of the wealthiest women in California.

One of the first industrial manufacturing plants established in the area was a brickyard, the 350 acre Simons Company Plant No. 3. The bricks were used to construct Royce Hall at UCLA, Disney Studios in Burbank and to rebuild San Francisco after the 1906 earthquake.

During the Roaring 20s, Commerce grew from a region of rural farms crisscrossed with freeways ushering in a post-war era of rapid suburbanization. As the community grew, residents determined to avoid higher property taxes and improve city services established the Citizens Committee for Incorporation with the help of local business leaders. On January 28, 1960, the community received the certificate of incorporation and became the 67th city in Los Angeles County.

Fifty years later, the City of Commerce is still flourishing. It is a diverse community of more than 13,000 people and 1,700 businesses. To keep up with the changing times, the city successfully brought about the diversification and transformation of the city’s industrial base throughout the 1970s and 80s. Today, the city maintains much of its manufacturing and goods-distribution base while successfully converting former industrial land to lucrative commercial uses like the Citadel outlet mall, which occupies the site of the U.S. Rubber tire factory.

In the city, however, retains its small town appeal by providing an unmatched range of programs and services. The city operates an award-winning library system, four city parks, a fare-free public transit service and a camp in the San Bernardino Mountains.

Through the city’s commitment to providing recreational opportunities to area youth, the city takes pride in producing numerous state and national champions, including two members of the 2008 Olympic Silver Medal United States Women’s Water Polo Team and one member of the United States Boxing Olympic Team.

Commerce also remains committed to improving the environment and reducing emissions from trains, trucks and stationary sources of air pollution and is in the process of building a Liquid Natural Gas/Compressed Natural Gas fueling station for eco-friendly vehicles.

The City of Commerce will mark its 50th Birthday in 2010 with a series of community events throughout the year, including its annual Cake Cutting, July Celebration, Miss Commerce Pageant, and Summer Safety Fair.

I am honored to recognize this historic milestone in this city’s rich history.

Madam Speaker, I ask my colleagues to join me in celebrating Commerce’s first 50 years as a vibrant community continues to live by its motto the “Model City” and work toward a prosperous future.

Testimonial on Susan G. Komen Race for the Cure Foundation and Breast Cancer Awareness Month

Hon. Henry E. Brown, Jr.
Of South Carolina
In the House of Representatives
Thursday, October 15, 2009

Mr. BROWN of South Carolina. Madam Speaker, I stand today as a proud cosponsor of a resolution honoring Nancy Goodman Brinker, founder of the Susan G. Komen for the Cure Foundation.

This October marks the 25th anniversary of National Breast Cancer Awareness Month and the 27th anniversary of Komen for the Cure.

In the Palmetto State, breast cancer occurs more frequently than in many other regions. The Susan G. Komen Race for the Cure was conceived as a way to create awareness about breast cancer prevention and treatment, to raise funds to help support research, and to provide support for those affected by breast cancer.

The Susan G. Komen Race for the Cure has become the leading breast cancer race in the nation, raising millions of dollars for breast cancer research, education, and community outreach.

The Susan G. Komen Race for the Cure is held in cities across the United States and in many countries around the world. The races bring together thousands of participants from all walks of life who are united in their commitment to eradicating breast cancer.

The Susan G. Komen Race for the Cure Foundation is dedicated to creating a world without breast cancer by funding and supporting research, care, and community outreach programs. The foundation is the leading advocate in the fight against breast cancer and is committed to helping women and men who are affected by the disease.

Madam Speaker, I am proud to support this important cause and to encourage all Americans to join together in the fight against breast cancer.
A TRIBUTE TO GREEN COUNTY HIGH SCHOOL LADY DRAGONS GOLF TEAM

HON. BRET GUTHRIE
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. GUTHRIE. Madam Speaker, I rise today to honor the Green County High School Lady Dragons Golf Team on their outstanding performance this season.

On October 10, 2009, the team won Green County High School's first KHSAA Girls State Golf Championship, bringing statewide attention to their school.

Under the leadership of Coach Rick Davis, the Lady Dragons remained steadfast throughout the tournament weekend and shot an impressive two-day total of 113-over par to win the tournament by six shots.

To reach the state championship tournament, the Lady Dragons won the 4th Region Title on September 29, 2009, in a two-hole playoff, defeating Glasgow High School, the defending state champion.

The Lady Dragons' performance is a testament to their hard work and dedication. I want to congratulate team members Sydney Agee, Cassidy Scantland, Leah Rose Judd, Olivia Parrott, Sydney Smith, and Kate Larimore and Coach Rick Davis and wish them nothing but the best in their future endeavors.

MARITIME WORKFORCE DEVELOPMENT ACT

SPEECH OF
HON. SHEILA JACKSON-LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise before you today in support of H.R. 2651, the “Maritime Workforce Development Act”. I would like to thank my colleague, Rep. CUMMINGS, for introducing this act, as well as the co-sponsors.

This bill would amend Title 46 of the United States Code to direct the Secretary of Transportation to establish a student loan program to attract the next generation of workers to the good paying jobs available in the maritime industry. The loan program will also help those already in the industry obtain the certifications and training they need to move ahead in their careers.

According to the Bureau of Transportation Statistics, in 2006, there were more than 38,000 on-the-water jobs in sea, coastal, and Great Lakes transportation, and nearly 23,000 in the inland water transportation industry. Many of those who currently work in the industry are nearing retirement age. Thus, the Maritime Administration indicated that at the time of our hearing, the average age of a mariner with a Master’s license was 51 while the average age of a Chief Engineer was 50.

Additionally, significant new standards for training and continuing education have been applied through the 1995 amendments to the Convention on the Standards of Training, Certification, and Watchkeeping. These standards have rightly been set to improve safety in the maritime industry by reducing human factors as the causes of maritime accidents but they have also imposed expensive and time-consuming training requirements on mariners—particularly on those who are looking to upgrade a document or license to move up the career ladder.

While there are many facilities in the United States that provide outstanding training programs for those seeking to enter or advance in the maritime field, tuition can be very expensive. Further, the types of training programs in which mariners enroll are unique—and are not easily served by existing loan programs. Mariners who have already begun their careers rarely enroll in 2- or 4-year educational programs. Instead, they typically enroll in multi-week courses to obtain a specific new certification—and they enroll in such courses several times a year.

This bill provides a loan program to individuals in the maritime industry that is tailored to their specific needs and to the types of training programs that serve them. Using the model of existing student loan programs, it creates a maritime-focused student loan program through which individuals can receive up to $60,000 in loans over the course of a lifetime. This grant program would support the growing number of maritime-themed educational institutions—including high schools—throughout the country as they work to expand maritime education opportunities and attract new individuals, both in- and out-of-workforce, to the maritime field. The bill also authorizes the appropriation of $10 million in each of fiscal years 2010 through 2015 to support loans. Additionally, this legislation authorizes the appropriation of $10 million in each of fiscal years 2010 through 2015 to enable the Department of Transportation to award grants to maritime training institutions to support their efforts to develop and implement programs to address mariner recruitment, training, and retention issues.

HONORING THOMAS AND THERMA ZEKOS

HON. JAMES P. MCGOVERN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. MCGOVERN. Madam Speaker, I rise today in honor of my good friends the late Thomas and Thelma Zekos of Shrewsbury, Massachusetts. Mr. and Mrs. Zekos inspired many of their colleagues asDemocratic candidates. They always went the extra mile. I will be forever grateful to them for their support and friendship over the years.

Mr. and Mrs. Zekos were proud to make Shrewsbury their home knowing it was an excellent place to raise a family. They wanted the best for their children and instilled in them strong values and believed a quality education was absolutely essential. Their formula for a bright and successful future was to work hard and play by the rules.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as a proud cosponsor of H. Res. 445, a resolution recognizing 100 years of military aviation and expressing continued support for the military aviators of the United States Armed Forces.

Military aviators have had a long history of defending our nation at home and abroad, as well as supplying humanitarian assistance throughout the world. From the very first military purchase of the Wright Military Flyer in 1909, we have been privileged as a nation for the service of the world’s best aviators, as well as the finest platforms in which they fly. In fact, the most technologically advanced fighter jet in the world is the F-22A Raptor—proudly manufactured in the 11th District of Georgia—which is my honor to represent. Throughout both World Wars, the Vietnam War, and Operations Iraqi and Enduring Freedom, aviators have been a critical component to successful combat from establishing air superiority to providing invaluable logistical and intelligence support to the Armed Forces.

Mr. Speaker, we must take a moment to recognize the communities around the nation that lend support to these aviators and their families. Again, I am proud to mention Marietta, Georgia, which is in my district and is home to Dobbins Air Reserve Base. The 94th Airlift Wing at Dobbins is part of the Air Force Reserve Command and provides the Department of Defense with exceptional C-130 Hercules training and combat-ready units ready to
deploy on short notice to support more than 10,000 guardsmen, reservists, and civilians at the world’s largest joint air reserve base.

With our military engaged in two wars, this chamber must take the opportunity to express thanks to all of our military aviators and other troops abroad. We must remember that the values and ideals we espouse as a nation, I believe that the brave men and women who sacrifice for our present freedoms deserve our fullest support. Our nation’s service men and women represent the best our country has to offer, and they must be treated with the respect and honor they deserve. As we ask these courageous soldiers, sailors, airmen, and marines—and their families—to do more and more, it’s only right we continue doing all we can for them. Recognizing 100 years of military aviation is just one reminder of the superior job our troops perform for America at home and abroad, and it is my hope that we will continue to do all we can and more for the members of our Armed Forces.

Mr. Speaker, I urge all of my colleagues to support this resolution.

HONORING THE OFFICE OF PARKS AND RECREATION, CITY OF OAKLAND

HON. BARBARA LEE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. LEE of California. Madam Speaker, I rise today to honor the 100th Year Anniversary of the City of Oakland’s Office of Parks and Recreation (OPR). On July 25th, at an Old Fashion Community Celebration at deFremery Park, Oakland residents were invited to join those of Park and Recreation programs that provide social, physical activity and personal development through the beauty of its open spaces.

PERSONAL EXPLANATION

HON. BILL SHUSTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. SHUSTER. Madam Speaker, on rollcall Nos. 775, 776, 777, 778, and 779, I was not present due to a family commitment in Pennsylvania. Had I been present, I would have voted “yea” on 775, “yea” on 776, “yea” on 777, “yea” on 778, and “yea” on 779.

A TRIBUTE TO JUDGE GARLAND HOWARD

HON. BRETT GUTHRIE
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. GUTHRIE. Madam Speaker, I rise today to honor Former Davisi Circuit Judge Garland Howard, a true Kentuckian. Mr. Howard is well-known in the Owensboro community as a valued leader, visionary and hard-worker. Mr. Howard, who had been Daviess County Master Commissioner since 1985, was appointed to the court judgeship by Governor Paul Patton in 1995. His passion and love for the Ohio River was expressed through his development projects, which inspired and led the way for growth and expansion in Owensboro.

Even though Mr. Howard gave so much of himself to his community, the love he gave to his wife Mary Ann and to his children was unparalleled. Mr. Howard passed away on October 7, 2009. Our thoughts and prayers are with the entire Howard family.

Mr. Speaker, I believe Howard will be remembered by the amazing legacy he leaves behind, through the lives he touched, the projects he created and the children who he taught by example to be community leaders in their own right.

IN RECOGNITION OF VIETNAM WAR VETERANS EVENT

HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. SKELTON. Madam Speaker, on September 12, 2009, the Honorable Emanuel Cleaver, Congressman from Missouri’s Fifth Congressional District, sponsored a remarkable event at the Truman Library. This event was in honor of those who fought in the Vietnam War in the late 1960s and early 1970s. Well over 1,000 veterans attended. The Honorable Dennis Moore, Congressman from Kansas’s Third Congressional District, spoke, and yours truly had an opportunity to deliver a message of gratitude to the Vietnam veterans present. The keynote speaker was Major General (Ret.) Robert H. Scales, former commandant of the U.S. War College. His address was very well received by the veterans in the audience. The address is as follows:

[Sept. 12, 2009]

TRUMAN LIBRARY SPEECH

(By MG (Ret.) Robert H. Scales)

Mr. Skelton, Mr. Cleaver, distinguished guests and, most importantly, fellow veterans. What a great thrill it is to see my comrades in arms assembled here so many years after we shared our experiences in war.

Let me give you the bottom line up front: I’m proud I served in Vietnam. Like you I didn’t kill innocents, I killed the enemy; I didn’t fight for big oil or for some lame conspiracy. I fought for a country in the line of fire, and for the buddies who kept me alive. Like you I was troubled that, unlike my father, I didn’t come back to a grateful nation. It took a generation and another war, Desert Storm, for the nation to come back to me. Also like you I remember the war being 99 percent boredom and one percent pure abject terror. But not all my memories of Vietnam are terrible. There were times when I enjoyed my service in combat. Such sentiment might seem strange to a society today that has, thanks to our superb volunteer military, been completely insulated from war. If they thought about Vietnam at all our fellow citizens would imagine that fifty years would have been sufficient to erase this unpleasant war from our consciousness. Looking over this assembly it’s obvious that the memories linger, and those of us who fought in that war remember.

The question is why? If this war was so terrible why are we here? It’s my privilege today to try to answer that question not only for you, brother veterans, but maybe for a wider audience for whom, fifty years on, Vietnam is as strangely distant as World War One was to our great-great generation. Vietnam is seared in our memory for the same reason that wars have lingered in the
minds of soldiers for as long as wars have been fought.

From Marathon to Mosul young men and now women have marched off to war to learn that there is no easy way of winning. In a technologically advanced society our prospects of killing another human being heighten the senses and sear these experiences deeply and irrevocably into our souls and lives. We may never wake from the dreams of our experiences.

After Vietnam we may have gone on to thrilling lives or dull; we might have found love or lost it, success or failure. But our experiences have stayed with us in brilliant Technicolor and with a clarity undiminished by time. For what ever primal reason war heightens the senses. When in combat we see the world more sharply, hear more clearly and develop a sixth sense about everything around us.

Remember the sights? I recall sitting in the jungle and watching the setting sun. The sounds? Merle Haggard and Jefferson Airplane? Or could you stand outside a bunker and listen to the whistling of flying shrapnel, the whistling of flying fragments. Remember the smells? The sharpness of cordite, the choking stench of rotting jungle and the tragic sweet smell of enemy dead . . .

I remember the touch, the wet, sticky sensation when I touched one of my wounded soldiers one last time before the medevac rushed him forever from our presence but not from my memory, and the guilt I felt re- alizing that his pain was caused by my inattention and disinterest.

Even taste is a sense that brings back memories. Remember the end of the day after the log bird flew away leaving mail, C rations and warm beer? Only the first ser- geant had sufficient grattitas to be allowed to turn the C ration cases over so that all of us could reach in and pull out a box on the unlabeled side hoping that it wasn’t going to be ham and lima beans again.

Look, forty years on I can forgive the guy who put powder in our ammunition so foul that it killed his unit without him knowing. I can forgive the helicopter that arrived too late. I am over ar- tillery landing too close and the occasional canceled air strike. But I will never forgive the Pentagon bureaucrat who in an incred- ible lame moment thought that a soldier would open a can of that green, greasy, gelatinous goo called ham and lima beans and actually eat it.

But to paraphrase that iconic war hero of our generation, Forrest Gump, “Life is like a box of rations, you never know what you’re going to get.” Because for every box of ham and lima beans there was that rap- turous moment when you would turn over the box and discover the buckhannonian joy of peaches and pound cake. It’s all a metaphor for the surreal nature of that war and its small pleasures . . . those who have never known war cannot appreciate that anyone could find joy in hot beer and cold pound cake. But we can . . .

Another reason why Vietnam remains in our consciousness is that the experience has made us better. Don’t get me wrong. I’m not arguing for war as a self improvement course. And I realize that war’s trauma has damaged the souls of fellow veterans physi- cally, psychologically and morally. But re- cent research on Post Traumatic Stress Dis- order by behavioral scientists has unearthed a phenomenon called survivor guilt. I believe that the trauma of war strengthens rather than weakens us (They call it Post Trau- matic Growth). We know that a near death experience makes us better leaders by in- creasing our self reliance, resilience, self image, confidence and ability to deal with adversity. This is the approach of the future wiser, more spiritual and content with an amplified appreciation for life. We know this is true. It’s nice to see that the human spirit is capable and occasionally die for each other. It’s as simple as that. What brought us to fight in the jungle was no dif- ferent than the motives for war that compels young soldiers today to kick open a door in Ramadi with the expectation that what lies on the other side is either an innocent hud- dler or a terrorist. I used to think the jen- surgent yearning to buy his ticket to eter- nity by killing the infidel. No difference. Pa- triotism and a paycheck may get a soldier in and the military but fear of letting his bud- dies down gets a soldier to do something that might just as well get him killed.

What makes a person successful in America today is a far cry from what would have made him a success in the minds of those as- semblies here today. Big bucks gained in law or real estate, or big deals closed on the stock market made some of our countrymen rich. But as they have grown older they now realize that they have no buddies. There is no one they are willing to die for or who is willing to die for them. William Man- chester served as a Marine in the Pacific dur- ing World War II and put the sentiment pre- cisely when he said, ‘‘The Vietnamese, like all combat who lacks comrades who will die for him, or for whom he is willing to die is not a man at all. He is truly damned.’’

