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House of Representatives

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.

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. 692. 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.

There was no objection.

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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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, many 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 Garrett.

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 executive 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 1990, 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.

Sandy Garrett, because of your commitment to public service, Oklahoma continues to be a great State to live and work in.

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 they 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 democracy that allows individuals to enter the political forum based on their skills and acumen rather than on their bank accounts.

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 that my colleagues 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 these 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 foreclosures. 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 president of Disneyland Resort in my district for 3 years, before his retirement this October 9.

Ed is a 20-year veteran the 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 constructed 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 board member for 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.

□ 1015

CONGRATULATING SCOTT McCRERY, EAGLE SCOUT

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

Mr. FLEMING. 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 resides 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.

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.

Madam Speaker, I rise with a heavy heart to mark the sudden passing of a hero from my home State of Indiana and to honor his service and his life. 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 our Nation's most treasured 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 refuses to cover basic maternity care for four out of 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. But these pillars of Western 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 derail 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 cosponsor 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. So I really respect her leadership on this.

In my congressional district, I am proud to say, I thank the leadership. We have been active, our employees and our businesses, 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.

IN MEMORIAM OF U.S. ARMY SERGEANT JOSHUA KIRK

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

Ms. SHEA-PORTER. Madam Speaker, it is with a heavy heart that I rise today to honor the life of Sergeant Joshua Kirk. Sergeant Kirk was tragically killed in Afghanistan on October 3.

On Tuesday morning, I attended his funeral at St. Michael's Church in Exeter, New Hampshire. There were so many relatives and friends in attendance for a somber and moving ceremony. His wife, Megan, a native of Exeter, and his daughter, Kensington, have lost a husband and father, and this Nation has lost a hero.

Sergeant Kirk selflessly put himself in harm's way in service to America. He and his family are owed a debt of gratitude.

Sergeant Kirk, a native of Maine, joined the United States Army in 2005. He was on his second tour of duty in Afghanistan when his base was attacked by insurgents on October 3. Kirk and seven of his courageous fellow soldiers, all based out of Fort Carson, were killed during the long battle.

Sergeant Kirk's memory lives on with his wife, daughter, mother and sisters. We will always remember his sacrifice, and theirs, and we are forever grateful for their patriotism and service to America.

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 they 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 and to revise and extend his remarks.)

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 American flags. The apartment manager said American flags might offend somebody in the community, so she 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 is 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.

□ 1030

PROVIDING 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:

H. RES. 829

Resolved, That upon adoption of this resolution it shall be in order to consider the 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, I yield the customary 30 minutes 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

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 intervention of any 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 our 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 Coast Guard to FEMA to Customs and Border Protection to the Transportation Security Administration.

Particularly critical in this legislation are the partnerships established with State and local communities to prepare for and protect against a range of emergency situations, including natural disasters and acts of terrorism and violence. The funding provided for emergency response resources 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 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 firefighter 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 relieving the plight of Americans 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.

I'm also pleased to have included language in this bill requiring the Florida Long Term Recovery Office, located in Orlando, to remain open. And a footnote there, Representatives ALAN GRAYSON and SUZANNE KOSMAS are deserving of a lot of consideration from

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 rationale for their transfer, and a notification from the Governor of the affected State.

This is all well and good, but the language in this bill, while a good step forward, is not going to solve the problem of what to do with the hundreds of individuals we have detained, and those in the future that we may have to detain, whether they are detained at Guantanamo or Bagram Air Base in Afghanistan or any other facility where they may be detained by the United States.

The debate over Guantanamo, in my opinion, is missing the larger picture, and that is a need to reform our entire detainment policy. As I have maintained, 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 significant recruiting tool for al Qaeda and other groups which threaten our Nation's security. We need to deny them that image of America.

We need a judicial process that accomplishes at least 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 upholds the rule of law and does not resort to arbitrary justice, even while under threat.

This appropriations season has, so far, brought forth a 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 necessary, 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. 3728, 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 effort, revising it, or doing what is necessary 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 Nation.

Madam Speaker, ultimately, the conference report before us today provides the necessary funding for the Federal, State, and local agencies, programs and efforts that will protect our Nation.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I'd like to thank my good friend and fellow cochairman of the Florida Congressional Delegation, Mr. HASTINGS, for the time. I yield myself such time as I may consume.

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 Homeland Security has begun to mature. It has improved the process for which it was created, the oversight of and coordination of many departments related to the safety of the Nation.

As we know, the department was created in the wake of the attacks of September 11, 2001, to help mobilize and to organize the government to the best of its ability to secure the homeland 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.

□ 1045

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 underlying legislation provides the Department with the tools and resources that it needs in order to continue to help to protect the Nation from other terrorist attacks. We must not lose our focus. We must continue our efforts to protect the United States from deadly attacks.

This legislation will provide much-needed funding to help secure our borders, with $800 million for Southwest border investments, over $3 billion for the Border Patrol, including over 20,000 Border agents, an increase of more than 50 percent since 2006.

The State that I am honored to represent, Florida, has seen, as my dear friend has pointed out, its share of natural disasters, from Hurricane Andrew in 1992 to the series of very disastrous back-to-back hurricanes in the middle of this decade. That is why having a prepared and professional staff at FEMA, ready to coordinate disaster preparedness, response, recovery and mitigation efforts, is of vital importance to Florida.

I am pleased the conference report will provide FEMA and the new FEMA administrator—we Floridians are very proud of him, Craig Fugate—the resources needed to help in the aftermath of any natural disaster, whether it's a hurricane in Florida, an earthquake in California, or the flooding in the Midwest.

The terrorist attacks of September 11 heightened concerns regarding aviation security. In response, Congress passed the Aviation and Transportation Security Act of 2001. That legislation established a Federal screener workforce and required the screening of all checked baggage using explosive detection systems, EDS. EDS machines can quickly determine if a baggage contains a potential threat. If a weapon or explosive is detected, the machines alert security officers so they can manage the baggage appropriately.

Funding and reimbursement for EDS installation, however, continues to be a serious concern. Miami International Airport, which is in my congressional district, has incurred over $78 million in in-line EDS terminal modification costs and continues to seek reimbursement for the Federal share of those costs. I am pleased that this conference report provides $778 million in discretionary funding to purchase and install EDS at airports. Those funds will help reimburse Miami International Airport and other airports in their efforts to complete EDS installations.

Our Nation's maritime industry contributes approximately $750 billion to the gross domestic product each year. Florida has some of the largest ports in the country. The Port of Miami serves as the primary maritime gateway to Latin America and the Caribbean. It is a strategic hub for international commerce throughout the hemisphere, and obviously it is the cruise ship capital of the word.

Since 9/11, the Port of Miami has faced unprecedented security costs due to the expense of complying with Federal security mandates. While ports across the Nation are facing similar challenges, the problem at the Port of Miami is particularly serious. Annual operating security costs at the Port of Miami have increased from just over $4 million in 2001 to over $20 million today.

The legislation we are bringing to the floor provides $300 million in grants to assist ports in enhancing their security measures to prevent, detect, and respond to possible terrorist attacks.

So I wish to thank Chairman PRICE and Ranking Member ROGERS for their clearly bipartisan work on this conference report that makes critical investments in the priorities facing the Department of Homeland Security, including securing our transportation

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 very 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 bureaucracies that define the Federal, State and local governments in this country. It is a symbol for all, that 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 us to discover 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 access to information 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 conferees on the Homeland Security appropriations bill had slipped in a provision that gives the government the option 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 photos stay secret.