The Anglo Saxon heritage of buddy loyalty is long and frightfully won. Almost six hun- dred years ago the English king, Henry V, waited for a cold and muddy battlefield to form, a French army of 150,000 man 8 miles away. Shakespeare captured the ethos of that mo- ment in his play Henry V. To be sure Shake- speare wasn’t there but he got it right because he understood the emotions that gripped the bonds that brought together both king and soldier. Henry didn’t talk about national strategy. He didn’t try to jus- tify faulty intelligence or ill formed com- mand decisions that put his soldiers at such a terrible disadvantage. Instead, he talked about what made Englishmen great and what in all probably would allow them to prevail the next day against terrible odds. Remember this is a monochralk to his men.

This story shall the good man teach his son; From this day ending to the ending of the world, But we in it shall be remembered; We few, we happy few, we band of brothers; For he today that sheds his blood with me shall be my brother; And gentlemen in England (or America) now a-bed Shall think themselves accursed they were not here, And hold their manhood’s cheap where’s any speaks That sought with us upon Crispin’s day, You all here assembled inherit the spirit of St. Crispin’s day. You know and understand the strength of comfort that those who protect, those in America now abed, will feel when they hear your words. You know awareness and personal satisfaction that those who watched you from afar in this country who “hold their manhood cheap” can never know.

I don’t care whether America honors or even remembers the good service we performed in Vietnam. It doesn’t bother me that the memory of Vietnam did not come from the social elite. We didn’t have Harvard degrees or the pedigree of po-
Mr. CAMPBELL. Madam Speaker, I rise to pay tribute to Mr. Brian Burke, Executive Vice President and General Manager of the Anaheim Ducks Professional Hockey Team from 2005 to 2008. Mr. Burke is one of Orange County’s most dedicated, distinguished, and honorable citizens. Born in Providence, Rhode Island, and raised in Edina, Minnesota, Brian resides with his wife Jennifer and has six children: Katie, Patrick, Brendan, Molly, Mairin, and Grace.

In 2007, Mr. Burke guided the Anaheim Ducks to the first Stanley Cup Championship in California history, and in 2008 he received two outstanding honors: On June 6th, he was chosen by USA Hockey as General Manager of the 2008 U.S. Olympic Men’s Hockey Team, and on August 7th he was named a recipient of the 2008 Lester Patrick Award for outstanding service to hockey in the United States. Burke is also the General Manager of the 2009 USA World Championships Team. Madam Speaker, Brian Burke is an American citizen with a passion for supporting the United States military. Mr. Burke organized a first-of-its-kind two-day event to support the families of active duty military personnel at the Honda Center in 2008. The event, which included Ducks’ players and their families, welcomed “Operation Homefront”—a non-profit organization that provides emergency assistance and morale to our troops, the families they leave behind, and injured soldiers upon their return home. Brian also supported the “Wounded Warriors Project,” a non-profit organization that assists severely wounded soldiers to transition back into life when they suffer from serious and traumatic injuries. To recognize our Wounded Warriors and the United States Marines, Brian Burke and the Anaheim Ducks delivered the Stanley Cup for its first ever visit to Camp Pendleton in 2007.

Mr. Burke has also been very involved in Orange County charities. He has served as a Board Member on the Board of Directors for the Children’s Hospital of Orange County (CHOC) as well as supported and donated to the Orangewood Children’s Foundation, Share Ourselves and the Children’s Bureau. Brian also promoted cancer awareness in the Orange County community by launching “Hockey Fights Cancer” nights at Ducks’ games.

I know Mr. Burke’s family is extremely proud of his accomplishments, as am I. He has worked tirelessly to improve his community and his efforts should be emulated by future community leaders.

HON. BRETT GUTHRIE
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. GUTHRIE. Madam Speaker, I rise today to honor the Bernheim Forest and their recent recognition from the Environmental Protection Agency.

The Bernheim Forest Arboretum Visitors Center in Clermont, Kentucky, won two of EPA’s Lifecycle Building Challenge awards for a professional building and for a building with the best greenhouse gas reduction.

EPA’s Lifecycle Building Challenge recognizes innovative green building ideas that reduce environmental and energy impacts. Reusing building materials assists the building industry in reducing more than 88 million tons of building-related construction and demolition debris that are typically sent to landfills in the United States each year.

The Bernheim Forest Arboretum Visitors Center incorporates the surrounding forest into the building’s design. The staff and board at the Bernheim Forest are committed to our natural environment and this visitor’s center is a solid example of that commitment.

Construction of the center emphasized safe materials made of biological nutrients, which break down to safely return to forest soil, as well as technical nutrients which can be re-manufactured into new objects.

I congratulate the work of the individuals who made this building a reality and honor the staff and board at Bernheim Forest, whose passion for the environment make it possible for Kentuckians to connect with nature.
Madam Speaker, I am proud to honor Mr. Brian Burke today as an outstanding American citizen and community leader.

HONORING MICHAEL LOUIS VONBEHREN

HON. JAMES P. MCGOVERN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. MCGOVERN. Madam Speaker, I rise today in honor of the late Michael Louis VonBelen of Shrewsbury, Massachusetts. At Michael's young age he already symbolized what we all hope to be. He actively exhibited enthusiasm for academics, for community service and for the Democratic Party. In acknowledgement of his commitment and dedication to the Shrewsbury Democratic Town Committee, this year's annual Eleanor Roosevelt Humanitarian Youth Award is dedicated in his memory.

Michael VonBelen was an engaging young man who loved the democratic process. Michael was a student at Shrewsbury High School where he was involved in clubs such as Young Democrats, Political Action Group, and Model U.N. Although he was involved in various clubs and organizations, he still found the time to serve his community. Michael was a caring and kind young man who loved to help those that were less fortunate. He read to homeless children at a local shelter and was a talented video producer at his high school. Michael VonBelen was one of those rare teenagers that crossed normal boundaries and surrounded himself with those that shared his interests and beliefs whether they were his peers or a fellow volunteer on the campaign trail. There is no way of knowing what Michael would have done in the future. All that is sure is that he would have made a difference in our world. Michael was an exemplary student and citizen who showed others kindness and enthusiasm everyday of his life.

Michael's unflinching commitment to fairness and justice and his dedication to public service greatly benefited our community. In tribute to his outstanding service to the community of Shrewsbury, I am proud to honor the memory of Michael Louis VonBelen with the dedication of the Eleanor Roosevelt Humanitarian Youth Award to him. I know all my colleagues will join in paying tribute to him today.

A TRIBUTE TO COLONEL CHARLES E. WILLIAMS, JR.

HON. BRETT GUTHRIE
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. GUTHRIE. Madam Speaker, I rise today in honor of Colonel Charles E. Williams, Jr., who has virtually served the United States and the Commonwealth of Kentucky.

Colonel Williams was commissioned as a second lieutenant in 1986 upon his graduation from the U.S. Military Academy at West Point. During his career he has served both at home and overseas and as Military Aide to both President Bill Clinton and President George W. Bush.

On October 1, 2007, Colonel Williams assumed command of the U.S. Army Special Missions Brigade at Fort Knox, Kentucky. As the Commander, he oversees the In-Service Recruiting of Special Operations, Warrant Officers and Chaplains, as well as the Logistics and Administrative Support for 1600 recruiting stations across the country.

Colonel Williams' decorations are numerous. Throughout his career he has been an inspiration and example to both soldiers and civilians alike. He has represented his country proudly as a man of honor and a true patriot.

After years of dedicated service, Colonel Williams has decided to retire. I honor him today because of his dignified and steadfast commitment to the citizens of this country and the Commonwealth of Kentucky.

IN HONOR AND REMEMBRANCE OF WILLIAM J. McCARTHY

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of William J. "Bill" McCarthy, a U.S. Navy Veteran who was devoted to his family and friends. His leadership and work on behalf of the American laborer continues to strengthen and protect workers' rights throughout the Cleveland community.

Mr. McCarthy was born and raised in Cleveland, Ohio, where he later raised his own family. In 1956, he met and married the late Margaret J. Pawlak. Together they had four children: Marge, Kelly, William and Kevin. Their children, ten grandchildren and great-granddaughter were the most important part of their lives.

Following his honorable discharge from the Navy, Mr. McCarthy began working as a meter reader with East Ohio Gas Company. He quickly ascended the union ranks to become one of the most powerful and effective labor leaders in Cleveland. He represented thousands of workers at East Ohio Gas, and led numerous strikes that won significant concessions in wages, benefits and safety improvements for workers. He was known for never giving up or backing down from what he believed was just and right. Mr. McCarthy's work on labor issues extended throughout Northeast Ohio, where he forged strong bonds with labor leaders, elected officials and workers. He served as Chairman of the AFL-CIO, President of the Ohio Joint Council of the Service Employees International Union, vice-president of Union Eye Care and as a board member with the Cleveland-Cuyahoga County Port Authority.

Madam Speaker and colleagues, please join me in honor and remembrance of William J. "Bill" McCarthy, who had an unwavering devotion to his family and country, and whose work on behalf of workers' rights will continue to reinforce the labor foundation of the Cleveland community. I extend my heartfelt condolences in force the labor foundation of the Cleveland community. I extend my heartfelt condolences to his family and country, and whose work on behalf of workers' rights will continue to reinforce the labor foundation of the Cleveland community.

IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. Townsend. Madam Speaker, I rise today in recognition of Jacques Guillaume, MD, for his record of extraordinary service to New York's Tenth Congressional District. Dr. Jacques Guillaume was born in Haiti, studied both law and medicine at the State University of Haiti, then continued his studies here in the United States. Here he has combined his twin passions—law and medicine—to address the inequalities of justice and the inadequacies of health care in low-income communities. Dr. Guillaume has also held several managerial positions in the medical field, including Director of the Residency Training Program at the Catholic Medical Center, Director of OB/GYN at Mary Immaculate Hospital and St. Joseph. He currently serves as the Chair of the Gynecology Department at the Interfaith Medical Center. Dr. Guillaume is a recognized leader in the OB/GYN community, publishing many articles in peer-reviewed journals. He frequently appears on television and radio programs to discuss health conditions. He clearly has a strong love of science and a real sense of justice.

Madam Speaker, I urge my colleagues to join me in recognizing Dr. Jacques Guillaume.

PERSONAL EXPLANATION

HON. MAZIE K. HIRONO
OF HAWAII
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. HIRONO. Madam Speaker, on rollcall Nos. 775, 776, 777, 778, 779, had I been present, I would have voted “yea.”

CELEBRATING 90 YEARS OF UNITED STATES-POLISH DIPLOMATIC RELATIONS

SPEECH OF
HON. SHEILA JACKSON-LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 14, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 266, which celebrates 90 years of the United States-Polish diplomatic relations. During which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world. I support this resolution because Poland is an important ally, partner, and friend to the United States.

My home town of Houston, Texas has a strong connection with Poland. Texas has long been an important destination for Polish people immigrating to the United States. In 1818 a handful of Polish immigrants arrived in Texas seeking refuge from turmoil in Europe. Immigration from Poland increased in the 1850s as severe weather, economic hardship, a food shortage, and disease spurred people to seek better fortunes elsewhere. Texas received another wave of Polish immigrants in
Mr. FRANK of Massachusetts. Madam Speaker, I have never learned more in my life than I have learned since 1992 when at the vote of the Massachusetts Legislature, the city of New Bedford and the town of Fairhaven were included in the congressional district I represent. These two communities together form the most successful fishing port in the U.S., and that industry enriches New Bedford and the surrounding areas not just economically but culturally and socially as well.

One of the leaders in that industry is Jim Kendall, a fisherman himself who has served in a number of important posts in helping protect that industry and the people involved. He recently wrote an eloquent introduction about his efforts, which he submitted to the Record. Mr. Kendall's statement points out, as Jim Kendall's statement points out, as Jeff Kendall's statement points out, that it's been extremely time-consuming in providing support for this industry. The work they have done for the open display auction has been unbelievable in many ways, which has inspired me to ask that Jim Kendall's statement be printed here as an example of the kind of economic leadership individuals can provide to our community.

OFFSHORE MARINES WIVES' ASSOCIATION, September 27, 2009.

INTRODUCTION OF 2009'S "FRIENDS OF THE FISHING INDUSTRY"

This year's award to the Friend of the Fishing Industry is a bit different as we are proud to announce that the award is going to not just one, but two individuals. Not only have they contributed to the fishing industry here in New Bedford, but their efforts have extended throughout New England.

It's not often that you find two people who have come so far in a relatively short period of time, that they have done so much for the fishing industry that they obviously care so much about. Their innovation and foresight has not only proven to be a sound business venture for them, but a boon and stabilizing factor for the Greater New Bedford fishing fleet. It hasn't stopped there either, for the industry that they obviously care so much about. The innovation and foresight has not only proven to be a sound business venture for them, but a boon and stabilizing factor for the Greater New Bedford fishing fleet. It hasn't stopped there either, for the industry that they obviously care so much about. Their innovation and foresight has not only proven to be a sound business venture for them, but a boon and stabilizing factor for the Greater New Bedford fishing fleet.

They pioneered the concept of the open display auction here in New Bedford at a time and place when many of us doubted it could succeed. In 1985 through 1986 the industry had gone through a traumatic strike that changed the way business had been done for many years. The New Bedford seafood auction ceased to exist, and a buyers auction that replaced it, had also closed its doors. The industry was in turmoil, with little or no sense of balance that had existed for many years before. The New Bedford seafood auction ceased to exist, and a buyers auction that replaced it, had also closed its doors. The industry was in turmoil, with little or no sense of balance that had existed for many years before.

They felt that an open display auction could work and benefit the fishermen, and the port of New Bedford, and they set about to prove it. It wasn't easy, it never is. They are convinced that there is a better way to do business, and that the industry had been doing in basically the same way for many years. They have proven that they were right, and the New Bedford fishing industry has benefited greatly because of it. The auction has provided stability to the sale of fresh fish and scallops, along with the recognition that New Bedford is still the port to go to for your best seafood.

Their efforts in beginning the auction and the continued developments have, helped the port of New Bedford regain the title of the richest fishing port in the country, and continues to help us maintain that distinction. Recently they opened another display auction in the port of New Bedford, which is attracting fishing vessels to a port that was all but abandoned by the fishing industry. This is in direct contradiction to what has been occurring elsewhere, with the devastating changes for other ports that have lost not only their auctions, but their fishing industries and communities.

Their involvement has deepened over the years with them becoming deeply involved with the management process and fishery science. Working with, most notably, Drs. Brian Rothschild and Kevin Stokesbury from the School for Marine Science and Technology at the University of Massachusetts, Dartmouth. They have also helped to organize the fishermen not only here in New Bedford, but in Gloucester as well.

What may turn out to be one of their most important innovations is the Project to Save Seafood and Ocean Resources, along with its associated website, Savingseafood.org.

At a time when information is king, providing factual and unadulterated information to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial. There is a need for an accurate and comprehensive guide to the American public is crucial.
and life-long buddy, Thornton J. Meacham, Jr., Esq., as we celebrate one of Harlem’s greatest legal advocates at the great Cathedral of Riverside Church in Harlem today. As I speak with profound honor and respect for my friend Thornton, I ascend to celebrate a life well-lived and to also remember the many legal professionals of this generation. Thornton Meacham etched his name in history as a passionate and dedicated legal advocate for all African-American lawyers and legal professionals throughout this city and Nation.

Thornton’s death on October 4, 2009, brought immense sorrow and loss to me, his family, his friends, and to the countless lives he touched over the years in our beloved community. I am blessed to say that I was able to have spent some time with Thornton during his final days. As we said our goodbyes, he left in my heart a reminder of all the many exciting moments of his life and all of the good times we shared together. He was undeniably one of Harlem’s greatest lawyers, largely responsible for blacks being admitted to the legal profession. This strong, kind and excited man represents Harlem in all of its glory, and we are all consumed by his passing.

Thornton J. Meacham, Jr. was born on March 10, 1917 in Terrell, Arkansas as the first son of William T. Andrews Meacham and Celesta. His younger brother, Dr. Henry Wade Meacham, who also had an outstanding professional career passed away in 2004. After the family moved to Jackson, Tennessee, Thornton attended public school and graduated from Lane College. Upon his graduation from college, Thornton was accepted to attend law school at Harvard University, Columbia University and New York University, but chose to attend Fordham University, thus becoming the second African American to attend Fordham Law School in 1942. Just a few years ago, we all celebrated Thornton’s 66th Anniversary of his graduation from Fordham Law School. He loved Fordham Law and dedicated his entire life to helping young aspiring lawyers.

Admitted to the Bar in 1943, Thornton set the mark that raised the bar for all of us. He was the first Black attorney to join the legal staff of the Office of Price Stabilization on Broadway in New York; first to argue a case before the United States Court of Appeals for the Second Circuit; first African American to be featured on the cover of The New York Law Journal; first to try both criminal and civil cases in the Bronx and Queens County Courts; and the first to open a law practice in Harlem.

Thornton always spoke of his experiences in the 1950s when the New York City Bar Association refused him membership due to his race. During segregation, he tried and won cases in Florida, North Carolina, Virginia and New Jersey. He represented Hulan Jack, Congressman Adam C. Powell, Dorothy Dandridge, Louis Armstrong, Bessie Burchan, Miles Davis, the NAACP and Carver National Bank—a legacy of history that makes us all proud to be Americans.

Thornton Meacham was Counsel to the law offices of Andrews, Williams, and T. Andrews, Judge Harold Stevens and Attorney John Briggs. He later became a Law Partner to Judge Thomas Dickens. Thornton, along with some of Harlem’s elite class of attorneys, co-founded the Harlem Lawyers Association, which later merged into the Metropolitan Black Bar Association.

Thornton Meacham was a very active member of the National Bar Association (NBA) and was acknowledged as a legal dignitary by the organization on several occasions. He was a recipient of the NBA Wiley A. Branton Issues Award and in 1994, he was inducted into the prestigious National Black Association Hall of Fame, which recognizes lawyers who have practiced for over 40 years and have made significant contributions to the cause of justice. Thornton was a member of the Alpha Phi Alpha Fraternity and the Williams Institutional Christian Methodist Episcopal Church in Harlem.

Meacham’s extraordinary accomplishments as a revered legal professional exemplified the pioneering leadership of many through his commitment and exemplary service to the legal community. He will long be remembered for his extraordinary commitment, humor, live-liness, energy, wisdom, discipline, principle and clear purpose which won the admiration of all who were privileged to come to know and work with him during his distinguished career.

Madam Speaker, I consider myself fortunate to have had the opportunity to observe and experience first-hand his example as a person, an attorney. Though Thornton is no longer with us, we will continue to keep his memory alive in our hearts and minds, and continue to honor his legacy with our advocacy for the issues he cared about the most.

HONORING MILDRED ROSS BEAN

Ms. LEE of California. Madam Speaker, I rise today to honor the extraordinary life of Mrs. Mildred Bean of Walnut Creek, California. A proud mother, grandmother, sister, and friend. “Millie” was exemplary in her unconditional familial devotion, diligent work ethic, dedicated national service, and her love of arts and travel. With her passing on May 27, 2009, we look to Millie’s family to remind us of her life’s journey and the joyful legacy she inspired.

Mildred Ross was born on January 30, 1934 in Sacramento, California. After graduating high school, Millie began local secretarial work for the government. As her family fondly fondly tells it, Millie met her husband, Richard “Dick” Bean when he spotted her in a red party dress. The two were soon married and embarked on a military career that would span the next two decades.

Over the following ten years, Millie and Dick raised their three young children on Long Island, New York’s Suffolk County Air Force Base. After a brief assignment in North Carolina, the family moved to Clark Air Force Base located in the Philippines.

It was there that Millie and her family had the great joy of spending two years stationed together with Dick and their children, Laura’s husband Joe, and their four children. Millie also enjoyed her time abroad by cultivating a love of travel. She and Dick were able to visit Singapore, Bangkok, Saudi Arabia, India, Spain, and Thailand during their time in Southeast Asia.

The family eventually returned to California for their last assignment on Travis Air Force Base. After Dick retired as an Air Force Lieutenant Colonel in 1973, they coupled their military career with work at the University of California. When the Bean’s two eldest children had left for college and their youngest was a high school sophomore, Millie returned to work and decided to pursue a college degree herself.

While working full time, Millie graduated Cum Laude from the University of San Francisco with a Bachelor of Arts degree. Millie then began a respected career with the Alameda Naval Air Station where she earned numerous awards, including the Meritorious Civilian Service Award, the highest honor given by the Navy to a civilian. At the time of her retirement in 1996, Millie had contributed 27 years of service to the Navy and was a GM-13 Performance Review Division Head.

In the midst of many accomplishments, Millie was quick to remind others that she was most proud of her children, Tony Bean, Kimberly Perry, and Laurie Adams. Millie’s highest priority was to nurture and enjoy her extended family, which grew as her children married their spouses and gave Millie and Dick five beautiful grandchildren.

I have known Millie for many years. Her generosity, her friendship and her beautiful smile will forever be etched in my heart. She was a consistent supporter and encouraged me every step of the way. I cherished her friendship and will miss her tremendously.

After retirement, Millie and Dick enjoyed season tickets to the symphony and ballet, travel adventures in Europe and Asia, weekend getaways in Cannel, and a final vacation to Hawaii that Dick will forever treasure. Millie’s joy for life was not only contagious, but an invaluable lesson to her loved ones in times of uncertainty and doubt.

Always social and active, Millie kept a monthly lunch date with friends and enjoyed taking her grandchildren to the Nutcracker Ballet. Undoubtedly, the countless small and subtle acts of love that Millie demonstrated in her lifetime will continue to be powerful gifts to the people she cherished most.

Today, California’s 9th Congressional District salutes and honors a great human being, our beloved Millie Bean. We extend our deepest condolences to Millie’s husband and family. Thank you for sharing her great spirit with us. May her soul rest in peace.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR. OF MICHIGAN

Ms. MILLIE ROSS BEAN
THANKING PEYTON JEFF JACKSON FOR HIS SERVICE TO THE HOUSE

HON. ROBERT A. BRADY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, on the occasion of his retirement on May 15, 2009, we rise to thank Mr. Peyton “Jeff” Jackson for his 31 years of distinguished service to the United States House of Representatives. Jeff has served this great institution as a valued employee of House Information Resources (HIR), within the Office of the Chief Administrative Officer (CAO). Jeff began his tenure with the United States House of Representatives in 1978 as Lead Information Resources (HIR) operation technician for problem calls. Jeff assisted in diagnosing and resolving operational problems with the various online systems supported by the Computer Center. He also monitored and maintained all House data communication networks, including the Amdahl 4705 and 4745 front-end processors. Jeff tracked and logged trouble calls from both the Washington and district offices and dispatched network installation technicians for problem calls. Jeff’s expertise contributed to the installation and maintenance of the IBM 3270 inventory and storage facilities for the Communications Services group. Jeff continued to provide network operational support to the ever-expanding network and unified communications infrastructure environment.

Jeff has played an integral role in the re-vamping of the Network Control Center (NCC) following the events that occurred on September 11, 2001. The NCC was later expanded to encompass the Emergency Communications Center (ECC) which serves as a transmission point for emergency action messages to the House community.

On behalf of the entire House community, we extend congratulations to Jeff for his many years of dedication and outstanding contributions to the United States House of Representatives.

WALTER YENT, JR.

HON. C.A. DUTCH RUPPERSBERGER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor the life of Walter Yent, Jr. for his exceptional service to our country and devotion to his family and friends.

Born and raised in Baltimore, Maryland, Walter Yent, Jr. enlisted in the Army on March 6, 1944. A World War II Veteran, Mr. Yent was awarded the Purple Heart, the Combat Infantryman Badge, the European-African-Middle Eastern Campaign Medal, two Bronze Stars, and the Army of Occupation Medal with Germany clasp, in addition to many other medals for his outstanding service as a member of the Armed Services.

Upon his discharge from the Army in January 1950, Mr. Yent returned to his hometown of Baltimore where he enjoyed spending time with those he loved most, his family and friends.

Madam Speaker, I ask that you join me today to honor the life of Walter Yent, Jr. His dedication to our country is an inspiration to all and deserves the utmost gratitude.

A TRIBUTE TO BARBARA MESSIER

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Barbara Messier for her record of extraordinary service to New York’s Tenth Congressional District.

Barbara Messier, born in Canton, Ohio, graduated from the St. Luke Nursing School in Cleveland and began her nursing career in the Apple Creek State Hospital. While at Apple Creek, she first got experience in psychiatric nursing, working under a group of extraordinary leaders in the field. She continued her work in psychiatric nursing after moving to New York, working with Dr. Jochanan Weisenfreund at St. John’s Episcopal Hospital and later at the Interfaith Medical Center.

Mrs. Messier was instrumental in revitalizing Interfaith’s Department of Psychiatry from an unlicensed, 25-bed inpatient unit, to a full fledged, top-quality department. As the Assistant Vice President of the Department of Psychiatry, she is also responsible for Bedford-Stuyvesant Community Mental Health Center’s programs, serving patients in a variety of innovative capacities. She also serves as the Clerk of Session at the Oceanside Presbyterian Church, and teaches adult Bible classes there.

Madam Speaker, I urge my colleagues to join me in recognizing Barbara Messier.
HON. BOBBY L. RUSH
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. RUSH. Madam Speaker, today it is my distinct honor and privilege to rise to acknowledge and congratulate one of my state's unsung jewels. Seventy-five years ago today, on October 15, 1934, Melvin E. Banks was born into this world in the then, relatively small town of Birmingham, Alabama. From his humble beginnings, he sequestered himself through hard work, perseverance and an abiding faith in God, today, Melvin Banks presides over the strong and thriving Urban Ministries, Inc., the largest independent African American-owned Christian publishing company in the United States.

UMI is located in Calumet City, Illinois, and this global, family-operated business is a vital part of our state's thriving, south suburban community. With all of the accolades and accomplishments Melvin Banks has that rightfully earned over the years, I stand here, tonight, Madame Speaker, simply proud to call him my friend.

Melvin Banks' life story is uniquely American. It often tells the story of discovering his faith in his Lord and Savior, Jesus Christ, at the age of 12. Even at that young age, his sense of faith and guidance was so strong that he accepted his personal call to minister the gospel to all who would listen. His evangelism began literally, on some of the dusty back roads of Birmingham. One day, young Melvin encountered an elderly gentleman who recognized his spiritual gifts and referred him to a scripture that influenced his life's work.

That scripture, Hosea 4:6, states, "My people are destroyed for lack of knowledge." Upon hearing those words, young Melvin knew that God's purpose for his life was to help spread the knowledge of the gospel of Christ through the unique, cultural lens of the African American experience. From that moment on, Melvin Bank's dreams and life's work continued to grow and to prosper.

As Melvin Banks grew in the Lord, he also embraced the value of a good education. Banks graduated from Parker High School in Birmingham, in 1952, and he went on to study at the Moody Bible College, in Chicago, where he graduated in 1955. Continuing his education, Banks attended Wheaton College, earning a B.A. degree in theology, in 1956, and his master's degree in biblical studies in 1960.

After graduation, Dr. Banks chose to remain in Chicago and he soon got a job with Scripture Press Publications, a job that included sales. Dr. Banks' work with Scripture Press gave him his first opportunity to begin to understand how to market to African American consumers. It was that passion to serve his community coupled with his godly vision, professionalism and drive that ultimately led him to launch Urban Ministries, Inc., in 1970.

After founding Urban Ministries, Dr. Banks and his small staff operated out of the basement of his home for 12 years. As Dr. Banks' faith grew, so did his media ministry. In 1982, Urban Ministries occupied the second floor of a building located at 1439 West 103rd Street in Chicago. Guided by a vision that continues to serve him well to this day, Dr. Banks moved Urban Ministries in 1996, to its current 46,000-square-foot headquarters in Calumet City. Shortly before that milestone, it's worth noting that, in 1993, his alma mater, Wheaton College, conferred its esteemed graduate with an Honorary Doctorate in Literature, a recognition of his lifetime stewardship over the written and published word.

And so, Madam Speaker, as I enter these words into the CONGRESSIONAL RECORD on this day, it's my pleasure to note these words from UMI's website: UMI is the largest independent, African American-owned and operated Christian media company. UMI publishes Christian resources, including Christian education and Bible school curricula, books, videos and websites designed for African American churches and others seeking a diverse, Christ-centered perspective on faith and life issues.

Today, UMI is the largest, independent African American Christian publisher in the United States. UMI, literally, serves thousands of churches nationwide with curriculum resources, teachers' manuals, videos and other products aimed at instilling character in the youth and adults of our nation.

Madam Speaker, today, more than 10,000 churches utilize UMI materials, on a weekly basis, and a dozen different denominational groups call UMI their publishing partner—a distinction that gives this Illinois-based company its national and global impact.

Madam Speaker, for the more than 50 years that Dr. Melvin Banks has been a citizen of our great state, I'm proud to report that he has also been a devoted husband to his wife and business partner, Olive Banks, and the father to his children, Melvin Banks, Jr., Patrice Banks Lee and Reginald Banks, all of whom have worked with their father to help make this company the global leader it is today.

As I conclude this well-deserved tribute, let me also say that as my heart breaks for the thousands of children in this nation whose lives are cut short because of violence and unrealized dreams, my hope is that these words enter the permanent annals of history that some young boy or girl will look upon these words and be inspired by the tremendous life of Dr. Melvin E. Banks.

My hope is that the faith in life the hope, the determination and the abiding faith that God gave him. While every child may not have all the spiritual gifts that Dr. Banks enjoys, my hope and prayer is that they will see in his life what a made up mind can do.

PROJECT MEND-A-HOUSE CELEBRATES 20 YEARS IN PRINCE WILLIAM COUNTY

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize Project Mend-A-House and its twenty-five years of service to the citizens of Prince William County, the City of Manassas and the City of Manassas Park.

A joint effort between private citizens and the Prince William County government, Project Mend-A-House was created in 1984. At the time, Mrs. Porter and Lin Wagener of the Prince William Area Agency on Aging to create the foundation of an organization that has now provided humanitarian assistance for a quarter of a century.

Project Mend-A-House completes home repairs and safety modifications to facilitate independent living for seniors, the disabled and low-income residents. Over the years, projects have ranged from fixing termite damage in an older home to making entire houses more accessible with wheelchair ramps, hand rails, shower seats and transfer benches. The work is truly a community effort. Local corporate partners provide monetary support, volunteers and building materials. Civic associations and faith based groups contribute hundreds of volunteer hours to Project Mend-A-House each year. Project Mend-A-House puts everyone to work regardless of skill level to improve the quality of life for our disabled, elderly and low income neighbors.

Madam Speaker, I ask that my colleagues join me in commending Project Mend-A-House and its volunteers. The strength of a community can be measured by how it responds to the plight of the less fortunate, and Project Mend-A-House is certainly contributing to a robust spirit of community in Prince William County.

WESTPAPA’S MESSAGE OF SUPPORT TO THE PEOPLE OF AMERICAN SAMOA IN AFTERMATH OF DEVASTATING TSUNAMI

HON. ENI F. H. FALEOMAVAEGA
OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. FALEOMAVAEGA. Madam Speaker, I submit the following message of support submitted by Tom Beanal, Chairman of the Papau Presidium Council, in response to the massive tsunami that hit American Samoa on Tuesday, September 29, 2009.

PRESIDUM DEWAN PAPUA, JAAYAPURA,
October 7, 2009.

Hon. Eni F. H. Faleomavaega,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN FALEOMAVAEGA, on behalf of the people of West Papua, we are writing to express to you our greatest sympathy for the losses suffered by the people of American Samoa and other Pacific Islands caused by the recent tsunami.

Please accept our sincerest condolences to you. Please also extend them to your people. We are with you all in our hearts, tears, and prayers.

With God's grace, may you, our dear Congressman, and the people of American Samoa, find the strength to endure in this tragic tragedy.

Tom Beanal,
Wakil Ketua,
Herman Awom,
Moderator.
Diah Alhamid,
Alhamid,
Sekretaris Jenderal.
IN HONOR OF DR. J.H. FLAKES
HON. SANFORD D. BISHOP, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. BISHOP of Georgia. Madam Speaker, I rise today to pay tribute to Dr. J.H. Flakes of Columbus, GA, who on Sunday, October 18, will celebrate his 48th year as the Senior Pastor of the Fourth Street Missionary Baptist Church in Columbus. I have known Reverend Flakes for many years and feel honored to call him a friend, a constituent, and an inspiration. Reverend Flakes was born in Phenix City, AL, and received his Bachelor of Arts degree from American Baptist College in Nashville, TN. He continued his biblical studies at Morehouse School of Religion in Atlanta, GA, the National Baptist Congress of Christian Education in Houston, TX, and the General Missionary Baptist Convention of Georgia in Rome, GA. In addition, he has received an honorary doctorate from A.B. Lee Theological Seminary in Jacksonville, FL, and an honorary doctorate degree from his alma mater, the American Baptist College.

As the Word says in Proverbs 3:5, “Trust in the Lord with all your heart and lean not on your own understanding.” Reverend Flakes has truly lived by this principle. Since his arrival at Fourth Street Missionary Baptist Church, he has sought to implement the church’s mission to “obey the will of God through preaching, teaching, witnessing, stewardship and fellowship.” Reverend Flakes has received numerous awards and recognitions to honor his steadfast commitment to his parishioners and his community, including the Outstanding Personality of the South, Ten Outstanding Ministers in the State of Georgia, the Alpha Phi Alpha Martin Luther King Award, Operation PUSH Martin Luther King Award, as well as the Knighthood Award from the Congress of Christian Education.

With ordained leadership and divine grace, Reverend Flakes has built a church that delivers God’s message and works daily to implement God’s vision. Reverend Flakes personifies the love of God through his teaching and his way of life. I thank him for his years of service, to his community, to the Columbus community, Georgia’s Second Congressional District, and the Nation. Moreover, I wish him many more fruitful years to come.

RECOGNIZING THE VITAL ROLE FAMILIES PLAY IN SUPPORTING COMMUNITY AND THEIR FAMILIES
SPEECH OF
HON. SHEILA JACKSON-LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 14, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise before you today in support of H. Res. 408, “Recognizing the vital role family readiness volunteers play in supporting servicemembers and their families”. I would like thank my colleague, Representative Davis, for introducing this resolution, as well as the co-sponsors.

Since 2001, nearly 2,000,000 active duty and reserve sailors, soldiers, airmen, Marines, and Coast Guard personnel have deployed for duty in the battlefields of Afghanistan and Iraq. To add to this service, the more than 1,800,000 family members of regular component members of the Armed Forces and an additional 1,100,000 family members of reserve component members make significant sacrifices on behalf of the United States in support of their loved ones deployed overseas.

But while the readiness of the United States Armed Forces is predicated on the ability of each member of the Army, Navy, Air Force, Marines, and Coast Guard to focus on their mission during deployments, this military necessity of long and often unpredictable deployments, frequent relocations, and infrequent family contact for members of the Armed Forces can be extremely challenging for members and their families.

In response to these sacrifices and challenges, family readiness volunteers from each branch of the Armed Forces have stepped forward to provide critical support during deployments to servicemembers and their families. These programs in each service help commanders have a better understanding of the welfare of the families within his or her command during a deployment and allow families to be informed about the status of their loved ones’ unit overseas.