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 were released under 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 conferees, apparently under direct orders, 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. It is unfortunate, given that this administration promised that openness and transparency would be the norm. 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 noncriminal immigrants.

There really is a human rights crisis right in our own 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 them up to the tune of $130 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, a year and a half 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 services' contributions. It provides the funding necessary to continue America's leadership in providing a safe home for both Americans and all future Americans.

Thus, $122 million above 2009 levels is provided to U.S. Citizenship and Immigration Services for its important work. 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

claims so that our Nation may continue to admit those in greatest need; $11 million expands immigrant integration and outreach to help with pressing need once these immigrants are lawfully admitted; and $5 million ensures the naturalization of immigrants serving in our armed services.

Funding for detention beds as well as language requiring their maintenance ensures that immigrants will be humanely accommodated while their cases are adjudicated. And more importantly, $70 million goes to Alternatives to Detention—to expand this program nationwide. This steers us in the right direction—a direction of commonsense, cost-saving, and humane measures. It provides a glimpse into what we can accomplish if we continue to work together toward comprehensive immigration reform.

This bill only asks our immigrants one thing—to embrace our cherished tradition of the rule of law in the pursuit of freedom. As a result, this bill provides 3-year authorization extensions for all the immigrants that make ours a greater nation. From religious workers who strengthen our social fabric, to investors who create much-needed jobs while increasing overall credit availability, to rural-serving doctors, to refugees, all are covered in the FY 2010 Homeland Security bill.

While many provisions in this bill greatly improve our detention policies, there is still much to be done and I look forward to a concrete plan for the closing of our Guantanamo Bay facilities.

I once again thank Chairman PRICE and I look forward to working with you and your staff in the future.

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, in effect, great coalitions. We have a two-party system by virtue of that; both parties represent different coalitions of thought on numerous issues.

□ 1100

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 allow the Secretary of Defense 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.

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 this legislation that was known as cap-and-trade, which in effect 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 that is no 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 should have at least 24 hours to examine 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 body. We have a responsibility to provide them with the funds necessary to perform activities essential to protecting our country—preparing for emergencies, mitigating natural disasters and defending against acts of terrorism and violence.

I commend our colleagues on both sides of the aisle on the Appropriations Committee with reference to discharging their functions. I especially commend Subcommittee Chair PRICE and the work that he and his committee have done. As well, I commend the distinguished chairman of the Homeland Security Committee, BENNIE THOMPSON from Mississippi, and the extraordinary Members who serve with him in that capacity.

As I've discussed before, Madam Speaker, I hope this body will move beyond the debate of whether or not to close Guantanamo and, instead, will work to develop comprehensive detainment policies that uphold Federal law and the United States Constitution, that uphold human rights and international law.

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

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 829 OFFERED BY MR. DIAZ-BALART

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit

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 offer an alternative plan. 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 member of the majority 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 refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to 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 using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages 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 a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. 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 ordering the previous question 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. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 829, if ordered; and adoption of House Resolution 800, if ordered.

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

[Roll No. 780]

YEAS—243

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—173

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Boyd
Cao
Carney
Emerson
Hall (TX)
Honda
McCollum
Melancon
Mollohan
Platts
Radanovich
Rogers (AL)
Ryan (OH)
Scalise
Schock
Stark

□ 1133

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. HOYER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

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 does disappoint me because I'm 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 them today which would then not require Members to be here on Friday.

You can lodge your complaints to me later.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 174, not voting 19, as follows:

[Roll No. 781]

YEAS—239

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—174

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Abercrombie
Boyd
Cao
Carney
Emerson
Hall (TX)
Hirono
McCollum
McMorris Rodgers
Melancon
Mollohan
Murphy (NY)
Platts
Radanovich
Rangel
Scalise
Stark
Towns
Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1141

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Madam Speaker, on rollcall No. 781, had I been present, I would have voted "yea."

Mr. MURPHY of New York. Madam Speaker, on rollcall No. 781, had I been present, I would have voted "nay."

Mrs. McMORRIS RODGERS, Madam Speaker, on rollcall No. 781, I was unavoidably detained. Had I been present, I would have voted "nay."

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

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 800, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 800, as amended.

The question was taken.

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

RECORDED VOTE

Mr. CONNOLLY of Virginia. 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—ayes 415, noes 0, not voting 17, as follows:

[Roll No. 782]

AYES—415

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)

Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—17

Boehner
Boyd
Bright
Cao
Carney
Emerson
Gordon (TN)
Hall (TX)
Marshall
McCollum
Melancon
Mollohan
Platts
Radanovich
Scalise
Serrano
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. DEGETTE) (during the vote). There are 2 minutes remaining in this vote.

□ 1149

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

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

OCTOBER 14, 2009.

HON. NANCY PELOSI,
Speaker, 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,

BRAD SHERMAN,
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 reading). 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 H11195.)

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.

GENERAL LEAVE

Mr. PRICE of North Carolina. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2892.

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

There was no objection.

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 appropriations for fiscal year 2010. This agreement provides $42.78 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. ROGERS, for his advice and counsel and help 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. I commend 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 conference 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 requirements 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 fixating 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 $810 million for firefighters, $887 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 offers a productive 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 local 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 operations, 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 $122 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 $10.14 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 $400 million for DHS 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 $11 million to promote legal paths to U.S. citizenship by expanding 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 are overseen by trained government 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. This includes an increase of $12.5 million, or 8 percent, above fiscal 2009 to build on the Secure Freight Initiative and Container Security Initiative, as well as funding to sustain programs targeting high-risk cargo and shippers. DHS is also required to submit a realistic strategy for achieving effective cargo and supply chain security.

To ensure that DHS can adequately protect public safety in its efforts to identify and prepare for biological or agricultural threats, the conference agreement requires DHS to conduct a thorough risk assessment to determine requirements for safe operation of the National Bio and Agro Defense Facility scheduled for Manhattan, Kansas.

□ 1200

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 allows the transfer of a detainee to 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)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
DEPARTMENT OF HOMELAND SECURITY						
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS						
Departmental Operations						
Office of the Secretary and Executive Management	123,456	160,760	117,727	149,268	147,818	+24,362
Office of the Under Secretary for Management	191,793	337,990	153,790	307,690	254,190	+62,397
Emergency appropriations	200,000	---	---	---	---	-200,000
Office of the Chief Financial Officer	55,235	65,530	60,530	63,530	60,530	+5,295
Office of the Chief Information Officer	272,169	338,393	281,593	338,393	338,393	+66,224
Analysis and operations	327,373	357,345	345,556	347,845	335,030	+7,657
Subtotal, Departmental Operations	1,170,026	1,260,018	959,196	1,206,726	1,135,961	-34,065
Office of the Federal Coordinator for Gulf Coast Rebuilding	1,900	2,000	2,000	2,000	2,000	+100
Office of Inspector General						
Operating expenses	98,513	127,874	111,874	115,874	113,874	+15,361
Emergency appropriations	5,000	---	---	---	---	-5,000
(transfer from Disaster relief)	(16,000)	---	(16,000)	(16,000)	(16,000)	---
Total, Office of Inspector General (including transfers)	119,513	127,874	127,874	131,874	129,874	+10,361
Total, title I, Departmental Management and Operations	1,291,439	1,389,892	1,089,070	1,340,600	1,267,835	-23,604
Appropriation	(1,070,439)	(1,389,892)	(1,073,070)	(1,324,600)	(1,251,835)	(+181,396)
Emergency appropriations	(205,000)	---	---	---	---	(-205,000)
By transfer	(16,000)	---	(16,000)	(16,000)	(16,000)	---
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS						
U.S. Customs and Border Protection						
Salaries and expenses	7,600,052	7,619,842	7,612,571	8,072,423	8,061,487	+461,435
Harbor maintenance fee collection (trust fund)	3,154	3,226	3,226	3,226	3,226	+72
Emergency appropriations	206,200	---	---	---	---	-206,200
Subtotal, Salaries and expenses	7,809,406	7,623,068	7,615,797	8,075,649	8,064,713	+255,307
Automation modernization	511,334	462,445	462,445	462,445	422,445	-88,889
Border security fencing, infrastructure, and technology (BSFIT)	775,000	779,452	732,000	800,000	800,000	+25,000
Emergency appropriations	100,000	---	---	---	---	-100,000
Air and Marine Interdiction, Operations, Maintenance and Procurement	528,000	505,826	513,826	515,826	519,826	-8,174
Emergency appropriations	5,000	---	---	---	---	-5,000
Construction and facilities management:	403,201	678,633	682,133	316,070	319,570	-83,631
Emergency appropriations	420,000	---	---	---	---	-420,000
Fee accounts	(1,448,145)	(1,432,000)	(1,432,000)	(1,432,000)	(1,432,000)	(-16,145)
Total, Customs and Border Protection	(12,000,086)	(11,481,424)	(11,438,201)	(11,601,990)	(11,558,554)	(-441,532)
Appropriations	(9,820,741)	(10,049,424)	(10,006,201)	(10,169,990)	(10,126,554)	(+305,813)
Emergency appropriations	(731,200)	---	---	---	---	(-731,200)
Fee accounts	(1,448,145)	(1,432,000)	(1,432,000)	(1,432,000)	(1,432,000)	(-16,145)

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Immigration and Customs Enforcement						
Salaries and expenses	4,927,210	5,348,000	5,313,193	5,360,100	5,342,134	+414,924
Emergency appropriations	66,800	---	---	---	---	-66,800
Federal protective service	640,000	---	1,115,000	---	---	-640,000
Offsetting fee collections	-640,000	---	-1,115,000	---	---	+640,000
Automation modernization	57,000	110,000	105,000	85,000	90,000	+33,000
Emergency appropriations	20,000	---	---	---	---	-20,000
Construction	5,000	---	11,818	---	4,818	-182
Total, Direct appropriations	5,076,010	5,458,000	5,430,011	5,445,100	5,436,952	+360,942
Fee accounts	(299,000)	(318,000)	(318,000)	(304,800)	(304,800)	(+5,800)
Total, Immigration and Customs Enforcement	(5,375,010)	(5,776,000)	(5,748,011)	(5,749,900)	(5,741,752)	(+366,742)
Appropriations	(4,989,210)	(5,458,000)	(5,430,011)	(5,445,100)	(5,436,952)	(+447,742)
Emergency appropriations	(86,800)	---	---	---	---	(-86,800)
Fee accounts	(299,000)	(318,000)	(318,000)	(304,800)	(304,800)	(+5,800)
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	-2,320,000	-2,100,000	-2,100,000	-2,100,000	-2,100,000	+220,000
Other fees - offsetting collections (nonadd)	(-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)	(250,000)	---
Surface transportation security	49,606	128,416	103,416	142,616	110,516	+60,910
Transportation Threat Assessment and Credentialing	116,018	191,999	171,999	171,999	171,999	+55,981
Fee accounts	(40,000)	(28,000)	(44,900)	(28,000)	(47,620)	(+7,620)
Transportation security support	947,735	1,004,580	992,980	999,580	1,001,780	+54,045
Federal Air Marshals	819,481	860,111	860,111	860,111	860,111	+40,630
Total, Transportation Security Admin. (gross)	7,977,358	7,773,956	7,689,146	7,685,634	7,656,066	-321,292
Offsetting fee collections	(-2,320,000)	(-2,100,000)	(-2,100,000)	(-2,100,000)	(-2,100,000)	(+220,000)
Aviation security capital fund	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
Fee accounts	(40,000)	(28,000)	(44,900)	(28,000)	(47,620)	(+7,620)
Total, Transportation Security Admin. (net)	5,367,358	5,395,956	5,294,246	5,307,634	5,258,446	-108,912
United States Coast Guard						
Operating expenses	5,854,925	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
(By transfer - contingent emergencies)	---	(241,503)	---	---	---	---
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	6,838,291	6,805,391	+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	1,383,980	1,347,480	1,597,580	1,537,080	+42,504
Emergency appropriations	98,000	---	---	---	---	-98,000
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	+3,695
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
Total, United States Coast Guard (including transfers)	9,740,555	9,970,491	9,968,326	10,238,691	10,140,291	+399,736
Appropriations	(9,361,052)	(9,728,988)	(9,726,823)	(9,997,188)	(9,898,788)	(+537,736)
Emergency appropriations	(240,000)	---	---	---	---	(-240,000)
Overseas deployment and other activities	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
(By transfer - contingent emergencies)	---	(241,503)	---	---	---	---

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
United States Secret Service						
Salaries and expenses	1,408,729	1,485,609	1,457,409	1,482,709	1,478,669	+69,940
Emergency appropriations	100,000	---	---	---	---	-100,000
Acquisition, construction, improvements, and related expenses	4,225	3,975	3,975	3,975	3,975	-250
Total, United States Secret Service	1,512,954	1,489,584	1,461,384	1,486,684	1,482,644	-30,310
Total, title II, Security, Enforcement, and Investigations (including transfers)	32,248,818	32,363,455	32,160,168	32,648,099	32,444,887	+196,069
Appropriations	(29,951,315)	(32,121,952)	(31,918,665)	(32,406,596)	(32,203,384)	(+2,252,069)
Emergency appropriations	(2,158,000)	---	---	---	---	(-2,158,000)
Overseas deployment and other activities	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
(By transfer - contingent emergencies)	---	(241,503)	---	---	---	---
(Fee funded programs)	(1,787,145)	(1,778,000)	(1,794,900)	(1,764,800)	(1,784,420)	(-2,725)
TITLE III - PROTECTION, PREPAREDNESS, RESPONSE AND RECOVERY						
National Protection and Programs Directorate						
Management and administration	51,350	44,577	44,577	44,577	44,577	-6,773
Infrastructure protection and information security	806,913	918,166	883,346	901,416	899,416	+92,503
Federal Protective Service	---	1,115,000	---	1,115,000	1,115,000	+1,115,000
Offsetting collections	---	-1,115,000	---	-1,115,000	-1,115,000	-1,115,000
U.S. Visitor and Immigrant Status Indicator Technology	300,000	356,194	351,800	378,194	373,762	+73,762
Total, National Protection and Programs	1,158,263	1,318,937	1,279,723	1,324,187	1,317,755	+159,492
Office of Health Affairs	157,191	138,000	128,400	135,000	139,250	-17,941
Federal Emergency Management Agency						
Management and administration	743,378	744,719	750,619	752,219	703,769	-39,609
Defense function	94,059	107,481	93,881	107,481	93,881	-178
(Transfer from Disaster Relief)	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Subtotal, Management and administration (including transfers)	943,037	902,200	934,580	909,700	903,250	-39,787
Grants and Training:						
State and local programs	3,105,700	3,867,000	2,836,000	3,067,200	3,015,200	-90,500
Emergency appropriations	330,000	---	---	---	---	-330,000
Firefighter assistance grants	775,000	---	810,000	810,000	810,000	+35,000
Emergency appropriations	210,000	---	---	---	---	-210,000
Emergency management performance grants	315,000	---	330,000	350,000	340,000	+25,000
Subtotal, Grants and Training	4,735,700	3,867,000	3,976,000	4,227,200	4,165,200	-570,500
Radiological emergency preparedness program	-505	-265	-265	-265	-265	+240
United States Fire Administration	44,979	45,588	45,588	45,588	45,588	+609
Disaster relief	1,400,000	2,000,000	2,000,000	1,456,866	1,600,000	+200,000
(Transfer to Management and administration)	(-105,600)	(-50,000)	(-90,080)	(-50,000)	(-105,600)	---
(Transfer to Inspector General)	(-16,000)	---	(-16,000)	(-16,000)	(-16,000)	---
Subtotal, Disaster Relief (including transfers)	1,278,400	1,950,000	1,893,920	1,390,866	1,478,400	+200,000
Disaster assistance direct loan program account:						
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
Direct loan subsidy	295	295	295	295	295	---
Flood map modernization fund	220,000	220,000	220,000	220,000	220,000	---
National flood insurance fund:						
Salaries and expenses	49,418	52,149	52,149	52,149	38,680	-10,738
Flood plain management and mapping	107,181	107,320	107,320	107,320	107,320	+139
Offsetting fee collections	-156,599	-159,469	-159,469	-159,469	-146,000	+10,599
National predisaster mitigation fund	90,000	150,000	100,000	120,000	100,000	+10,000