The thousands of family readiness volunteers are generally spouses of members of the Armed Forces who provide assistance to military families while also enduring the challenges of military life. They consist of Army Family Readiness Volunteers, Navy Ombudsmen, Coast Guard Ombudsmen, Air Force Key Spouse Volunteers, and Marine Corps Key Volunteers. These volunteers are motivated by the desire to improve the lives of other military families and to assist future generations.

Family readiness volunteers also connect the community with military families and local military installations through leveraging donations and resources for military families, as well as providing their services on a voluntary basis, with little public recognition and financial assistance, and rare acknowledgment of their own resources to help other military families.

It is no exaggeration to say that the outstanding performance of our servicemembers is a testament to the great success of family readiness volunteers. That is why I join this distinguished body in recognizing and honoring the family readiness volunteers of each branch of the Armed Forces who selflessly devote their time, talent, energy, and resources in service to the United States and commend family readiness volunteers for their dedicated contributions to the quality of life of members of the Armed Forces and their families.

RECOGNIZING VIRGINIA STOP MODERN SLAVERY
HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize Virginia Stop Modern Slavery (VASMS) and its efforts to educate parents, teachers and child-care providers on the danger sex trafficking poses to our communities.

VASMS was established in August of 2009 by Jessica Johnson of Annandale, Va. Its volunteers work to preserve safe, family friendly communities. They work to eliminate human trafficking in America by educating and supporting victims’ service providers, legislators and local law enforcement officials. Members of VASMS build community partnerships and coordinate outreach events because they understand that bringing this issue to the forefront of public discussion starts with a dedicated grassroots effort.

On October 10, 2009, VASMS hosted The Safe Child Fair in Gainesville, Va., through a partnership with the Bridge to Freedom Foundation, Courtney’s House and RIIJ Green. The fair offered children’s activities and games while parents learned how to protect their children from child exploitation. Events like The Safe Child Fair bring communities together to rally around a common call to action. Eradicating sex trafficking in America requires the involvement and due diligence of all communities, and I urge all to join in this battle to protect our children.

Madam Speaker, I ask my colleagues to join me in commending the efforts of Virginia Stop Modern Slavery. The prevalence of human trafficking in the United States is deplorable, and I wish VASMS continued success in its campaign to raise awareness for this issue.

H.R. 3632, THE “FEDERAL JUDICIARY ADMINISTRATIVE IMPROVEMENT ACT OF 2009”
HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

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

The purpose of H.R. 3632 is to implement non-controversial administrative provisions that the Judicial Conference and the House Judiciary Committee believe are necessary to improve the operations of the Federal judiciary and provide justice for the American people.

The Judicial Conference is the policy-making body of the Federal judiciary and through its committee system evaluates court operations. The Conference endorses all of the provisions in the bill.

H.R. 3632 affects a wide range of judicial branch programs and operations, including those pertaining to financial administration, process improvements, and personnel administration.

The bill incorporates nine separate items, including:

A section that clarifies that senior judges must satisfy minimum work thresholds to participate in court government matters, including the selection of magistrates.
A section that eliminates the references to divisions and counties in the statutory description of the Judicial District of North Dakota, which enables the court to better distribute the workload between two active district judges and reduce travel for litigants in the northern central and the district.

A section that authorizes the “statement of reasons” that judges must issue upon sentencing to be filed separately with the court. Current law requires the statement to be bundled with other information in the case file distributed to the Sentencing Commission, where it can be difficult to maintain a seal related to confidential information.

A section that specifies that federal pretrial services officers can provide the same services to juveniles as they do for adult offenders. An example would be drug treatment.

And a section that applies an inflationary index to the threshold amount requiring approval by the chief judge of reimbursements for the cost of hiring expert witnesses and conducting investigations for indigent defendants. The dollar thresholds are statutorily fixed and endowing the chief means chief judges must devote greater time approving what are otherwise not genuine “high-dollar” requests.

Mr. Speaker, H.R. 3632 is necessary to improve the functioning of the U.S. courts, which will ultimately benefit the American people. This is a non-controversial bill and I urge my colleagues to support it.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 2892, “Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.”

Requesting Member: Congressman John Duncan
Account: TSA, Aviation Security
Project Amount: $1,250,000.00
Legal Name of Requesting Entity: National Safe Skies Alliance, 110 McGhee Tyson Boulevard, Suite 201, Alcoa, Tennessee 37701
Description of Request: This funding will be used to create a research and training center that will provide critical improved explosives recognition training to TSA Transportation Security Agency officers, law enforcement personnel, fire fighters, emergency services personnel, first responders and others.

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 13, 2009

Mr. KUCINICH. Mr. Speaker, for many years, I have advocated for high-level, diplomatic negotiations between the United States and Iran without preconditions. Under the previous administration I was compelled to do so with fervor due to the use of reckless saber rattling that accomplished nothing save for heightened tensions between our two nations. I opposed this because I do not believe that additional economic action at this time will support U.S. actions to engage Iran diplomatically. Furthermore, it sends a mixed message: On one hand, the U.S. President wishes to engage in diplomacy. On the other hand, the U.S. Congress is punishing Iran during diplomatic negotiations.

During my time in Congress, I have called for the kind of diplomatic dialogue that the U.S. and Iran engaged in for the first time in three decades on October 1st, 2009. These negotiations brought together not just Iran and the U.S. but France, Great Britain, Russia, China and Germany.

The talks proved a successful beginning to reinstating U.S. diplomatic ties with Iran. The two countries now have a foundation from which we can build. This must be nurtured so that mutual understanding and opportunities for collective action can be had on even the most difficult issues such as the Iranian nuclear program, Iraq and the protection of human rights. Additional economic sanctions only serve to threaten further engagement.

I question the wisdom of bringing a sanctions bill before this body when, after 30 years of isolationism and antagonism, the Obama Administration is finally beginning a new path forward with respect to diplomatic engagement to bring Iran into the international community in a way that promotes international security.

In the past, sanctions have had little impact on influencing the behavior and decisions of the Iranian government who have managed to remain insulated from the intended effects of sanctions. Instead it has been the people of Iran who bear the brunt of the impact.

I do not think it is the intention of this body to punish the Iranian people; particularly in light of their bravery following the elections of June 12th. It is clear that the people of Iran desire change and are willing to endure that which is necessary to achieve it through peaceful means. They are going about their actions by doing all that we can to ensure their voices are heard rather than passing legislation that is intended to cause further harm to their economy.

Passage of this bill fails to recognize the sensitivity and importance of the dialogue that was begun on October 1st. And it fails to support the bravery of the Iranian people who will be the ones to feel the impact of the legislation. I oppose the legislation.

HONORING RICHARD LONG

HON. GARY C. PETERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. PETERS. Madam Speaker, today I rise to honor Richard Long, a lifelong champion of the American labor movement, my mentor, counselor and dear friend on the occasion his retirement from the United Auto Workers where he served as National Community Action Program (CAP) Director for the past nine years.

This year, Dick retires from a 46-year-long career which began in 1963 at the former Pontiac Motor Division in Pontiac, Michigan, where he first became a proud member of UAW Local 653. Over the ensuing years as Dick advanced on the shop floor, he also advanced and deepened his involvement in the UAW which would chart his professional trajectory for the next 40-plus years.

Some years later in 1987, Dick was elected Vice President of his UAW local and the following year he was elected its president. His leadership, commitment and talent was fully recognized in 1996, when then-President Stephen Yokich named Dick his Administrative Assistant and, again, in 2000 when Dick was appointed National CAP Director. I remember well my pride and optimism when I learned that Dick had been appointed National CAP Director. For many years, Dick had mentored and counseled me so ably and devotedly. I was certain that in his new role, he would educate and organize others with as much verve and dedication as I had experienced.

As CAP Director, Dick was well-situated to the role and charge of “developing and advancing policies that improve social and economic conditions and enrich the quality of life for all people.” By any account, Dick made a powerful impression on the State and National political landscape. His effectiveness was rooted in his ability to be equally comfortable working on the national stage or alongside grassroots volunteers in a makeshift office space.

Dick’s contributions to the community and commitment to civil rights and social justice have been his personal and professional legacy. Whether in his role as a local president, supporting Oakland University with his wife Jackie, National CAP Director, or working on behalf of the many community organizations he champions, Dick has worked to create a better future for America’s families and workers. For that legacy and commitment, he is much admired by me and many others.

Madam Speaker, I ask my colleagues to join my salute today to an important and formative figure in my life: Richard Long, a man to whom I am deeply indebted for his friendship and good counsel and a man whose 46 years of untiring work on behalf of America’s working families and the ideals of social justice should be heartily commended and passionately emulated by each of us.

RECOGNIZING THE ACCOMPLISHMENTS OF PIRAN TALKINGTON OF WOODBRIDGE, VA

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize twelve-year-old Piran Talkington of Woodbridge, Va. On June 24, 2007, Piran successfully executed the HeimlIch maneuver to save the life of his four-year-old sister Caitlyn. Just 10 years old at the time, Piran showed remarkable composure by calmly employing this life saving technique.

As a Cub Scout in Pack 289 of Woodbridge, Piran practiced basic skills as part of his training to become a Boy Scout. Piran’s attentiveness during these lessons proved invaluable when he was able to unblock his
younger sister’s airway during a family dinner. After Caitlyn regained her breathing and recovered her color, she tearfully hugged Piran.

Piran has continued his participation in Scouts and is now a Star Scout in Troop 1367. The Boy Scouts of America, upon recommendation of the National Court of Honor, has awarded Piran the Medal of Merit. This is the Boy Scouts’ fourth highest national award. The award recognizes Piran for demonstrating the finest Scouting skills and ideals.

For nearly 100 years, the Boy Scouts have developed upstanding youth with the character and maturity to handle tough situations. Piran is an exceptional example of a young Scout. He also is an Honor Roll student and winner of the Fifth Grade Science Fair for Physical Sciences. Piran’s life-saving measures were not an isolated instance of distinction. He works hard to reach the highest levels of achievement in everything he attempts.

Madam Speaker, I ask that my colleagues join me in applauding Piran’s accomplishments. The decisiveness and skill with which he acted to save his sister can be attributed to his Scouting background. This training will serve him well throughout his life, and I am confident that his future will be full of success and outstanding accomplishments.

KENNETH M. STampp, UC Berkeley Professor Emeritus

HON. BARBARA LEE
of California
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. LEE of California. Madam Speaker, I rise today to honor the extraordinary life of Dr. Kenneth M. Stampp, professor emeritus at the University of California at Berkeley. He was a prolific historian, accomplished scholar and a devoted friend, husband, partner, father and grandfather. Professor Emeritus Stampp passed away on Friday, July 10, at the age of 96.

Dr. Stampp, who was born on July 12, 1912, in Milwaukee, Wisconsin, struggled to earn money for his education during the Great Depression. He ultimately earned a B.A., M.A. and Ph.D in History at the University of Wisconsin in Madison. In 1946, after short teaching stints at two other universities, Dr. Stampp joined the staff at Berkeley as an assistant professor.

During his nearly 40-year career at Berkeley, Dr. Stampp established himself as a sometime controversial, though conclusively influential 19th Century historian. He is best-known for his decades of work changing historical perceptions about American slavery, the Civil War and Southern Reconstruction.

His trailblazing research and publications helped further humanize enslaved African Americans by giving their stories equal historical weight. Dr. Stampp heroically countered other historians’ arguments at a time when the accepted historical record characterized slavery as a necessary institution.

In his books, Dr. Stampp rejected 1950s theories suggesting that sectional compromise might have saved the Union from civil war. Rather, he traced the cause of the war directly to a moral debate over slavery.

According to colleagues, his 1956 book, “The Peculiar Institution: Slavery in the Ante-

Bellum South,” remains the preeminent historical reinterpretation for that period.

Dr. Stampp had the distinction of travelling throughout the United States and Europe as a visiting professor, visiting fellow, and as both a Commonwealth and Fulbright lecturer. His humble upbringing contributed to a dedicated sense of service. He is well known for his willingness to be involved in his professional life and political views. Dr. Stampp participated in a 1965 Civil Rights march from Selma to Montgomery, Alabama.

Throughout his career, Professor Emeritus Stampp earned many accolades, which included serving as President of the Organization of American Historians, being twice-named a Guggenheim Fellow and winning the Lincoln Prize from the Civil War Institute at Gettysburg College.

Perhaps most admirable is the way in which Dr. Stampp resurrected long-forgotten voices from generations of our African-American brothers and sisters living through one of the grimmest scours in our nation’s history. Over time, Dr. Stampp’s work has invaluably altered the framework of academic assumption, historical discrimination and public perception.

Today, California’s 9th Congressional District salutes and honors a great human being, Professor Emeritus Kenneth M. Stampp. Our community is indebted to his life’s contribution to the women and men of our deepest condolences to Dr. Stampp’s family and to all who were dear to him. May his soul rest in peace.

HOLOC HON. FRANK G. MILLIS, SR.
of Pennsylvania
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. SHUSTER. Madam Speaker, I rise today to honor the accomplishments of Mr. Frank G. Mills, Sr. Mr. Mills was elected and installed as the State Commander of the Pennsylvania Department of Veterans of Foreign Wars at the 90th State Convention.

The Veterans of Foreign Wars is a congressionally chartered war veterans organization that has been serving the community as well as other veterans for over 100 years. The VFW is a model organization that exemplifies the principles that our Nation was founded upon.

Mr. Mills, a Life Member of Post #1754 in Huntington, Pennsylvania, has successfully served in all post chairs at the VFW. He served as the Post Commander four times and attained All State Post District Commander in 2006–2007. Frank also served on the national level on the Americanism and Community Activities Committee, Finance and Organization Committee, and Veterans Service Resolution Committee.


Mr. Mills has led a life of service through the VFW and military service that instills a unique sense of pride in the hearts of every American citizen. For his commitment to the citizens of Pennsylvania, I am extremely grateful to Frank G. Mills Sr.

NATIONAL WOMEN’S HISTORY MUSEUM ACT OF 2009

SPEECH OF
HON. SHEILA JACKSON-LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 14, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I stand here before you not only as a member of the United States Congress, but as a woman. I fully support H.R. 1700, “National Women’s History Museum Act of 2009,” this is an issue that I hold dear to my heart. This bill will increase awareness and knowledge of women’s involvement in history.

Women’s history is a vital part of American history; however it is not public knowledge; mostly in part to the lack of women’s history education in the schools. The establishment of a National Women’s History Museum would be a great tribute to all of those women whose stories are not told in history books. We must tell the story of the women who paved the way for the rest of us. I thank my colleague Representative MALONEY, for introducing this valuable piece of legislation.

Today, women account for 51 percent of the world’s population and throughout “woman’s kind” we have had countless women whose brilliance, bravery and power changed the course of history. H.R. 1700 will provide for an establishment which will recognize and honor the women and organizations in the United States that have fought for and continue to promote women’s history.

A National Women’s History Museum will bring awareness to all of those women who have broken barriers and glass ceilings for the rest of us. Women such as the honorable Speaker PELOSI, the honorable Ruth Bader Ginsburg, Shirley Chisholm, Susan B. Anthony, Barbara Jordan, Sojourner Truth, Sacagawea, Rosa Parks, Amelia Earhart, Annie Oakley, and the list could go on for miles.

A museum devoted to women’s history will shed light not only on well known women of history, but also those less renown, such as Belva Ann Lockwood, who fought for admittance into law school. She fought to practice before the Supreme Court and even ran two full campaigns to run for President of the United States, although she could not vote. Other women such as Barbara Jordan, Roseann O’Mara, Belva Ann Lockwood, who fought for admission into law school. She fought to practice before the Supreme Court and even ran two full campaigns to run for President of the United States, although she could not vote. Other women such as Barbara Jordan, Roseann O’Mara, Belva Ann Lockwood, and Governor Ann Richards, who was an accomplished political worker, Texas state treasurer, and Governor of Texas. Furthermore, Rosanna Osterman was a Texas pioneer, American Civil War nurse and philanthropist. She lived in Galveston and during the 1853 yellow fever epidemic, she erected a temporary hospital on her family premises in order to nurse the sick and the dying. Osterman also chose to stay in Galveston during the civil war and opened her home as a hospital, first to Union soldiers, then to Confederate soldiers.

In Galveston during the Civil War, the women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded
ways. They have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home.

American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor forces of the Nation and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation. In addition, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement. American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in literature and the teaching and study of American history which is even more reason to dedicate a museum to all of the trailblazing women.

HONORING 2010 CENSUS COMMUNITY PARTNERS: ALPHA KAPPA ALPHA, NORTHERN VIRGINIA URBAN LEAGUE AND NORTHERN VIRGINIA COALITION

HON. MAURICE D. HINCHLEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. HINCHLEY. Madam Speaker, I rise today to honor my good friends Bill and Betty Kick of Saugerties, New York. Their kind demeanor and dedication to service work stand as a testament to the importance of giving back to the community.

Bill and Betty first met in kindergarten in Teenac, New Jersey, where they grew up around the corner from one another. It came as no surprise when these childhood sweethearts married just days before Bill left to serve his country during World War II. During his 4 years in the Army, Bill was stationed in France, Germany, and Africa, rising to the difficult and challenging circumstances that this momentous conflict presented. Meanwhile, Betty remained in the U.S., doing her part by working for U.S. Rubber and the Syrian Embassy. Once Bill returned from the war, the couple settled in New York and soon welcomed their wonderful children, Linda and Peter. As new parents, they continued their commitment to community service by volunteering as Scout leaders.

When the time came to retire, and much to our benefit, Bill and Betty chose Saugerties, New York, as their home base. But Bill and Betty were far from homebound. Avid sailors, they have spent much of their retirement sailing around the world, going from Maine to the Florida Keys, and even as far as the South China Sea. In fact, Betty became one of the first female Celestial Navigators in the Hudson Valley. In spite of their passion for sailing, they still make time to volunteer within their community. Local organizations like Benedictine Hospital, Ulster Literacy Association, and the Winston Farm Alliance have all benefited from their time and dedication.

Throughout their lives, Bill and Betty have selflessly donated their time to help better their community. But they are also fortunate to call them our own and it is with great enthusiasm that we look forward to many more years of their reminding us all of the importance of volunteerism.

THAILAND’S MESSAGE OF SUPPORT TO THE PEOPLE OF AMERICAN SAMOA IN AFTERMATH OF DEVASTATING TSUNAMI

HON. ENI F. H. FALKOMAVAEGA
OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. FALKOMAVAEGA. Madam Speaker, I submit the following message of support submitted by Ambassador Don Pramudwinai on behalf of the Kingdom of Thailand to the people of American Samoa in response to the massive tsunami that struck American Samoa on Tuesday, September 29, 2009.

Mr. Speaker, I rise today in support of H. Res. 816 to mourn the loss of life and express my condolences for the disaster that took place in Samoa and American Samoa on September 29, 2009. On that dreadful day, over 150 people lost their lives when a tsunami rose twenty feet into the air and made landfall on the shores of Samoa and American Samoa in the southern region of the Pacific Ocean. The destruction that this tsunami caused was overwhelming, and in addition to the loss of life, countless more individuals have lost their homes and possessions. I extend my deepest condolences to the victims and their families, and offer my deepest sympathy to the people of Samoa and American Samoa, and those who lost their loved ones as well as those who were distressed by this dreadful disaster. Our thoughts and prayers are with them during this time of sorrow. In 2004, Thailand suffered through the devastating effects of a tsunami, and therefore, we share your grief and understand very well the hardship besetting the people of American Samoa. I am certain that with strong spirit of solidarity of the people of American Samoa, the affected areas will be quickly rehabilitated and restored.

Accept, the Honorable, the renewed assurances of my highest consideration.

KASIT PIRIOMYA,
Minister of Foreign Affairs of the Kingdom of Thailand.

Please accept, the Honorable, the assurances of my highest consideration.

DON PRAMUDWINAI,
Ambassador.
Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the 20th anniversary of the Good Shepherd Housing Foundation. For the past two decades, the Foundation has provided housing and educational resources to homeless and marginally housed residents of Prince William County.

The Foundation was created in 1989 out of the compassion and collective action of the Good Shepherd faith community. The founders identified a need within the Prince William County for housing for the mentally ill. They worked with the Prince William County Community Services Board to establish the bedrock of a stable and lasting program. In its beginning, the Foundation provided housing for five single adults.

It has since grown substantially in both numbers of clientele and breadth of mission. Now in its twentieth year, the Foundation provides housing and supportive services for 25 single adults and 11 families in 11 homes owned by the Foundation. Assistance has been extended to those with chronic low income, mental and physical disabilities, AIDS/HIV, pregnant teens and the elderly. The organization is sustained by the efforts and donations of individuals, businesses and churches, and it receives assistance from local, State and Federal funding.

The Shepherd Homes Program offers group living and single adult housing options to mentally ill individuals. Shepherd Homes I, II and III are properties owned by the Prince William Foundation that function as group homes. Ten apartments leased by the Foundation offer the mentally ill, some who are veterans, relief from chronic homelessness. Beyond housing assistance, the Foundation offers services that put residents on a path to financial and psychological stability.

Since its inception, the Foundation expanded its mission to include low income families. The Affordable Family Housing Program is a holistic program aimed at providing housing and teaching families the importance of education and financial management. Families are given transitional, two-year or long-term, low-cost housing. Tutoring is available for the children and parents receive financial counseling. The Foundation works to end chronic homelessness by providing immediate relief and preventing future generations from falling into this dangerous condition.

Madam Speaker, I ask that my colleagues join me in expressing appreciation for the work the Good Shepherd Housing Foundation does in the Prince William community. The Foundation exists today as a robust and effective community organization dedicated to helping the disabled and less fortunate. I offer my unconditional support for its mission and commend its ability to help our fellow man.
CELEBRATING 90 YEARS OF UNITED STATES-POLISH DIPLOMATIC RELATIONS

SPEECH OF
HON. MICHAEL R. TURNER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 14, 2009

Mr. TURNER. Mr. Speaker, I thank the gentleman from Illinois, Mr. Lipinski, for introducing this legislation commemorating the 90th anniversary of the establishment of U.S.-Polish Diplomatic Relations.

The Polish people and the people of the United States have a long history of friendship that dates back to the American war of independence when Polish patriot Casimir Pulaski volunteered to serve in the Continental Army and led his own cavalry regiment in fighting the British.

We have stood shoulder to shoulder during dark times in both our histories, and in more recent times we stood together as the iron curtain that had enshrouded Poland and Eastern Europe was cast aside.

And, in 1999, the United States and NATO welcomed Poland into our security partnership.

In 2008, America signed a cooperative security agreement with Poland to further our mutual security interests. This included the establishment of a missile defense system to protect both Europe and the United States from ballistic missile attacks from rogue states such as Iran.

This agreement was signed as a result of the strong courage of Poland’s leaders who believed the United States government when it promised to help protect their homeland.

On October 17, 2009—the 70th anniversary of the 1939 Soviet invasion of Poland—the Administration withdrew U.S. support for this mutual missile defense system in Europe. The Administration must now respond to find other ways that our cooperative partnership may be advanced.

As a member of the NATO Parliamentary Assembly and the author of the NATO First Act, I believe the United States must remain attentive to this issue will spur change.

But I urge support of H. Res. 266.

100TH ANNIVERSARY OF “MEETING OF THE PRESIDENTS”

HON. SILVESTRE REYES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. REYES. Madam Speaker, I rise today to mark a unique date in our history, the 100th Anniversary of the “Meeting of the Presidents”. On October 16, 1909, U.S. President William Howard Taft and Mexican President Porfirio Diaz met in both El Paso, Texas and Ciudad Juarez, Mexico in an historic meeting that established the personal relationship between our two countries. The event marked the first in-person meeting between the Presidents of the United States and Mexico. In fact, prior to 1909, no sitting U.S. President had left our country to visit a foreign nation.

The sister cities of El Paso and Ciudad Juarez went to great lengths to ensure that this meeting was unlike any other, by adorning memorial columns and welcome arches with the colors of the two nations—red, white, and blue, and red, white, and green. Principal thoroughfares were decorated, thousands of incandescent and arc lamps were lit, and it is said that the cities competed with each other to demonstrate their best hospitality to the visiting Presidents.

The Stone and Webster Public Service Journal of 1909 has a great account of the meeting and historic events. President Taft arrived in El Paso, on the morning of October 16, 1909 and was met by El Paso Mayor Joseph U. Sweeney. After breakfast, President Taft was taken to the Chamber of Commerce through streets lined with thousands of school children who proudly waved colorful flags and sang patriotic songs. Mexican President Porfirio Diaz traveled across the International Bridge and was met by Secretary of War J.M. Dickinson, Texas Governor Thomas Mitchell Campbell, and Mayor Sweeney who escorted President Diaz, which I represent. To this day, El Paso and Ciudad Juarez have maintained close ties. Culturally, socially, and economically intertwined, these sister cities are home to the largest international border community with a population of over 2 million people. Since that time, El Paso and Ciudad Juarez have hosted four joint meetings between the presidents of Mexico and the United States, more than any other border city.

On January 12, 2009, President-elect Obama continued this spirit of cooperation by meeting with President Felipe Calderon in his first face-to-face talks with a foreign head of state. This meeting fulfilled a tradition in effect since 1980 of U.S. Presidents talking with their Mexican counterparts before being sworn in, to underscore the special relationship between the two nations.

My good friend, Mexican Ambassador to the U.S. Arturo Sarukhan, reflecting on this special occasion said, “there is no more important bilateral relationship in the world today than the one between Mexico and the United States... October 16th marks a date that should inspire us all to continue working to ensure that both Mexicans and Americans continue strengthening a partnership that must lead both countries toward greater development, security, prosperity and well-being for our two peoples.”

Let us mark this occasion by committing ourselves to push forward to strengthen the relationship between Mexico and the United States. I applaud the work of President Obama and President Calderon to foster a closer relationship with our southern neighbor. There is no better way to commemorate the 100th anniversary of the “Meeting of the Presidents” than by continuing the legacy of strong diplomatic ties with our friends from Mexico.

INTRODUCING A RESOLUTION CONDEMNINGLEGAL EXTRACITION OF MADAGASCAR’S NATURAL RESOURCES

HON. EARL BLUMENAUER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. BLUMENAUER. Madam Speaker, today I am introducing a resolution to condemn the illegal extraction of Madagascar’s unique and invaluable natural resources. I am joined in this effort by DONALD PAYNE, Chair of the Subcommittee on Africa and Global Health, and ENI FALEOMAVAEGA, Chair of the Subcommittee on Asia, the Pacific, and the Global Environment.

Madagascar hosts some of this planet’s greatest diversity. Larger than California, this island nation hosts over 150,000 species found nowhere else. The people of Madagascar depend on these incredible and unique resources for survival. Yet, political turmoil is putting the honest livelihoods of many, as well as one of our planet’s greatest treasures, in extreme peril.

Reports from Madagascar are dire and detail rampant illegal logging, mining, and resource degradation. This resolution condemns this ongoing tragedy and calls for the restoration of rule of law. It is my hope that calling attention to this issue will spur change.

REVEREND DR. FRANK JACKSON
HON. BARBARA LEE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. LEE of California. Madam Speaker, I rise today to honor the wonderful life of Reverend Dr. Frank Jackson. His vibrant spirit, limitless compassion and selfless commitment to service will be missed by all who knew him. Through his ministry at Faith Presbyterian Church of Oakland, Reverend Jackson brought our community to a greater understanding of the Gospel of Jesus Christ and the life of the Church. He was an exemplary husband, father, pastor, community leader, teacher and friend. With his passing on September 11, 2009, we look to Reverend Jackson’s legacy and the joy his work inspired.

After earning a bachelor’s degree at San Francisco’s Simpson College in 1972, Reverend Jackson pursued a Master of Divinity at Fuller Theological Seminary in Pasadena, California. Reverend Jackson also became the first African-American clergy member to graduate from the Master of Nonprofit Administration program at University of San Francisco when he earned his third degree there in
Reverend Jackson will be deeply missed. May prayers are with his family and loved ones.

The contributions Reverend Jackson made to his community throughout his lifetime are countless and precious. My thoughts and prayers are with his family and loved ones. Reverend Jackson will be deeply missed. May his soul rest in peace.

COMMEMORATING THE 80TH ANNIVERSARY OF THE DAUGHTERS OF PENELope

SPEECH OF HON. Gus M. Bilirakis
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. BILIRAKIS. Mr. Speaker, as co-chair of the Hellenic Caucus, I rise today to congratul-
ate the Daughters of Penelope on their 80th anniversary. I want to thank Representative
MALONEY, my Hellenic Caucus co-chair for in-
troducing this meaningful measure of which I am a proud original cosponsor.
The Daughters of Penelope is a premier international wom-
ien’s organization and affiliate organization of the American Hellenic Educational Progressive
Association, the nation’s leading association of American citizens of Greek heritage and
countless Philhellenes.

Founded November 16, 1929, in San Fran-
cisco, California, the Daughters of Penelope
was established to improve the well-being of
women and provide them with the opportunity
to make significant contributions to American
society. Today its mission is to promote the
ideas of ancient Greece, education, philan-
thropy, civic responsibility, family, and indi-
vidual excellence through community service
and volunteerism.

Over its history, the Daughters of Penelope
have achieved remarkable accomplishments.
It has strengthened the status of women in so-
 ciety, sheltered the elderly and the abused,
educated our youth, promoted Hellenic heriti-
gage, and raised funds for medical research.

One project adopted by the Daughters of
Penelope over the years that is near and dear
to my heart is St. Basil Academy, a Greek Or-
thodox Archdiocese home for children in need.
Beginning in 1954, the Daughters of Penelope
have been providing charitable aid to St. Basil
Academy when it embarked on a Christmas
Seal Campaign to raise funds to build the new
water works for the academy. Since then, the
Daughters of Penelope contributed to the furi-
ness of new buildings that have been built
on campus, built a heated outdoor swimming
pool for the children, and has provided funds
for ongoing maintenance and renovations to
the academy for such items as replacing out-
dated appliances and worn-out roofs.

Finally, Daughters of Penelope members
exemplify the American dream. With their
strong work ethic, Greek-American women
have risen to become leaders in their respec-
tive professions, from government to business
to the arts. I am honored to have a longtime
member of the Daughters working in my dis-
 trict office. My dear friend, Sonja Stefanadis,
has been a member of the Daughters of Pe-
nelope for 48 years and served as its national
president in the early 80’s. So, I know first
hand the extraordinary work this wonderful
organization does to create and support in
which this advancement has occurred in our
society.

Congratulations to the Daughters of Penel-
ophe. I look forward to many, many years of
working together with them.

THANKING COLONEL GENE BLADE FOR HIS YEARS OF SERVICE

HON. AARON SCHOCK
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. SCHOCK. Madam Speaker, I rise today
to honor COL Gene Blade, a great American
who is retiring today after 55 years of service
to our country and community.

Colonel Blade started his 40-year military
career in 1954, when he joined the Illinois Na-
tional Guard in Monmouth, Illinois. His first job
in the Army was as a radio operator and Jeep
driver for the Battery Commander. As his mil-
tary career advanced, Colonel Blade served in
numerous other positions, including Fire Sup-
port Officer and eventually Battery Com-
mander. In fact, Colonel Blade held every key
staff position in the infantry and artillery battal-
ions, including Infantry Battalion Commander
of the 1st Regiment, 123rd Infantry Battalion.

Colonel Blade continued to perform his du-
ties even when no one expected him to do so.
In one specific instance, Gene was hospital-
ized with pneumonia, but a group of top mili-
tary personnel were scheduled to visit his post
to view a demonstration of a nuclear spotter
round. The weapons used for this exercise re-
quired very specific calculations, and Gene’s
expertise was needed for the test. Even with pneumonia, Colonel Blade insisted on
participating in the test and was transported via ambu-
ance to the testing area so he could com-
mence the demonstration. The event occurred
without any problems, in fact, it was performed
quicker than any previous test. After the dem-
onstration, Gene was transported via ambu-
 lance back to the hospital. Gene’s commit-
ment to the Army was so evident, that the
Army Chief of Staff personally thanked him for
going above and beyond the call of duty.

After serving 40 years in the Army, Colonel
Blade retired as a United States Property and
Fiscal Officer for the Illinois National Guard
and joined Hanson Professional Services Inc.
He continued to provide specialized consulting
work with Department of Defense clients. Even in the private sector, Gene continued to
serve his country. Using his skills and knowledge, he provided consulting services for 15 years and worked
on several notable projects for the Illinois, Indi-
a, Florida, and Missouri National Guards.

Additionally, Colonel Blade has served on
the U.S. Department of Defense’s Base Clo-
sure and Realignment Commission (BRAC) for
military bases in Illinois, and he continues to
serve on the Governor’s post-BRAC commis-
sion for future economic development efforts.
He is also an active member and an employer
outreach representative for the Employer Sup-
port of the Guard and Reserve program.

Throughout his life and career, Gene’s dedi-
cation and achievements have made a posi-
tive impact on the U.S. military, the State of Il-
ninos, and our great Nation. Today, at 75
years of age, Colonel Blade will celebrate his
retirement from Hanson, Inc. and look for-
ward to spending time traveling, woodworking,
and also writing a book of his mem-
ories. I thank him for his service, and wish him
the very best.
I ask my colleagues to join me in recognizing the successes of the Prince William Clean Community Council and congratulating Connie Moser on being named the recipient of its 1st Volunteer of the Year Award.

**IN REMEMBRANCE OF RICHARD C. SHADYAC SR.**

**HON. DENNIS J. KUCINICH**

**OF OHIO**

**IN THE HOUSE OF REPRESENTATIVES**

Thursday, October 15, 2009

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Richard C. Shadyac Sr. who served on the Board of Directors and Governors of St. Jude Children’s Research Hospital and the American Lebanese Syrian Associated Charities (ALSAC) for more than forty years. Mr. Shadyac had a true passion and devotion to the children and families that fight catastrophic pediatric diseases at St. Jude Children’s Research Hospital.

Mr. Shadyac began his illustrious and influential career as a member of ALSAC and of St. Jude Hospital Boards of Directors and Governors in 1963. He also served as ALSAC’s general counsel. In 1992, after the passing of Danny Thomas, the founder of St. Jude Children’s Research Hospital, Mr. Shadyac became the CEO of ALSAC. Upon taking on his new leadership role, Mr. Shadyac worked tirelessly to continue the legacy and dream of his friend, Danny Thomas who said, “No child should die in the dawn of life.” Mr. Shadyac served as the CEO until his retirement in 2005.

During the 13 years he led ALSAC, public funding for St. Jude Children’s Research Hospital quadrupled. By 2005, ALSAC had become the third largest health-care charity in the U.S. and is currently the second largest. During Mr. Shadyac’s tenure, St. Jude Children’s Research Hospital was also able to underwrite a $1 billion expansion that strengthened the hospital’s capacity to focus on patient and family care and to conduct research for children with catastrophic diseases. His compassion and dedication to provide free care for the children and families who seek treatment was impeccable and the driving force of his work.