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Emergency food and shelter	200,000	100,000	200,000	175,000	200,000	---
Emergency appropriations	100,000	---	---	---	---	-100,000
Cerro Grande fire claims (rescission)	-9,000	---	---	---	---	+9,000
Total, Federal Emergency Management Agency (including transfers)	7,602,906	7,234,818	7,370,118	7,088,384	7,112,468	-490,438
Appropriations	(6,987,906)	(7,234,818)	(7,386,118)	(7,104,384)	(7,128,468)	(+140,562)
Emergency appropriations	(640,000)	---	---	---	---	(-640,000)
Rescissions	(-9,000)	---	---	---	---	(+9,000)
By Transfer	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Transfer out	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
Total, title III, Protection, Preparedness Response and Recovery (including transfers)	8,918,360	8,691,755	8,778,241	8,547,571	8,569,473	-348,887
Appropriations	(8,303,360)	(8,691,755)	(8,794,241)	(8,563,571)	(8,585,473)	(+282,113)
Emergency appropriations	(640,000)	---	---	---	---	(-640,000)
Rescissions	(-9,000)	---	---	---	---	(+9,000)
By transfer	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Transfer out	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES						
United States Citizenship and Immigration Services						
Salaries and expenses	101,740	364,000	298,000	135,700	224,000	+122,260
Immigration examination fee account	(2,495,186)	(2,451,884)	(2,451,884)	(2,451,884)	(2,451,884)	(-43,302)
Fraud prevention and detection fee account	(31,000)	(38,348)	(38,348)	(38,348)	(38,348)	(+7,348)
H-1B Non-Immigrant Petitioner Fee Account	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	---
Total, U. S. Citizenship and Immigration Services	(2,640,926)	(2,867,232)	(2,801,232)	(2,638,932)	(2,727,232)	(+86,306)
Fee funded programs	(2,539,186)	(2,503,232)	(2,503,232)	(2,503,232)	(2,503,232)	(-35,954)
Federal Law Enforcement Training Center						
Salaries and expenses	246,530	245,356	239,356	244,356	239,356	-7,174
Acquisition, construction, improvements, and related expenses	86,456	43,456	43,456	43,456	43,456	-43,000
Total, Federal Law Enforcement Training Center	332,986	288,812	282,812	287,812	282,812	-50,174
Science and Technology						
Management and administration	132,100	142,200	142,200	143,200	143,200	+11,100
Research, development, acquisition, and operations	800,487	826,191	825,356	851,729	863,271	+62,784
Total, Science and Technology	932,587	968,391	967,556	994,929	1,006,471	+73,884
Domestic Nuclear Detection Office						
Management and administration	37,500	39,599	39,599	37,500	38,500	+1,000
Research, development, and operations	323,200	326,537	376,537	326,537	324,537	+1,337
Systems acquisition	153,491	---	---	10,000	20,000	-133,491
Total, Domestic Nuclear Detection Office	514,191	366,136	416,136	374,037	383,037	-131,154
Total, title IV, Research and Development, Training, and Services	1,881,504	1,987,339	1,964,504	1,792,478	1,896,320	+14,816
Fee funded programs	(2,539,186)	(2,503,232)	(2,503,232)	(2,503,232)	(2,503,232)	(-35,954)
TITLE V - GENERAL PROVISIONS						
Enacted provisions:						
Sec. 547: REAL ID Grants	50,000	---	---	---	---	-50,000
Sec. 547: REAL ID Information sharing and verification system	50,000	---	---	---	---	-50,000
Sec. 549: Rescission, TSA undistributed carryover	-31,000	---	---	---	---	+31,000

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Sec. 550: Rescission of unobligated balances, A&O.	-21,373	---	---	---	---	+21,373
Sec. 551: Rescission of unobligated balances, Coast Guard	-20,000	---	---	---	---	+20,000
Sec. 603(a) Rescission of emergency funding, FEMA Disaster Relief	-100,000	---	---	---	---	+100,000
Sec. 603(b): FEMA State and local programs, emergency appropriations	100,000	---	---	---	---	-100,000
Sec. 609: Federal share of disaster assistance, emergency appropriations	---	---	---	---	---	---
Subtotal, enacted provisions	27,627	---	---	---	---	-27,627
Sec. 535: Fraud prevention and detection programs	---	---	---	---	---	---
Rescission of unobligated balances:						
Sec. 573: Trucking Industry Security Grants	---	---	-5,572	-5,500	-5,572	-5,572
Sec. 574: Analysis and Operations	---	---	-2,203	-5,000	-2,358	-2,358
Sec. 575: Infrastructure protection and information security	---	---	-5,963	-8,000	-8,000	-8,000
Sec. 576: Science and Technology	---	---	---	-7,500	-6,944	-6,944
Sec. 577: Domestic Nuclear Detection Office	---	---	---	-8,000	-8,000	-8,000
Sec. 578: TSA research and development	---	---	---	---	-4,000	-4,000
Sec. 579: Coast Guard AC&I	---	---	---	---	-800	-800
Sec. 580: Counterterrorism Fund	---	---	---	---	-5,600	-5,600
Sec. 551: ICE, Construction	---	---	---	-7,000	---	---
Total, title V, General Provisions	27,627	---	-13,738	-41,000	-41,274	-68,901
Appropriations	(100,000)	---	---	---	---	(-100,000)
Emergency appropriations	(100,000)	---	---	---	---	(-100,000)
Rescissions (including emergencies)	(-172,373)	---	(-13,738)	(-41,000)	(-41,274)	(+131,099)
Grand total, Department of Homeland Security	44,367,748	44,190,938	43,978,245	44,287,748	44,137,241	-230,507
Appropriations	(41,306,618)	(44,190,938)	(43,750,480)	(44,087,245)	(43,937,012)	(+2,630,394)
(Discretionary)	(40,069,873)	(42,829,693)	(42,389,235)	(42,726,000)	(42,575,767)	(+2,505,894)
(Mandatory)	(1,236,745)	(1,361,245)	(1,361,245)	(1,361,245)	(1,361,245)	(+124,500)
Emergency appropriations	(3,003,000)	---	---	---	---	(-3,003,000)
Overseas deployment and other activities	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
Rescissions	(-81,373)	---	(-13,738)	(-41,000)	(-41,274)	(+40,099)
(By transfer - contingent emergencies)	---	(241,503)	---	---	---	---
(By transfer)	(121,600)	(50,000)	(106,080)	(66,000)	(121,600)	---
(Transfer out)	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
Fee funded programs	(4,326,331)	(4,281,232)	(4,298,132)	(4,268,032)	(4,287,652)	(-38,679)
Aviation security capital fund	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---