Madam Speaker and colleagues, please join me in remembrance of Richard Shadyac Sr. who spent years of his life working on behalf of the countless sick and struggling children who come to St. Jude Children’s Research Hospital to fight, treat and care for what are often life threatening illnesses. It is clear that without his dedication and hard work, the triumphs in research, treatment and patient and family care that the hospital provides would not be possible. Mr. Shadyac will be missed by those whose lives were in some way touched by him.

**CELEBRATING 90 YEARS OF UNITED STATES-POLISH DIPLOMATIC RELATIONS**

**SPEECH OF**

**HON. JOHN B. LARSON**

**OF CONNECTICUT**

**IN THE HOUSE OF REPRESENTATIVES**

Wednesday, October 14, 2009

Mr. LARSON of Connecticut. Mr. Speaker, I rise in support of House Resolution 266, celebrating 90 years of United States-Polish diplomatic relations. It was April of 1919 when the United States first established a diplomatic relationship with the Polish Republic, and for nearly a century our two counties have worked together to maintain this important bond. Throughout the course of this lasting friendship, we have seen Poland overcome a period of communist rule and a legacy of foreign occupation to emerge as the free and democratic nation it is today, showing the great strength and resolve of the Polish people.

The mark of a great nation, however, is not measured solely by the distance of its own advancement, but by its ability and willingness to help advance and protect other nations in the world community. Poland has collaborated closely with the United States in efforts to promote democratization and human rights in regions beyond the nation’s borders. Additionally, the great nation of Poland has assisted the United States in fundamental efforts to limit nuclear proliferation, facilitate regional cooperation in Eastern Europe, and reform the United Nations.

As a proud member of the Polish Caucus, it is my honor to recognize Poland for its indispensable support and committed partnership with the United States in advancing worldwide liberty. Poland has continually supported the United States, both militarily and diplomatically, in efforts aimed at combating global terrorism.

I am proud to say that my home state of Connecticut has one of the largest Polish-American populations in the country. Polish-Americans play an active role in the community through the many cultural and civic organizations established in my district. This includes the Greater Hartford Polish Cultural Club, which was proud to host the 61st Annual National Convention of the American Council for Polish Culture in August of this year. The continued celebration of the vibrant heritage of Polish-Americans is a testament to the strength of the enduring partnership between our two great nations.

It is with great appreciation for Poland’s efforts in upholding the ideals of freedom that I rise in support of House Resolution 266, celebrating 90 years of United States-Polish diplomatic relations.

**20TH ANNIVERSARY OF THE VI-SION OF A THOUSAND “POINTS OF LIGHT”**

**HON. JOHN LEWIS**

**OF GEORGIA**

**IN THE HOUSE OF REPRESENTATIVES**

Thursday, October 15, 2009

Mr. LEWIS of Georgia. Madam Speaker, I rise today to commemorate the 20th anniversary of the vision of a thousand “Points of
Light” and to celebrate the growing tide of commitment to service and volunteering that is a hallmark of this great nation. Tomorrow, President George H. W. Bush and President Barack Obama are together to mark this important milestone in the history of the service movement. Twenty years ago, President Bush spoke of a thousand points of light, individuals and organizations “spread like stars throughout the nation, doing good.” From this idea rose the Points of Light Foundation which has both recognized and organized exemplary acts of giving for the past two decades.

In 2007, it merged with Hands On Network, which started in my district, the city of Atlanta, and the combined organization is now the Points of Light Institute, the largest volunteer network in the country. Their mission is to mobilize, not just a thousand, but millions to answer the call to solve our most pressing problems—volunteers working together to help those with HIV in San Francisco, building wheelchair ramps in Greenville, and creating awareness and awareness programs in Atlanta.

In today’s hard times, people are hurting. Americans are having to choose between paying their mortgages and putting food on the table. In these tough times it is more important than ever for Americans to give back to those in need. National Service becomes ever more important when people are hurting. I am proud of my fellow citizens who are serving as a part of President Obama’s United We Serve initiative.

**INTRODUCING THE EVERY CHILD DESERVES A FAMILY ACT**

**HON. FORNEY PETE STARK**

OF CALIFORNIA

**IN THE HOUSE OF REPRESENTATIVES**

Thursday, October 15, 2009

Mr. STARK. Madam Speaker, I rise today to introduce legislation that will open up thousands of good homes to foster children. On any given day, there are approximately 500,000 children in the child welfare system. Over 125,000 of these abused and neglected children are waiting to be adopted. There is an acute shortage, however, of adoptive and foster parents. The result is that many children, particularly minority and special needs children, languish in foster care without permanent homes. The severe developmental, emotional, and educational costs to children raised in foster care are well documented. The 25,000 youth who never find a permanent family and “age out” of the system each year are more likely than nearly any other group to become homeless, incarcerated, or suffer with mental illness or substance abuse.

Despite the shortage of adoptive and foster parents and the terrible consequences of long stays in the child welfare system, some states have enacted discriminatory bans prohibiting children from being placed with qualified parents due to the parent’s marital status or sexual orientation. Currently, over 65,000 adopted children and 14,000 foster children are living with a gay or lesbian parent. Studies suggest that upward of 2 million gay and lesbian individuals are interested in adopting or fostering a child. Yet, statewide discriminatory bans and the practices of individual adoption agencies have resulted in fewer children being placed in safe and permanent homes.

Congress invests over $8 billion in the child welfare system each year and we should not accept policies that use Federal funds to erect barriers to adoption and close the door to thousands of potential homes. Multiple studies have found that adopted and foster children raised by gay and lesbian parents fare just as well as their peers being raised by heterosexual parents.

When considering a potential placement for a child, the only criteria should be what is in the child’s best interest and whether the prospective parents can provide a safe and nurturing home. Bigotry should play no part in this decision. That is why I am introducing the “Every Child Deserves a Family Act.” This legislation would simply prohibit any entity that receives Federal child welfare funds from denying or delaying adoption or foster care placements based solely on the prospective parent’s marital status or sexual orientation. States and child welfare agencies that fail to end discriminatory practices would face financial penalties. This is the same approach that put an end to race discrimination in adoption and foster care placements.

Abused and neglected children in our child welfare system are some of the most vulnerable members of our society. We cannot allow divisive politics to further harm these children by shrinking the number of prospective adoptive and foster parents. I urge all of my colleagues to join me in saying yes to children and no to bigotry by cosponsoring the “Every Child Deserves a Family Act” and working with me to make it law.

**RECOGNIZING NATIONAL LATINO AIDS AWARENESS DAY OF 2009**

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

**IN THE HOUSE OF REPRESENTATIVES**

Thursday, October 15, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to recognize National Latino AIDS Awareness Day of 2009 which takes place today on Thursday, October 15, 2009. I want to commend the various individuals and groups that have worked hard to make this day a reality including the Hispanic Federation, the Latino Commission on AIDS, the National Association of General Practitioners, and the National Latino and Asian American HIV/AIDS Directors, and various other local, regional, and national partners.

National Latino AIDS Awareness Day is an incredibly important day that helps bring attention to the problems the Latino community faces in regards to the HIV/AIDS crisis. While the HIV/AIDS problem is an issue that affects every racial and ethnic group in the United States, it unfortunately has a disproportionate impact on the Latino community. In 2006, there were roughly 80,000 Latinos living with AIDS, representing 18 percent of all those living with the disease, and although Latinos comprise 15.3 percent of the U.S. population, they account for 24.3 percent of new HIV infections. Additionally, stigma within the Latino community, lack of access to healthcare, and misinformation about the virus make it difficult to combat. Truly, this must be changed, and embracing the goals and ideas of National Latino AIDS Awareness Day is a step towards making that happen.

I am reminded, too, that the Latino community is not alone in this struggle. Other ethnic groups and particularly the African-American community are disproportionately affected by HIV/AIDS. We must all stand together, learn from each other, and work toward ending this virus that hurts so many people in our country and across the world.

Madam Speaker, I urge my fellow colleagues to join me today in recognizing National Latino AIDS Awareness Day for the betterment of our country and the health of the numerous ethnic groups that add so much to our national character.

**EAST BAY REGIONAL PARK DISTRICT AND THE REGIONAL PARKS FOUNDATION**

**HON. BARBARA LEE**

OF CALIFORNIA

**IN THE HOUSE OF REPRESENTATIVES**

Thursday, October 15, 2009

Ms. LEE of California. Madam Speaker, I rise today to honor the joint anniversary celebration of East Bay Regional Park District’s 75th Anniversary and the supporting Regional Parks Foundation’s 40th Anniversary. This evening, Park District supporters and friends gather at Temescal Regional Park, overlooking open space created through the founding of the nation’s first and largest Regional Park District.

In 1934, during the catastrophic depths of the Great Depression, members of a grassroots land preservation movement placed a measure on the ballot that would preserve existing and future watershed lands in the Oakland and Berkeley hills. The project introduced a concept unheard of at the time: creating a natural balance between recreational land use and wilderness preservation. Bay Area residents responded with unprecedented foresight and civic commitment when the measure passed by an astonishing 71 percent.

Today, the East Bay Regional Park District, EBRPD, operating in Alameda and Contra Costa counties, manages more than 98,000 acres of land comprising 65 parks and over 1,000 miles of biking, hiking, and horse riding trails. The parks host approximately 14 million visitors per year.

The District, supported by the Regional Parks Foundation’s fundraising efforts, provides recreational opportunities at freshwater swimming areas, fishing docks and piers, day camps, children’s play areas and numerous camping and picnic sites.

Myriad visitor services include education centers, a disabled-access swimming pool and group meeting facilities. The Park District’s Park Express Program offers subsidized bus service to any District park for groups of senior, disabled or low-income residents and school classes with funded lunch programs.
Our regional parks’ success is the result of eight decades of hard work by innumerable citizen activists, elected district directors, general managers, district employees, environmental organizations, public officials, volunteers, and taxpayers who have collaborated to ensure local access to a majestic regional park system. Many park sites also contain protected species of plants and animals, as well as Native American historical sites containing rock art, and burial or village locations. Above all, EBRPD’s top priority remains aligned with our park founders’ original mission: to preserve the natural beauty of the land and protect wildlife habitats.

The future of East Bay Regional Park District is marked by growth and stability thanks to last year’s passage of Measure WW, the largest local park bond measure to pass in the region. A record $800 million will be used to last year’s passage of Measure WW, the largest local park bond measure to pass on record.

Seventy-five years ago, Bay Area park advocates demonstrated a pioneering and progressive local spirit, which endures to this day. The rich history of our regional parks has undoubtedly helped lay the framework for the Bay Area’s famed conservation movement. It is this continued passion for open spaces and preservation that inspires communities, on a national and global level, to protect and preserve both the environment—and our future.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Ms. WASSERMAN SCHULTZ. Madam Speaker, on October 14, 2009, I missed the following Rolcall Votes due to a longstanding commitment away from Washington:

1. Rolcall vote No. 775, H. Res. 768, Expressing support for the designation of the Month of October as “National Work and Family Month”.

2. Rolcall vote No. 776, H.R. 1327, the Iran Sanctions Enabling Act.


5. Rolcall Vote 779, H. Res. 786, Commemorating the canonization of Father Damien de Veuster, SS.CC. to sainthood.

If present, I would have voted “yea” on all matters.

50TH ANNIVERSARY OF ART VAN FURNITURE

HON. GARY C. PETERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. PETERS. Madam Speaker, I rise today to commemorate the 50th Anniversary of Art Van Furniture, an iconic fixture in the retail world of Michigan that was founded by Art Van Elslander, a much admired and prominent figure in the metro-Detroit community.

The story of Art Van Elslander and the rise of Art Van Furniture to its dominant position in the retail furniture world is the American Dream fully realized. As a son of Belgian immigrants and growing up on Detroit’s east side, Archie “Art” Van Elslander’s entrepreneurial spirit shone brightly even as a younger. When he hawked newspapers up and down Detroit’s Gratiot Avenue. After high school, military service and working at a local furniture store, Mr. Van Elslander entered the world of entrepreneurs. Heeding his father’s advice to “control your own destiny,” Mr. Van Elslander mortgaged his home and borrowed against insurance policies to finance his first store.

Throughout times both flourishing and failing in the subsequent years, the fortunes of Art Van Furniture ebbed and flowed with the economic cycles of the Michigan economy. Ultimately, it grew to more than 30 locations across Michigan and employing more than 2500. Over the years, Art Van Furniture has adapted to the changing environment, and quite literally so. Art Van has been named a “GreenTailer” by the Michigan Retailers Association after adopting a variety of Earth-friendly practices ranging from the installation of Energy Management Systems to recycling tons of waste. It has been continually named as one of West Michigan’s Best and Brightest places to work.

Over the past 50 years, Art Van has grown to be Michigan’s largest furniture retailer. And during those years, Art Van Elslander became renowned and admired as a pillar of the philanthropic community and a stalwart business leader committed to Michigan and its citizens. Madam Speaker, I ask my colleagues to join me in saluting the 50th Anniversary of Art Van Furniture and each of its thousands of employees over the years, on 50 years of growth and success.

RECOGNIZING THE 40TH ANNIVERSARY OF THE GEORGE BUSH INTERCONTINENTAL AIRPORT IN HOUSTON, TEXAS

SPEECH OF

HON. GENE GREEEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H. Con. Res. 138, which honors the George Bush Intercontinental Airport for its 40 years of outstanding service to the residents of Houston, TX, and to travelers from around the world.

Since it first opened in 1969, Bush Intercontinental Airport has transported over 700,000,000 passengers to more than 170 U.S. and international destinations, making it one of the largest airports in the world. This, in turn, has generated tremendous economic benefits for the greater Houston area. Travelers to the region account for more than $20 billion in annual sales. The airport also employs over 30,000 Houston-area residents and has created over 120,000 additional jobs in local industries. Many of these employees live in our district.

Bush Intercontinental Airport has likewise served as a hub for cargo shipments to the U.S. and Latin America. For four years in a row, the airport has received Air Cargo World’s “Air Cargo Excellence Award” for its facilities. It now handles more than 300,000 tons of freight annually, and this figure continues to grow. In November, the airport plans to open a new import facility for perishable freight, which will expand business in temperature-sensitive products.

Together with the Port of Houston, Bush Intercontinental Airport has helped to make Houston a truly international city and one of the leading ports of entry and export in the country. It serves as a model of success in international trade and a level of accomplishment should be acknowledged. I urge my colleagues to support House Concurrent Resolution 138 recognizing the 40th anniversary of George Bush Intercontinental Airport.

PASTOR CHARLES T. SEMBLY AND FIRST LADY PAMELA J. SEMBLY

HON. C.A. DUTCH RUPPERSBERGER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Reverend Charles T. Sembly and First Lady Pamela J. Sembly for their 25 years of faithful, dedicated service to Union Bethel A.M.E. Church.

Following in the footsteps of his father, the late Rev. Edgar L. James, Pastor Sembly earned his license to preach on March 17, 1971, and was ordained an African Methodist Episcopal Itinerant Deacon in 1978 and an Itinerant Elder in 1979. In 1982, Pastor Sembly was appointed Pastor of Mt. Zion African Methodist Episcopal Church in Knoxville, Maryland. During the mid-year Conference on October 24, 1984, Pastor Sembly was appointed to Union Bethel African Methodist Episcopal Church.

Pastor Sembly and Mrs. Sembly have provided noteworthy spiritual leadership in fulfilling their vision of growth and development at Union Bethel A.M.E. Church. During Pastor Sembly’s tenure, the church established over 40 ministries and outreach programs to enhance the Randallstown community. Under his leadership, the church created a nonprofit Community Development Corporation to increase its social outreach and opportunities for service to the greater Northwest Baltimore County community. As local President of the Lillian M. Dorsey Senior Missionary, Mrs. Sembly established several on-going outreach programs, which include the Good Samaritan Ministry, Senior Services, Inc. and provided additional support to area shelters.

Pastor Sembly is currently a Trustee and Member of the Finance Committee of the Second Episcopal District Washington Conference, and an Instructor of the Second Episcopal District Washington Conference Board of Examiners. Pastor Sembly conceptualized and developed the Six-Week Lenten Services with seven A.M.E. Churches and is a former Recording Secretary for the Second Episcopal District Washington Conference.

Ms. Sembly is very active in the Women’s Masonic Auxiliary of the African Methodist Episcopal Church. She currently serves as the President of the Lillian M. Dorsey Senior Missionary Society of Union Bethel A.M.E.
HONORING MRS. DEBRA JOHNSON
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. HERSHEY SANDLIN. Madam Speaker, I want to take this opportunity to recognize Mrs. Debra Johnson, Principal of Chamberlain Middle School and High School in Chamberlain, South Dakota. Mrs. Johnson was named South Dakota Middle School Principal of the Year by the National Association of Secondary School Principals (NASSP) National Principal of the Year Program. This award recognizes the achievements of secondary school principals like Mrs. Johnson who have succeeded in providing high-quality learning opportunities for students as well as demonstrating exemplary contributions to the profession.

Mrs. Johnson has devoted 29 years to education, including more than 17 years as an administrator. One of her proudest achievements was combining separate buildings for grades 5–8 and grades 9–12 into a joint middle school and high school in Chamberlain, where staff can work together to address issues, implement effective teaching strategies, and design plans so that all students can achieve at their highest level. Mrs. Johnson recognizes the value of a well-rounded education beyond just the classroom and has been a strong supporter and advocate of quality afterschool activities. Her leadership, organization, and planning skills have served students, teachers, and fellow administrators well throughout her career.

I send best wishes and congratulations to Mrs. Johnson on this noteworthy recognition and thank her for her years of service as an educator in South Dakota.

HONORING DEBORAH PeePLES
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. McGOVERN. Madam Speaker, I rise today in honor of Deborah Peebles of Shrewsbury, Massachusetts. Through Mrs. Peebles’ public service and dedication to the community she inspires us all. In acknowledgement of her service and commitment to the advancement of the Democratic Party, Deborah has been selected to receive the Eleanor Roosevelt Humanitarian Award from the Shrewsbury Democratic Town Committee.

Deborah has done a tremendous amount of work for the Town of Shrewsbury. She has served as an elected Town Meeting Member and member of the Shrewsbury School Committee. During this time she played an active role in four school building projects. Currently, Mrs. Peebles serves as the Treasurer for the Board of Friends of the Shrewsbury Public Library. She founded and ran the Summer R.E.C.E.S.S. reading program which continues to this day. Deborah Peebles is dedicated to improving the community of Shrewsbury.

Deborah Peebles has been an active member and is the current Co-Vice Chair of the Town Democratic Committee. She has been involved in Democratic campaigns for a very long time, from leafleting for George McGovern in 1972 and more recently, campaigning for Hillary Clinton, Shannon O’Brien, Bill Clinton and Deval Patrick. I will be forever grateful to her for her friendship and hard work helping in my Congressional campaigns. Deborah is a graduate of Washington University in St Louis. Currently she serves as Executive Director of ELNA (Education and Leadership for a Non-violent Age) Collaborative, working with middle and high school students promoting leadership, civic participation and social activism.

Deborah’s devotion to the betterment of our community and her commitment to public service enrich us all. In tribute to her outstanding service to the Town of Shrewsbury, I congratulate my friend, Deborah Peebles on receiving this award. I know all my colleagues will join me in paying tribute to her.

HONORING STEPHANIE HERSHEY SANDLIN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. HERSHEY SANDLIN. Madam Speaker, I want to take this opportunity to recognize Mrs. Debra Johnson, Principal of Chamberlain Middle School and High School in Chamberlain, South Dakota. Mrs. Johnson was named South Dakota Middle School Principal of the Year by the National Association of Secondary School Principals (NASSP) National Principal of the Year Program. This award recognizes the achievements of secondary school principals like Mrs. Johnson who have succeeded in providing high-quality learning opportunities for students as well as demonstrating exemplary contributions to the profession.

Mrs. Johnson has devoted 29 years to education, including more than 17 years as an administrator. One of her proudest achievements was combining separate buildings for grades 5–8 and grades 9–12 into a joint middle school and high school in Chamberlain, where staff can work together to address issues, implement effective teaching strategies, and design plans so that all students can achieve at their highest level. Mrs. Johnson recognizes the value of a well-rounded education beyond just the classroom and has been a strong supporter and advocate of quality afterschool activities. Her leadership, organization, and planning skills have served students, teachers, and fellow administrators well throughout her career.

I send best wishes and congratulations to Mrs. Johnson on this noteworthy recognition and thank her for her years of service as an educator in South Dakota.
Born and raised in Charleston, I have been a longtime admirer and supporter of The Citadel. For 167 years, it has educated and built strong leaders in our military and civilian communities. It remains an important part of South Carolina’s heritage of service. I know firsthand of its benefits with three brothers-in-law and two nieces graduates of The Citadel. I never cease to be amazed at the achievements of Citadel graduates, such as Brigadier General Larry Nicholson who I met in Helmand Province of Afghanistan where he is leading our courageous Marines.

I am grateful to have known so many graduates such as Congressman J. GRESHAM BARRETT and Congressman STEVE BUYER of this important institution and will continue to be a proud supporter. Under the leadership of its President, LTG John W. Rosa, The Citadel is a valued national institution.

PAKISTAN-U.S. RELATIONS

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. KUCINICH. Madam Speaker, I have been a strong supporter of the friendship between the people of the Islamic Republic of Pakistan and the United States, and I have supported efforts to strengthen the bonds between the countries as well as efforts that address our mutual security interests.

The current economic situation is the primary challenge to achieving these mutual goals.

Unfortunately, the economy of Pakistan is under considerable stress right now. The value of the rupee is at a historical low relative to the dollar, and international reserves have declined by $7 billion—more than half—in one year's time.

Additionally, the current inflation rate is 25 percent and consumer prices are the highest they have been in over 30 years.

The U.S. wishes to disrupt and dismantle the existence of terrorist safe havens in Pakistan to bring stability and peace to the region.

As such, it is important to examine the root cause of terrorism, desperation. This desperation is best addressed by ensuring that U.S. foreign policy promotes worldwide economic stability.

We must lay the foundation of human security and capacity building which includes ensuring educational opportunities, economic and social justice, and physical and mental health care for everyone.

As such, I have not supported the current plans by the Administration to provide military training and defense articles to Pakistan.

The foundation of a peaceful society is rooted not in military might, but by ensuring that people's basic needs are met. This is the key component to achieve human security. In Pakistan, where approximately two-thirds of the people of Pakistan are living on less than $2 a day, there is much that must be done to ensure that this key component to human security is achieved.

Additionally, I have vociferously opposed U.S. drone attacks on Pakistan. These attacks cause devastation to the innocent civilian population. I understand the opposition to the drone attacks by the government of Pakistan.

I will continue to work with my colleagues in Congress to address this issue and pursue a dialog with Special Envoy Holbrooke.

Some have proposed establishing free trade agreements with Pakistan. The current U.S. model for free trade is flawed. For example, labor and environmental protections are inadequate. With the current lack of stability in Pakistan it is difficult to imagine that these protections could be assured.

IN HONOR OF JOHN MARHEFKA, PENNSYLVANIA D.A.R.E. OFFICER OF THE YEAR

HON. JOHN P. MURTHA
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. MURTHA. Madam Speaker, I rise today in honor of Patrolman John Marhefka of Lower Burrell, Pennsylvania. He was recently named Pennsylvania’s Top Drug Awareness and Resistance Education (D.A.R.E.) Officer of the Year.

For twelve years, Marhefka has been dedicated to preventing illegal drug usage through D.A.R.E., a program where police officers go into schools to teach young people about the dangers of illegal drugs. The D.A.R.E. program encourages students to make good life decisions by warning them about the risks of substance abuse and violence. The relationships that develop between the officers and their students open new lines of communication and help to strengthen community ties.

While there are more than 1,000 D.A.R.E. officers throughout Pennsylvania, Marhefka is one that goes above and beyond what is expected of him. Over the last 12 years, Marhefka has taught over 700 Burrell students from kindergarten to 12th grade. Marhefka makes a genuine effort to form a relationship with each of his students. He is known for his participation in school and school related events.

Madam Speaker, Marhefka’s dedication to the D.A.R.E. program has given students the knowledge and confidence they need to avoid the temptation of peer pressure. I commend him for his dedication to the prevention of illegal drug use and for his outstanding commitment to promoting safety in his community.

SOCIAL SECURITY COST OF LIVING ADJUSTMENT

HON. JAMES R. LANGEVIN
OF RHOE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Mr. LANGEVIN. Madam Speaker, I rise today in support of the President’s call to provide assistance to our nation’s elderly, veteran and disabled citizens who will see no Cost of Living Adjustment (COLA) in their 2010 Social Security payments for the first time in over 40 years.

Since the Great Depression, Social Security has proven a vital safety-net program that has kept over half of our seniors from falling into poverty. It has been adjusted annually according to inflation to maintain the purchasing power of beneficiaries since 1975. In my home district, over 95,000 people collect Social Security benefits. This program provides 40 percent of all income received by elderly people in the United States, and supplies significant financial support for individuals with disabilities.

Despite encouraging signs of economic stabilization, millions of vulnerable citizens continue to struggle in the wake of a recession that brought record housing foreclosures, job losses and bankruptcies. Particularly hit are older Americans who have seen the value of their assets and savings wiped out, forcing them to postpone retirement or reenter the workforce, if employment can be found.

We must ensure that the purchasing power of older and disabled Americans remains strong. To that end, I look forward to working with my colleagues and the President to enact policies that will help rebuild retirement savings, restore lost asset value and achieve long-lasting financial security and independence.

HONORING OSCAR GUSTAVE MAYER, JR.

HON. TAMMY BALDWIN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 15, 2009

Ms. BALDWIN. Madam Speaker, Rep. JACK KINGTON and I rise today in honor of the life and legacy of Oscar G. Mayer, Jr., of Madison, Wisconsin. Mr. Mayer’s death last July was mourned by his widow, Geraldine, his family, the Madison community and the celebration company he founded and that he inherited from his grandfather.

Mr. Mayer served as President and later Chairman of Oscar Mayer & Co., leading the company through one of the most productive periods in its history. Although raised in Illinois, Mr. Mayer moved to Madison, Wisconsin in 1946, while serving as Assistant to the Vice President of Operations. Then in 1957, as company president, Mr. Mayer moved Oscar Mayer & Co.’s headquarters to the Wisconsin state capital. Once rooted in Wisconsin, Oscar Mayer’s generosity and kindness were felt in every corner of the greater Madison community.

An impassioned philanthropist, Oscar Mayer never shied away from an opportunity to help his community. Mr. Mayer was instrumental in turning the old Capitol Theater on State Street into Madison’s first civic center. Mr. Mayer was a strong supporter of the Madison Arts Center and Elvehjem Art Museum and helped found the Alexis de Tocqueville Society, which has gone on to raise hundreds of thousands of dollars for the United Way of Dane County.

“Do the right thing,” were Mr. Mayer’s philosophy in business and he carried that into his personal life, donating time, money and services to various organizations and groups.
Mary Morris Lawrence was born in Chicago, Illinois on March 27, 1914. She graduated from Sarah Lawrence College in 1936, and often attributed her distinct ambitions, creative prowess and “rebellious ideas” to the time she spent there. In the early years, colleagues described Mary as a hard worker with a knack for using her wit to gain access to great shots and poignant moments with her small Rolleiflex camera.

Mary spent six years in Hollywood during her first marriage with still photographer Ralph Steiner, with whom she had a daughter, Antonia Steiner. Her self-described aggressive nature and creative spirit helped her commingle with movie stars. Sunday magazine pieces for PM featured Mary’s trademark, sleek, black-and-white portraits of silver screen luminaries. Her work included shots of Sophia Loren, Gene Kelly, Marilyn Monroe, Humphrey Bogart and many others.

Afterward, Mary returned to New York as a magazine freelancer, producing work for Life, Mademoiselle and other publications. She also started an advertising business out of a Midtown brownstone.

In 1963, she married Harold Lawrence, producer for Mercury Records, and subsequently General Manager of the London Symphony Orchestra and Manager of the New York Philharmonic. The family settled in Oakland when Harold Lawrence was named president and General Manager of the Oakland East Bay Symphony in 1977.

Mary volunteered locally for the League of Women Voters, ERA, Oakland Potluck and Neighborhood Newsletter Task Force. She continued her work, photographing music legends like Michael Tilson Thomas and Calvin Simmons. She also became a creative partner in her husband’s film documentaries, later devoting her photographic skills to occasional projects for friends.

Mary Morris Lawrence’s tenacious zest for life will inspire generations to come. In her life she overcame many obstacles, including surviving a brain tumor in her fifties.

She recently celebrated her 95th birthday with friends at a belly-dancing restaurant, and undoubtedly, her convivial spirit will continue to be a powerful gift to the people she cherished most. She will be remembered for her unparalleled passion, wit and bravery.

Today, California’s 9th Congressional District salutes and honors an incredible and beloved human being, Mary Morris Lawrence. We extend our deepest condolences to Mary’s husband, daughter, goddaughter, family and friends. May her soul rest in peace.
HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act.


Senate

Chamber Action

Routine Proceedings, pages S10443–S10497

Measures Introduced: Eight bills were introduced, as follows: S. 1788–1795.

Measures Reported:

- S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, with an amendment in the nature of a substitute.
- S. 379, to provide fair compensation to artists for use of their sound recordings, with amendments.
- S. 1793, to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS.

Measures Considered:

Medicare Physicians Fairness Act—Cloture: Senate began consideration of the motion to proceed to consideration of S. 1776, to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula.

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, October 15, 2009, a vote on cloture will occur at 5:30 p.m., on Monday, October 19, 2009.

Conference Reports:

Energy and Water Development and Related Agencies Appropriations Act Conference Report: By 80 yeas to 17 nays (Vote No. 322), Senate agreed to the conference report to accompany H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010.

Nominations Confirmed: Senate confirmed the following nominations:

- Brendan V. Johnson, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.
- Karen Louise Loeffler, of Alaska, to be United States Attorney for the District of Alaska for the term of four years.
- Steven Gerard O’Donnell, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

Nominations Received: Senate received the following nominations:

- Clifford L. Stanley, of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness.
- Jessie Hill Roberson, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2013.
- Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2012.
- Peter Stanley Winokur, of Maryland, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2014.
Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2014.

Scott Boyer Quehl, of Pennsylvania, to be an Assistant Secretary of Commerce.

Scott Boyer Quehl, of Pennsylvania, to be Chief Financial Officer, Department of Commerce.

Charles P. Blahous III, of Maryland, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Charles P. Blahous III, of Maryland, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

Charles P. Blahous III, of Maryland, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Robert D. Reischauer, of Maryland, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Robert D. Reischauer, of Maryland, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Robert D. Reischauer, of Maryland, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

Anne Slaughter Andrew, of Indiana, to be Ambassador to the Republic of Costa Rica.

Lynnae M. Ruttledge, of Washington, to be Commissioner of the Rehabilitation Services Administration, Department of Education.

Alan C. Kessler, of Pennsylvania, to be a Governor of the United States Postal Service for a term expiring December 8, 2015.

35 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, and Navy.

Amendments Submitted: Page S10494
Notices of Hearings/Meetings: Pages S10494–95
Authorities for Committees to Meet: Page S10495
Privileges of the Floor: Page S10495
Record Votes: One record vote was taken today. (Total—322) Page S10464
Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:59 p.m., until 2 p.m. on Monday, October 19, 2009. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S10495.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: On Thursday, October 8, 2009, the following was listed in the Daily Digest:

On September 24, 2009, committee announced the following subcommittee assignments:


The following is the correct subcommittee membership:


NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security, Patrick Gallagher, of Maryland, to be Director of the National Institute of Standards and Technology, Department of Commerce, who was introduced by Senator Udall (NM), and Paul K. Martin, of Maryland, to be Inspector General, and Elizabeth M. Robinson, of Virginia, to be Chief Financial Officer, who was introduced by Senator Cantwell, both of the National Aeronautics and Space Administration, after the nominees testified and answered questions in their own behalf.
NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Jim R. Esquea, of New York, to be Assistant Secretary for Legislation, who was introduced by Senator Conrad, Ellen Gloninger Murray, of Virginia, to be Assistant Secretary for Resources and Technology, who was introduced by Senator Harkin, and Bryan Hayes Samuels, of Illinois, to be Commissioner on Children, Youth, and Families, all of the Department of Health and Human Services, after the nominees testified and answered questions in their own behalf.

CLIMATE CHANGE

Committee on Foreign Relations: Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection concluded a hearing to examine drought, flooding and refugees, focusing on the impacts of climate change, after receiving testimony from General Charles F. Wald, USAF (Ret.), former Deputy Commander of United States European Command, on behalf of the CNA Military Advisory Board; and Reverend Jim Ball, Evangelical Environmental Network, David Waskow, Oxfam America, Kenneth P. Green, American Enterprise Institute, and Peter O'Driscoll, ActionAid USA, all of Washington, D.C.

RADIO BROADCASTING IN WAR ZONES

Committee on Foreign Relations: Subcommittee on International Operations and Organizations, Human Rights, Democracy, and Global Women’s Issues concluded a hearing to examine United States international broadcasting into the war zones, focusing on Iraq and Afghanistan, after receiving testimony from Jeffrey Hirschberg, Governor and Chair of the Radio Free Europe and Radio Liberty Subcommittee, Joaquín Blaya, Governor and Chair of the Middle East Subcommittee, and Steven Simmons, Governor and Chair of the Voice of America Subcommittee, all of the Broadcasting Board of Governors, Washington, D.C.

DOMESTIC PARTNER BENEFITS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine domestic partner benefits, including S. 1102, to provide benefits to domestic partners of Federal employees, after receiving testimony from Representative Baldwin; John Berry, Director, United States Office of Personnel Management; and William H. Hendrix III, The Dow Chemical Company, Midland, Michigan.

HEALTH CARE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine equal health care for equal premiums, focusing on women, after receiving testimony from James Guest, Consumers Union, Yonkers, New York; Marcia D. Greenberger, National Women’s Law Center, Janice Shaw Crouse, Concerned Women for America Beverly LaHaye Institute, Diana Furchtgott-Roth, Hudson Institute, and Karen Ignagni, America’s Health Insurance Plans, all of Washington, D.C.; Amanda Buchanan, Weiser, Idaho; and Peggy Robertson, Centennial, Colorado.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, with an amendment in the nature of a substitute;

S. 379, to provide fair compensation to artists for use of their sound recordings, with an amendment in the nature of a substitute; and

The nominations of Jacqueline H. Nguyen and Dolly M. Gee, both to be a United States District Judge for the Central District of California, and Edward Milton Chen and Richard Seeborg, both to be a United States District Judge for the Northern District of California.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.
House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 30 public bills, H.R. 3815–3844; and 12 resolutions, H. Con. Res. 200–201; and H. Res. 834–843 were introduced.