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 very late submission of 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. So I want 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 longstanding 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 Chamber's appropriation process, as well as Chairman OBEY'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 persistent commitment. 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 of this Congress, 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 hundreds of suspected 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 see no 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 three tribunals and convicted and sentenced terrorists right there in Gitmo.

It is clear that the majority of Members in this Chamber and in the Senate agree with this point of view, given the clear passage of the motion to instruct two 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 on the Gitmo detainees, I believe 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 invest in that partnership, including the Urban Area Security Initiative, the only grant program for high-risk cities. The conference report increases funding for it by $50 million.

All too often our brave first responders have to rely on communications methods that resemble the time of Paul Revere. The conference report provides $50 million for new technology through the Interoperable Emergency Communications Grant, which I fought very hard with the chairman to create.

To help prevent illicit radiological material from entering New York, the bill provides $20 million for securing the cities, the same level for equipment procurement as in FY 2009, and I look forward to working with the chairman and the subcommittee to ensure that the program is fully implemented.

In addition to aiding our first responders, the bill tackles a number of pressing issues, including providing $1.5 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 House, 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, in 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 these will be brought. Those 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 terrorists in New York City for a protracted period of time before, during and after their trial.

Thirdly, on the issue of the firefighter grants, the President cut them by 70 percent. I know the committee put money 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 supporting it. I thank the committee for the way they approached it in a bipartisan way. As Congresswoman LOWEY said, our Nation is under threat. There are threats every day. They have targeted various cities throughout our country. This bill goes a long way towards resolving that.

But, again, on the issues of Secure the Cities, Guantanamo and the firefighter grants, I do have real issues, real concerns. Having said that, I support 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. ROTHMAN).

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

Madam Speaker, I rise today in support of the conference agreement on the 2010 Department of Homeland Security appropriations bill. I want to thank our distinguished chairman, Chairman PRICE, and our distinguished ranking member, Mr. ROGERS, for their outstanding leadership on this bill, and my colleagues on the subcommittee for their outstanding work.

First, I would like to remind my colleagues 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 terrorist targets. So I understand, as do my constituents, how vitally important this funding is to our region's and our Nation's security.

The bill provides, for example, our first responders with excellent resources for the training, equipment and personnel we need to keep our communities safe.

□ 1215

It includes $60 million for emergency operations centers, $810 million for local fire departments, and $950 million to protect high-risk urban areas from terrorist attacks. It provides $300 million for port security grants to stop the flow of illegal drugs from coming into this country. It also increases resources for our Customs and Border Protection by over $10 billion to combat drugs and weapons smuggling.

In closing, Madam Speaker, this bill, the Fiscal Year 2010 Department of Homeland Security Appropriations bill, honors the commitment we made to provide our first responders with the best training and equipment available to keep our ports safe and our borders safe and all of our citizens safe from the terror that lurks out there by individuals still seeking to do us harm.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to one of the hardest working members of this body and a valued member of our subcommittee, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. I want to thank Chairman PRICE.

The members of our subcommittee have a good personal working relationship. One of the things I enjoy most about this wonderful committee on appropriations is that there are no real partisan differences between us. We always work together for the good of the country. We have always worked together without regard to our party label. And this subcommittee, in particular, is one that has worked well together to protect the country 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 that this committee has given to our Border Patrol; for Immigration and Customs Enforcement funding; for Operation Stone Garden, a very successful program that allows cooperation between 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 implementing Stone Garden, as well as a program called Operation 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 deported. 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 percent Hispanic, loves this program. What mom or dad wouldn't like their streets safer? As a result of simply using existing law and a little additional 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 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 followed, and that is that as soon as the President issues a plan to Congress for the disposition of the prisoners in Guantanamo, 45 days after the President submits that plan, this bill explicitly authorizes the prosecution of enemy soldiers in U.S. courts. Now, that's unprecedented.

And my good friend Mr. RUPPERSBERGER, whom I've worked with before on so many good causes, we all in this House voted to make sure that we would not bring enemy soldiers to the U.S. for prosecution, giving them all the constitutional rights as if they were captured on the streets of New York or Los Angeles. We voted not to bring these prisoners from Guantanamo to be incarcerated in U.S. jails.

The security question is one thing, but the one that really concerns me is the fact that this bill gives explicit authorization. For the first time in American history, we will, if we pass this legislation as it is, be authorizing what we now know is going to be the policy of this President for U.S. soldiers, 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 reading the Miranda rights to enemy soldiers captured on foreign battlefields. Now, this bill makes that explicit. In fact, Chairman OBEY's fact sheet that he has issued on his Web site says this bill prohibits 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 explicitly changing—this is a monumental change in American policy. We cannot and should not burden our soldiers in the field with having to worry about the U.S. constitutional rights of enemy soldiers.

Do you think Sergeant York read Miranda warnings or was worried about the constitutional rights of the Germans that he captured during World War I? 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 Normandy? 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 expired.

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

Mr. CULBERSON. In fact, during the subcommittee hearing, 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 soldiers to the United States to be prosecuted in U.S. courts.

That means that these enemy soldiers 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 Los Angeles 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 it is crime 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 CULBERSON'S comments. I disagree with his comments.

Number 1, as far as prisoners are concerned, if, in fact, there are prisoners 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—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. That is not what 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 water rescues, as an example, in the Baltimore harbor, which I represent, to drug interdictions off our Nation's coast. Since 9/11, the Coast Guard has been asked to do even more. They have stepped up to the plate and kept 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.

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 cyberattacks. I would support $283 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 electrical grid that allows us to turn the lights on and the classified military and intelligence networks that keep our country safe. It's all too easy to use basic Internet hacking techniques to wreak havoc on our Nation's information infrastructure. Imagine if the Bank of America was suddenly cyberattacked.

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 motion to recommit that addresses 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 passed the House by a vote of 258–163, 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 the one hand, this conference report typifies the type of work that can result from strong bipartisanship. We are most certainly at our best when our very capable 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 producing what is essentially a very well-balanced piece of legislation that will undoubtedly improve the safety and security of this great Nation.

However, this conference report also represents some of the worst in terms of partisan maneuvering. The language contained in section 552 pertaining to Guantanamo Bay detainees is a result of a last-minute mystery insert by the majority of language that was not in either the House or the Senate bill.

□ 1230

With this language, Chairman OBEY and the Democratic leadership are trying to establish Congress' de facto position on Gitmo detainees. And that position, in my view, is regrettably 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 stand here year after 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 all 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 appropriations bill and a vote against any motion to recommit.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

Mr. PRICE of North Carolina. Madam Speaker, may I inquire as to how much time is available on both sides.

The SPEAKER pro tempore. The gentleman from North Carolina has 10½ minutes remaining; the gentleman from Kentucky has 13½ minutes remaining.

Mr. PRICE of North Carolina. Madam Speaker, I would like to yield 2 minutes at this point to the distinguished chairman of the authorizing committee with whom we work very closely, Mr. THOMPSON of Mississippi.

Mr. THOMPSON of Mississippi. Thank you very much, Mr. Chairman.

Madam Speaker, I appreciate the opportunity to speak in support of the conference report on H.R. 2892, the Department of Homeland Security Appropriations Act.

The funding provided in this package would help ensure the Department of Homeland Security, under the leadership of Secretary Janet Napolitano, will have the resources it needs to execute all its missions.

DHS has a lot to do, from deterring, detecting and responding to terrorism to rescuing wayward boaters, to pre-positioning disaster resources. H.R. 2892 gives DHS the $42.7 billion it needs to fulfill its mission.

With respect to border security, the bill makes significant new investments to enhance border security along the southern and northern borders. I am particularly pleased that the bill provides $72.6 million to increase personnel and provide new equipment in the Southwest Border Counterdrug Initiative, which dedicates resources to target the flow of guns and bulk cash that fuel border violence.

This bill also provides $1.5 billion to support targeted, smarter immigration enforcement. These funds will expand critical programs such as Securing the Communities, which identifies and removes the most dangerous and violent criminal aliens on our border.

I support the new resources the legislation appropriates to transportation security, including funds for air cargo and surface transportation security.

Chemical security is another area of critical infrastructure that garnered significant attention in this bill. It provides $100 million in funding to DHS to support the coordination and management of regulating high-risk chemical facilities and brings the size of the C–FATS regulatory staff to 250.

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

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

Mr. THOMPSON of Mississippi. Madam Speaker, in closing, I urge the passage of this important legislation because it makes the necessary investment in security and resilience to protect Americans from future threats and catastrophic incidents, natural or man-made.

Mr. PRICE of North Carolina. Madam Speaker, I reserve.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to a hard-working member of our subcommittee, the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I want to thank the gentleman from Kentucky for his hard work and the diligence that went forth in putting this bill together. However, Madam Speaker, today I cannot vote for this bill unless the motion to recommit passes because of my concern about what is going to happen with these prisoners at Guantanamo.

So I would suggest to all the Members this is a very serious concern to our country. It's a very serious concern to this fight on terrorism throughout the world. And I believe that we should show our unity and vote for the motion to recommit. And if that motion to recommit passes, then I will be happy to vote for this bill, which I think for the most part is a good bill with that exception.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself the balance of the time.

In closing, I regret that this bipartisan and well-balanced conference report contains permission to bring Guantanamo Bay detainees onto American soil.

At the conclusion of today's general debate, I intend to offer a motion to recommit that will give this Chamber the opportunity to once again voice its will to the conferees just as it did 2 weeks ago by way of a clear and convincing bipartisan vote.

I appreciated your overwhelming vote then, and I ask the Members once again to register your objection to bringing these enemy combatants, caught in battle with American soldiers, onto America's sacred soil.

The conferees ignored our instructions of 2 weeks ago, which prohibited detainees from being released, transferred, or detained in the United States for any reason, period. My motion today will have the same effect as the language Members voted for then and has the same effect as what the Senate voted for 93–7.

This motion will keep these terrorists off American soil, out of our Federal civilian courts, and in a place that is far more appropriate, given their status as enemy combatants apprehended on a battlefield with American soldiers.

This motion will correct the flaw in the conference report's language and aligns the will of Congress with that of the U.S. Senate as reflected by the strong bipartisan votes on this issue over the last 2 weeks in both bodies of the Congress.

I would hope Members would join me in supporting this motion so that we can further improve and strengthen this critical conference report.

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 colleagues to support this carefully 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 should 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 full committee, which was passed by a large bipartisan vote in the House as a whole. In listening to our colleagues debate today, you would hardly understand that. But as a matter of fact, they readily agreed, eagerly agreed, in the markup in the Appropriations Committee that of course there should be an exception for bringing detainees to this country for prosecution if that was determined to be the best way of dealing with their case. I think it's fair to say that no matter what President was in the White House, he or she would insist on this flexibility, and we should insist on it for them.

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 down Guantanamo—and that, I remind 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 other committees in this body. Our conference report does not reach these matters.

□ 1245

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.

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 collecting evidence from a suspect in a crime. They are 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 three convictions by military tribunals in the entire period of their existence is an impressive record. One of those was by a guilty plea. It's not an impressive record. By contrast, a recent analysis of the 119 terrorism cases involving 289 defendants tried over the last 20 years in U.S. courts shows a 91 percent conviction rate for the cases that had been resolved as of June 2.

Is that an option that we simply summarily want to close off?

I've already indicated, Madam Speaker—and I won't repeat—the layered protections that our bill contains with respect to the movement of detainees, the transparency it requires and the accountability it enforces. This bill contains multiple protections, and I stress again that they're based on an earlier bipartisan consensus. They reflect not just the wording in our bill but the language in several of the appropriations bills.

This move today to recommit this bill makes me wonder just how much our colleagues have really meant it when they have urged us to consider this bill quickly and to act with dispatch. We heard this through much of September.

The Guantanamo provisions that they asked for were included in the bill. We brought the bill with those provisions intact from the conference. They've been clamoring for weeks to get this bill to the floor, to pass it as a free-standing bill. But all of a sudden as the conference proceeded, again they cried, ''Stop.''

Now 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. They're simply saying, ''Stop.'' Once again, ''Stop.''

Well, we can't afford to stop, Madam Speaker. We're already into the fiscal year. We have no reason to stop, and we cannot afford to stop. We will not hold up the $1.5 billion in this conference report to identify and to remove illegal aliens who have been convicted of crimes. We will not delay $800 million to secure our borders. We will not delay $4.2 billion for Homeland Security grants to ensure our first-responder community is well-prepared to meet all hazards. We will not delay funding for our Coast Guard, for our Secret Service, for disaster assistance, or for cybersecurity.

We will, in fact, pass this bill today. We've 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'' amendments and motions, and to fund Homeland Security. This body has a responsibility to legislate. Let's get the job done.

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 Gardiner was killed by illegal immigrant Victor Benitez who was driving drunk, ran a red light and hit Gardiner. Ms. Gardiner was a track star at Tennessee State University and planned to go to law school after graduation. Benitez had prior convictions for car 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 Center and Conrad 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 operations 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 of 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 would like to reiterate my support for the conference report but with strong reservations about the majority's actions that has 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 relies upon 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 these pieces are properly in place and constantly reevaluated.

A New York Times 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 for a tour of one of the nation's top airport 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 true that our intelligence 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 security grant matching requirement. Since 2006, 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 disaster 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 $373.7 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 $3.5 million above the budget 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 Mubai 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 country and communities from potential terrorist attacks, 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 detainee abuse by U.S. government personnel. The assumption underlying this provision is 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 repeated mistargeting of civilians in Afghanistan and Pakistan, along with our continuing and expanding military presence in Afghanistan, provide our enemies with far better recruiting tools than the photographs in question might ever provide.