Additional Cosponsors: Pages H11458–59

Report Filed: A report was filed today as follows:
H.R. 3583, to guide and provide for United States research, development, and demonstration of solar energy technologies, with an amendment (H. Rept. 111–302).

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker Pro Tempore for today.

Chaplain: The prayer was offered by the Guest Chaplain, Reverend David Ferrell, Calvary Tabernacle, Perth-Andover, New Brunswick.


Rejected the Rogers (KY) motion to recommit the conference report accompanying the bill H.R. 2892 to the committee of conference with instructions to the managers on the part of the House by a yea-and-nay vote of 193 yeas to 224 nays, Roll No. 783.

H. Res. 829, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 239 yeas to 174 nays, Roll No. 781, after agreeing to order the previous question by a yea-and-nay vote of 243 yeas to 173 nays, Roll No. 780.

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, October 14th:

Expressing sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma: H. Res. 800, amended, to express sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma, by a ⅔ recorded vote of 415 ayes with none voting “no”, Roll No. 782 and


Agreed to amend the title so as to read: “To designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ‘George P. Kazen Federal Building and United States Courthouse’.”

Committee Resignation: Read a letter from Representative Sherman, wherein he resigned from the Committee on the Judiciary, effective October 14, 2009.

Committee Election: The House agreed to H. Res. 834, electing a Member to certain standing committees of the House of Representatives: Committee on the Judiciary: Representative Chu (to rank immediately after Representative Quigley). Committee on Oversight and Government Reform: Representative Chu.

Board of Visitors to the United States Military Academy—Appointment: The Chair announced the Speaker’s appointment of the following Members of the House of Representatives to the Board of Visitors to the United States Military Academy: Representatives Lewis (CA) and Shimkus.

National Council on the Arts—Appointment: The Chair announced the Speaker’s appointment of the following Members of the House of Representatives to the National Council on the Arts: Representatives McCollum and Carnahan.


Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Nunes motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 237 yeas to 176 nays, Roll No. 788.
H. Res. 830, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 221 yeas to 193 nays, Roll No. 787, after agreeing to order the previous question by a yea-and-nay vote of 237 yeas to 178 nays, Roll No. 786.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, October 20th for morning hour debate. Page H11432

Senate Messages: Messages received from the Senate today appear on pages H11385 and H11419.

Senate Referrals: S. 1694 was referred to the Committee on Energy and Commerce; S. 692 and S. Con. Res. 46 were held at the desk. Pages H11385, H11455

Quorum Calls—Votes: Nine yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H11393, H11394, H11394–95, H11409, H11410, H11410–11, H11417–18, H11418–19, H11428–29 and H11429. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:30 p.m.

Committee Meetings

DEFENSE CONTRACTING AND TAXPAYER PROTECTION

Committee on Armed Services, Defense Acquisition Reform Panel held a hearing on Can the Department of Defense Protect Taxpayers: When It Pays Its Contractors? Testimony was heard from the following officials of the Department of Defense: Shay Assad, Director, Defense Procurement and Acquisition Policy; and April G. Stephenson, Director, Defense Contract Audit Agency; and Gregory D. Kutz, Managing Director, Forensic Affairs and Special Investigations, GAO.

MISCELLANEOUS MEASURES


MINORITY BUSINESS DEVELOPMENT AGENCY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing on The Minority Business Development Agency: Enhancing the Prospects for Success. Testimony was heard from the following officials of the Department of Commerce: Gary Locke, Secretary; and David Hinson, National Director, Minority Business Development Agency; and public witnesses.

PROBLEM OF UNDERINSURANCE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Insured But Not Covered: The Problem of Underinsurance." Testimony was heard from public witnesses.

OVER-THE-COUNTER DERIVATIVES MARKETS ACT OF 2009

Committee on Financial Assistance: Ordered reported, as amended, H.R. 3795, To enact the over-the-Counter Derivatives Markets Act of 2009.

AFGHANISTAN POLICY

Committee on Foreign Affairs: Held a hearing on Afghanistan Policy at the Crossroads. Testimony was heard from J. Alexander Thier, Director for Afghanistan and Pakistan, U.S. Institute of Peace; and public witnesses.

WESTERN HEMISPHERE DRUG POLICY COMMISSION ACT; DRUG POLICY IN THE AMERICAS

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere approved for full Committee, as amended, H.R. 2134, Western Hemisphere Drug Policy Commission Act of 2009.

The Subcommittee also held a hearing on Assessing U.S. Drug Policy in the Americas. Testimony was heard from Representative Bono Mack; Mark Schneider, former Director, Peace Corps.

NOAA WATERSHED AND EDUCATION PROGRAMS

Committee on Natural Resources: Subcommittee on Inland Affairs, Oceans and Wildlife held a hearing on H.R. 3644, Bay-Watershed Education and Training (B–WET) Regional Program and National Environment Literacy Grant Program Act. Testimony was heard from Louisa Koch, Director, Office of Education, NOAA, Department of Commerce; and public witnesses.

CLEAN WATER ACT AFTER 37 YEARS

Committee on Transportation and Infrastructure: Held a hearing on the Clean Water Act after 37 Years: Recommitting to the Protection of the Nation's Waters. Testimony was heard from the following officials of the EPA: Lisa P. Jackson, Administrator; and
Wade T. Najjum, Assistant Inspector General, Office of the Inspector General; Anu K. Mittal, Director, Natural Resources and Environment Team, GAO; and public witnesses.

POST–9/11 G.I. BILL STATUS
Committee on Veterans' Affairs, Subcommittee on Economic Opportunity held a hearing on VA Status Report on Post-9/11 G.I. Bill. Testimony was heard from Keith M. Wilson, Director, Office of Education Service, Veterans Benefits Administration, Department of Veterans Affairs.

VA INAPPROPRIATE BILLING PRACTICES
Committee on Veterans' Affairs: Subcommittee on Health held a hearing on Identifying the Causes of Inappropriate Billing Practices by the VA. Testimony was heard from Kay Daly, Director, Financial Management and Assurance, GAO; Gary M. Baker, Chief Business Officer, Veterans Health Administration, Department of Veterans; and representatives of veterans organizations.

BUDGET COMMITTEE RECONCILIATION LETTER
Committee on Ways and Means: Approved the reconciliation letter to the House Committee on the Budget.

Joint Meetings
No joint committee meetings were held.

NEW PUBLIC LAWS
(For last listing of Public Laws, see DAILY DIGEST, p. D1178)
S. 1707, to authorize appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people, and for other purposes. Signed on October 15, 2009. (Public Law 111–73)

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 16, 2009
(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House

CONGRESSIONAL PROGRAM AHEAD
Week of October 19 through October 24, 2009

Senate Chamber
On Monday, at approximately 4:30 p.m., Senate will resume consideration of the motion to proceed to consideration of S. 1776, Medicare Physicians Fairness Act, and after a period of debate, vote on the motion to invoke cloture thereon at 5:30 p.m. During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees
(Committee meetings are open unless otherwise indicated)
Committee on Armed Services: October 22, to hold hearings to examine the nominations of Christine H. Fox, of Virginia, to be Director of Cost Assessment and Program Evaluation, Frank Kendall III, of Virginia, to be Deputy Under Secretary for Acquisition and Technology, Gladys Commons, of Virginia, to be Assistant Secretary of the Navy, and Terry A. Yonkers, of Maryland, to be Assistant Secretary of the Air Force, all of the Department of Defense, 9:30 a.m., SH–216.
Committee on Banking, Housing, and Urban Affairs: October 20, to hold hearings to examine the state of the nation’s housing market, 9:30 a.m., SD–538.
Committee on Commerce, Science, and Transportation: October 21, Subcommittee on Science and Space, to hold hearings to examine space, focusing on the value, 2:30 p.m., SR–253.
Committee on Energy and Natural Resources: October 21, to hold hearings to examine the costs and benefits for energy consumers and energy prices associated with the allocation of greenhouse gas emission allowances, 9:45 a.m., SD–366.
Committee on Finance: October 20, to hold hearings to examine S. 1631, to reauthorize customs facilitation and trade enforcement functions and programs, 10 a.m., SD–215.
Committee on Foreign Relations: October 22, to hold hearings to examine the North Atlantic Treaty Organization (NATO), focusing on a strategic concept for transatlantic security, 10 a.m., SD–419.
October 22, Full Committee, to receive a briefing to examine Iran, 3 p.m., SVC–217.
Committee on Health, Education, Labor, and Pensions: October 21, business meeting to consider the nominations of Craig Becker, of Illinois, Mark Gaston Pearce, of New York, and Brian Hayes, of Massachusetts, all to be a Member of the National Labor Relations Board, Rolena Klahn Adorno, of Connecticut, and Marvin Krislov, of Ohio, both to be a Member of the National Council on the Humanities, Gloria Valencia-Weber, of New Mexico, Julie A. Reiskin, of Colorado, Martha L. Minow, of Illinois, John Gerson Levi, of Illinois, and Robert James Grey, Jr., of Virginia, all to be a Member of the Board of Directors of the Legal Services Corporation, and David Morris Michaels, of Maryland, to be Assistant Secretary of
Labor for the Occupational Safety and Health Administration, 10 a.m., SD–430.

October 22, Full Committee, to hold hearings to examine keeping America’s families safe, focusing on reforming the food safety system, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: October 20, to hold hearings to examine the nominations of Susan Tsui Grundmann, of Virginia, to be Chairman, and Anne Marie Wagner, of Virginia, to be a Member, both of the Merit Systems Protection Board, 2:30 p.m., SD–342.

October 21, Full Committee, to hold hearings to examine H1N1 flu, focusing on monitoring the nation’s response, 9:30 a.m., SD–342.

October 22, Full Committee, to hold hearings to examine the past, present, and future of policy czars, 10 a.m., SD–342.

Committee on Indian Affairs: October 22, business meeting to consider pending calendar business; to be immediately followed by an oversight hearing to examine Indian energy and energy efficiency, 2:15 p.m., SD–628.

Committee on the Judiciary: October 20, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine medical debt, focusing on bankruptcy reform, 10 a.m., SD–226.

October 21, Full Committee, to hold hearings to examine effective strategies for preventing health care fraud, 10 a.m., SD–226.

October 21, Full Committee, to hold hearings to examine the nominations of Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, and Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy, 2 p.m., SD–226.

October 22, 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. 1340, to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund, and S. 714, to establish the National Criminal Justice Commission, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: October 20, to hold hearings to examine health care solutions for America’s small businesses, 10:30 a.m., SR–253.

Committee on Veterans’ Affairs: October 21, to hold hearings to examine S. 977, to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war, S. 1109, to provide veterans with individualized notice about available benefits, to streamline application processes of the benefits, S. 1118, to amend title 38, United States Code, to provide for an increase in the amount of monthly dependency and indemnity compensation payable to surviving spouses by the Secretary of Veterans Affairs, S. 1155, to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for health, S. 1204, to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, S. 1237, to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, S. 1302, to provide for the introduction of pay-for-performance compensation mechanisms into contracts of the Department of Veterans Affairs with community-based outpatient clinics for the provisions of health care services, S. 1394, to direct the Secretary of Veterans Affairs to acknowledge the receipt of medical, disability, and pension claims and other communications submitted by claimants, S. 1427, to amend title 38, United States Code, to establish a Hospital Quality Report Card Initiative to report on health care quality in Department of Veterans Affairs Medical Centers, S. 1429, to establish a commission on veterans and members of the Armed Forces with post traumatic stress disorder, traumatic brain injury, or other mental health disorders, to enhance the capacity of mental health care providers to assist such veterans and members, to ensure such veterans are not discriminated against, S. 1444, to amend title 38, United States Code, to clarify the meaning of “combat with the enemy” for purposes of service-connection of disabilities, S. 1467, to amend title 38, United States Code, to provide coverage under Traumatic Servicemembers’ Group Life Insurance for adverse reactions to vaccinations administered by the Department of Defense, S. 1483, to designate the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the “Max J. Beilke Department of Veterans Affairs Outpatient Clinic”, S. 1518, to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, S. 1531, to amend title 38, United States Code, to establish within the Department of Veterans Affairs the position of Assistant Secretary for Acquisition, Logistics, and Construction, S. 1547, to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, S. 1556, to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, S. 1607, to amend title 38, United States Code, to provide for certain rights and benefits for persons who are absent from positions of employment to receive medical treatment for service-connected disabilities, and S. 1668, to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and any pending calendar business, 9:30 a.m., SR–418.
Select Committee on Intelligence: October 20, to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 2:30 p.m., S–407, Capitol.

October 22, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

House Committees

Committee on Agriculture, October 21, to consider derivatives legislation; and to approve the Dunlop Creek Watershed of West Virginia and the Cape Cod Watershed of Massachusetts projects, 2 p.m., 1300 Longworth.

October 21, Subcommittee on Rural Development, Biotechnology, Specialty Crops and Foreign Agriculture, hearing to examine U.S. Department of Agriculture rural business programs, conditions for rural entrepreneurship and business development, 10 a.m., 1300 Longworth.

October 22, Subcommittee on Livestock, Dairy and Poultry, hearing to review the economic conditions facing the pork industry, 10 a.m., 1300 Longworth.

Committee on Armed Services, October 21, hearing on U.S. Military Redeployment from Iraq: Issues and Challenges, 10 a.m., 210 HVC.

October 22, Subcommittee on Oversight and Investigations, hearing on Afghanistan and Iraq: Perspectives on U.S. Strategy, 2 p.m., 210 HVC.

October 22, Subcommittee on Terrorism Threats and Capabilities, hearing on counterterrorism within the Afghan counterinsurgency, 10 a.m., 210 HVC.

Committee on the Budget, October 21, hearing on the Defense Costs and Long-Term Fiscal Challenges, 2 p.m., 210 Cannon.

Committee on Energy and Commerce, October 20, Subcommittee on Health, hearing on H.R. 2708, Indian Health Care Improvement Act Amendments of 2009, 2 p.m., 2237 Rayburn.

October 20, Subcommittee on Oversight and Investigations, hearing entitled “The High Cost of Small Business Health Insurance: Limited Options, Limited Coverage,” 1 p.m., 2123 Rayburn.

October 22, Subcommittee on Communications, Technology, and the Internet, hearing entitled “Video Competition in a Digital Age,” 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, October 21, hearing on U.S. Policy Toward Burma, 10 a.m., 2172 Rayburn.

October 21, Subcommittee on International Organizations, Human Rights and Oversight, hearing on International Violence Against Women: Stories and Solutions, 2 p.m., 2172 Rayburn.

October 22, Subcommittee on International Organizations, Human Rights and Oversight, hearing on Concerns Regarding Possible Collusion in Northern Ireland: Police and Paramilitary Groups, 10 a.m., 2172 Rayburn.

Committee on House Administration, October 21, Subcommittee on Elections, hearing on Modernizing the Election Registration Process, 1 p.m., 1310 Longworth.

Committee on the Judiciary, October 20, Subcommittee on Courts and Competition Policy, hearing on Examining the State of Judicial Recusals after Caperton v. A.T. Massey, 10 a.m., 2141 Rayburn.


October 22, Subcommittee on Commercial and Administrative Law, hearing on Too Big to Fail: The Role for Bankruptcy and Antitrust Law in Financial Regulation Reform, 11 a.m., 2141 Rayburn.


October 21, full Committee, hearing on H.R. 2523, Helping Expedite and Advance Responsible Tribal Homeownership Act or the HEARTH Act, 10 a.m., 1324 Longworth.

October 22, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on H.R. 3770, To make technical corrections to subtitle A of title VII of the Consolidated Natural Resources Act of 2008, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, October 20, Subcommittee on Policy, Census, and National Archives, hearing entitled: “National Archives: Advisory Committees and their Effectiveness,” 2 p.m. Rayburn.


October 22, full Committee, and the Subcommittee on Domestic Policy, joint hearing entitled “Bank of America and Merrill Lynch: How Did a Private Deal Turn Into a Federal Bailout? Part IV,” 10 a.m., 2154 Rayburn.

Committee on Science and Technology, October 21, to consider pending legislation, 10 a.m., 2318 Rayburn.

October 21, Subcommittee on Energy and Environment, hearing on Biomass for Thermal Energy and Electricity Through a Research and Development Portfolio for the Future, 2 p.m., 2318 Rayburn.

October 22, Subcommittee on Research and Science Education, hearing on Engineering in K–12 Education, 10 a.m., 2325 Rayburn.

October 22, Subcommittee on Space and Aeronautics, hearing on Strengthening NASA’s Technology Development Programs, 10 a.m., 2318 Rayburn.

October 22, Subcommittee on Technology and Innovation, hearing on Cybersecurity Activity at NIST’s Information Technology Laboratory, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, October 20, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Looking Out for the Very Young, the Elderly and Others with Special Needs: Lessons from Katrina and Other Major Disasters, 2 p.m., 2167 Rayburn.

October 21, Subcommittee on Highways and Transit, hearing on Addressing the Problem of Distracted Driving, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, October 22, Subcommittee on Oversight, hearing on administration of the
first-time homebuyer tax credit, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, October 22, Subcommittee on Intelligence Community Management, hearing regarding the statutory requirements for congressional notifications of intelligence activities, 10 a.m., to be announced.

Select Committee on Energy Independence and Global Warming, October 22, hearing entitled “Building U.S. Resilience to Global Warming Impacts,” 9:30 a.m., to be announced.

Joint Meetings

Joint Economic Committee: October 22, to hold hearings to examine the economic outlook, 10 a.m., 210 Cannon Building.

Commission on Security and Cooperation in Europe: October 22, to receive a briefing on new media in authoritarian regimes, 2 p.m., 1539 Longworth Building.
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