I regret that the conferees 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 contortionisms.

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 partnering with State and local authorities to meet the homeland security challenges of the 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 cyber security defenses of the country. The bill contains funding to update 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 funding for 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.

Pursuant to House Resolution 829, the previous question is ordered on the conference report.

MOTION TO RECOMMIT

Mr. ROGERS of Kentucky. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

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

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

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

Mr. ROGERS of Kentucky. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adoption of the conference report; and motion to suspend the rules on H.R. 2423.

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
Adler (NJ)
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (AL)
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (NY)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hodes
Hoekstra
Holden
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shea-Porter
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—224

Abercrombie
Ackerman
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Blunt
Boyd
Cao
Carney
Carter
Emerson
Hall (TX)
McCollum
Melancon
Minnick
Mollohan
Radanovich
Ryan (OH)
Scalise
Schock

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1314

Messrs. RUSH, GENE GREEN of Texas, SCOTT of Georgia, WU, COURTNEY, HINCHEY, Ms. SUTTON, Ms. MOORE of Wisconsin and Ms. CLARKE changed their vote from ''yea'' to ''nay.''

Messrs. COFFMAN, TERRY, CAMP, WALDEN, ROSKAM and CANTOR changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINNICK. Madam Speaker, on rollcall No. 783, I was caught in traffic returning from a lunch at I and 18th Street, NW. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the conference report.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 307, nays 114, not voting 11, as follows:

[Roll No. 784]

YEAS—307

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Boren
Boswell
Boucher
Boustany
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Cassidy
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCotter
McDermott
McGovern
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Platts
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—114

Akin
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bishop (UT)
Blackburn
Boehner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Campbell
Cantor
Carter
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Delahunt
Dreier
Duncan
Ehlers
Fallin
Flake
Foxx
Franks (AZ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Gutierrez
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Lewis (CA)
Linder
Lucas
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McClintock
McHenry
McKeon
Mica
Miller (FL)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Poe (TX)
Polis (CO)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rooney
Roskam
Royce
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Souder
Stark
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Turner
Velázquez
Wamp
Westmoreland
Wilson (SC)

NOT VOTING—11

Blunt
Boyd
Cao
Carney
Emerson
Hall (TX)
McCollum
Melancon
Mollohan
Radanovich
Scalise

□ 1321

Mr. BOOZMAN changed his vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

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.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and pass the bill, H.R. 2423, as amended.

This will be a 5-minute vote.

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

[Roll No. 785]

YEAS—421

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.

Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Boyd
Cao
Carney
Emerson
Hall (TX)
McCollum
Melancon
Miller (FL)
Mollohan
Radanovich
Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1329

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

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 Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my friend, Mr. DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 830.

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

There was no objection.

Ms. MATSUI. Madam Speaker, H. Res. 830 provides for consideration of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

□ 1330

The rule provides 1 hour of general debate, controlled by the Committee on Natural Resources. The rule makes two small changes clarifying the funding in the bill is subject to appropriations and making a purely technical correction to the section numbering in the bill. 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 ESHOO, HONDA, WOOLSEY, MCNERNEY, LOFGREN, NAPOLITANO, and SPEIER, 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.

Specifically, the Bay Area Regional Water Recycling Program Expansion Act 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

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 everyone at 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. LINCOLN 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 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 restrict the implementation 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 debate 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 area in the country 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 most 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 of 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 be pushed forth, I agree. We need 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 job creation. It will not solve 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. I thank 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.

□ 1345

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 the lawsuits that turned the pumps off. I was not quite sure which lawsuits he had brought forward, but he said, I don't think I have lost many lawsuits in court over the last 10 or 15 years.

Now, I did some research. I wasn't sure what lawsuits 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 deserves 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 fund these 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 of Interior has appointed, that 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 biologists that are coming up with these plans and helping these environmental groups bring these lawsuits that the taxpayers are paying for?

This is a closed rule. It is a California water issue here, to provide water for San Francisco; yet we can't even debate or have an amendment to provide water to the bulk of California.

So we need to get to the bottom of this. Hopefully we will turn down this rule, vote it down, so that we can allow the real issues to be debated.

Vote ''no'' on this resolution.

Ms. MATSUI. Madam Speaker, before I yield to the next speaker, I just want to say that I know that my colleague on the other side of the aisle is upset because his amendment that was offered in the Rules Committee was not allowed on the floor. The fact is his amendment was not germane to the underlying bill and not related to water recycling.

Blaming the Endangered Species Act by waiving it for 2 years to prevent implementation of certain biological opinions will not put his constituents back to work. More importantly, such an initiative would not turn on the water pumps for the Central Valley.

To address the drought—the real cause of the water shortage in the region and the State—we must work collectively toward a solution.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. COSTA).

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

Mr. COSTA. I thank my colleague.

Madam Speaker, I rise today to oppose H.R. 2442, the rule that we are speaking on, the Bay Area Regional Water Recycling Program Expansion Act of 2009. While this measure by Congressman MILLER has merit, there are plenty of meritorious water projects and bills that we have repeatedly tried to bring to the floor to help those of us where the drought is most expansive in the San Joaquin Valley, and unfortunately, they have been ignored.

Unfortunately, yesterday I learned that H.R. 2442 was reported out of the Rules Committee with a closed rule, and therefore, no amendments would be allowed. I oppose this rule 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 many of those 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 again, we must secure 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.

Congressman CARDOZA agrees with my statement.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I 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 160 years, it has always been about water, where there is water. Where we could get water in California there are jobs, there is growth, 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. But what we are talking about here 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 isn't available. 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. The water 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, I rise in strong 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 oversubscribed fresh water system. 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 add 7.2 million 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 and this reuse. 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, the agencies 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 a 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 oversubscribed 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, from the fisheries, from the ice stores, from the 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 we think will save 250,000 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 the importance of this legislation. This is about whether or not we as a State come together from the Oregon border to the Mexican border and solve this problem across all of our needs, which is agriculture, which is business, which is municipal use of water.

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 we would get these bills as fast 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 of them were eligible for 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 or moderate issue. This is a commonsense issue.

Madam Speaker, President Franklin Delano Roosevelt once said the Nation that destroys its soil destroys itself. Well, the pumps are off, the pipes are dry, the land is no longer able to produce, and the soil is being destroyed. How do you bring water to California with a closed rule? How do you sit on this floor and say you are bringing all these bills up for water but you deny the Valley, you deny the breadbasket and you deny the ability for the pumps to be turned on?

I ask for a ''no'' vote on the rule.

□ 1400

Ms. MATSUI. Madam Speaker, I just want to remind everyone here that earlier this year several other local water measures were resoundingly approved by the House. They include the South Orange County Recycled Water Enhancement Act, which was in Representative CALVERT's district; the Lake Hodges Surface Water Improvement Act in Representative BILBRAY's district; the Magna Water District Reuse and Groundwater Recharge Act in Representative CHAFFETZ' district of Utah; the Calleguas Municipal Water District Recycling project in Representative GALLEGLY's district; the Hermiston water recycling and reuse project, Representative WALDEN of Oregon; the Tule River Tribe Water Development Act in Representative NUNES' district.

Until it was caught up in partisanship, H.R. 2442 would have followed the same procedure. H.R. 2442 is no different than any of these bills. What is different is politics.

I reserve my time.

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

Mr. KING of Iowa. Mr. Speaker, I'm here standing in support of Congressman 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 then 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 led a codel to go look at the swamp Arabs in Iraq, and there, 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 we're quite proud 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 I'm from Iowa and I'm saying this. The most dollars per acre produced out of the valley of anyplace 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 the cards are 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, then the people of the country 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 and 600,000 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 floor 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 manifestation 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 5 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 for 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 because the Democrat leadership of this House doesn't wish to have this matter, this matter of the man-made drought in the San Joaquin Valley, debated or discussed on the House floor. Any notion, any notion, Mr. Speaker, that they couldn't allow these amendments even 10 minutes of debate time followed by a vote is simply not true.

So let's be clear about what we're debating here. The underlying bill relates to Federal water recycling projects in the San Francisco Bay Area of California. The amendments not made in order relate to Federal water supply and a man-made drought in the San Joaquin Valley in California. This is hardly a case of mixing apples and oranges. The truth is that the Democrat-controlled Rules Committee chose to hand a shiny red apple to the San Francisco Bay Area and give a giant raspberry to the people in the San Joaquin Valley.

The other argument I wish to address and dispel is that the drought in California is an issue only for those in California to resolve. Mr. Speaker, if this House can debate and vote on a bill to provide millions of taxpayer dollars, Federal taxpayer dollars, for water projects in the San Francisco Bay Area, then this House can certainly debate and vote on providing relief to farmers and farmworkers that are denied Federal water by Federal lawsuits and Federal policies, again, in the San Joaquin Valley of California. 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 amendments to be heard on the floor, 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 of these amendments on the House floor.

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.

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, droughts 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 delta 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 1½ 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 is from that area. And that's wonderful that they'll benefit with water, but it is deeply troubling to hear people come to this floor and start trying to blame the past administration for water problems in California.

At what point are people going to acknowledge, you know what? The Democratic majority, we're in the majority as Democrats. We took control over 2½ years ago, and we're responsible here. We have had an opportunity to do something about this for over 2 years, and we have not done anything because the majority leadership has chosen not to do anything.

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, the people are starving, they're losing their jobs.

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 gentlewoman'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 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 set us back. We're playing catch-up now on things that we should have done for years in water infrastructure and water policy.

□ 1415

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 groundwater to keep careful 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 local communities 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 a 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. I yield an additional 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 this 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. I thank my friend 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. And 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.

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 40,000 people that are without work, and they get nothing.

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 here and we're worried about 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, they were denied; they were not 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 Mr. NUNES and the others 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 be 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 leadership forced the Congress 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 were 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 to examine bills and conference reports 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.

So, accordingly, I will be asking for a ''no'' vote on the previous question so we can amend the rule and allow the House to consider that legislation, House Resolution 544, a bipartisan bill by my friends and colleagues, Representatives BAIRD and CULBERSON.

Now, with regard to any Members being concerned that that may jeopardize consideration of the underlying legislation, I want to make it clear that this motion provides for separate consideration of the Baird-Culberson bill within 3 days so that we can vote on this underlying legislation, the water bill, and then once we're done, consider House Resolution 544.

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

Ms. MATSUI. Mr. Speaker, I yield myself the remainder of my time.

The rule before us today is a fair rule that allows us to make a strong Federal commitment to sustaining 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 February in Mr. CALVERT'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 Water 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. I am disappointed that my colleagues on the other side of the aisle have set aside that tradition, forcing us to bring this rule to the floor today.

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

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 830 OFFERED BY MR. DIAZ-BALART

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit 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 offer an alternative plan. 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 member of the majority 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 refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to 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 using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages 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 a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. 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.

Ms. MATSUI. Mr. Speaker, 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 ordering the previous question.

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. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 237, nays 178, not voting 17, as follows:

[Roll No. 786]

YEAS—237

Abercrombie	Capps	DeGette
Ackerman	Capuano	Delahunt
Adler (NJ)	Cardoza	DeLauro
Altmire	Carnahan	Dicks
Andrews	Carson (IN)	Dingell
Arcuri	Castor (FL)	Doggett
Baca	Chandler	Donnelly (IN)
Baldwin	Chu	Doyle
Barrow	Clarke	Driehaus
Bean	Clay	Edwards (MD)
Becerra	Clyburn	Edwards (TX)
Berkley	Cohen	Ellison
Berman	Connolly (VA)	Ellsworth
Berry	Conyers	Engel
Bishop (GA)	Cooper	Eshoo
Bishop (NY)	Costello	Etheridge
Blumenauer	Courtney	Farr
Boccieri	Crowley	Fattah
Boren	Cuellar	Filner
Boswell	Cummings	Foster
Boucher	Dahlkemper	Frank (MA)
Brady (PA)	Davis (AL)	Fudge
Braley (IA)	Davis (CA)	Giffords
Bright	Davis (IL)	Gonzalez
Brown, Corrine	Davis (TN)	Gordon (TN)
Butterfield	DeFazio	Grayson

Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—178

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moore (KS)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Boyd
Cao
Carney
Cleaver
Deal (GA)
Emerson
Hall (TX)
Johnson (GA)
Kind
McCollum
Melancon
Mollohan
Radanovich
Scalise
Smith (WA)
Wasserman Schultz
Waters

□ 1453

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 18, as follows:

[Roll No. 787]

YEAS—221

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—193

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cardoza
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Davis (TN)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Ellsworth
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herseth Sandlin
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moore (KS)
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Taylor

Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Boyd
Cao
Carney
Cleaver
Deal (GA)
Emerson
Hall (TX)
Herger
Johnson (GA)
McCollum
Melancon
Mollohan
Olver
Radanovich
Scalise
Smith (WA)
Wasserman Schultz
Waters

□ 1501

Ms. LORETTA SANCHEZ of California and Mr. DONNELLY of Indiana changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 1989

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 1989 the following Representatives: Mr. BARTLETT, Mr. BILBRAY, Mr. LATTA and Mr. SOUDER.

The SPEAKER pro tempore (Mr. DRIEHAUS). Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 3413

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 3413 the following Representatives: Mr. AL GREEN of Texas and Ms. JENKINS.

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

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 4355(a), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Military Academy:

Mr. LEWIS, California
Mr. SHIMKUS, Illinois

APPOINTMENT OF MEMBERS TO NATIONAL COUNCIL ON THE ARTS

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 955(b), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the National Council on the Arts:

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. 390h 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 DISTRIBUTION 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.

''(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 $1,150,000.

''SEC. 16. PETALUMA RECYCLED WATER PROJECT, PHASES 2A, 2B, AND 3.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Petaluma, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(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 $6,000,000.

''SEC. 16. CENTRAL REDWOOD CITY RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Redwood City, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(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 $8,000,000.

''SEC. 16. PALO ALTO RECYCLED WATER PIPELINE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Palo Alto, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(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 $8,250,000.

''SEC. 16. IRONHOUSE SANITARY DISTRICT (ISD) ANTIOCH RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Ironhouse Sanitary District (ISD), 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 $7,000,000.''.

(b) PROJECT IMPLEMENTATION.—In carrying out sections 1642 through 1648 of the Reclamation Wastewater and Groundwater

Study and Facilities Act, and the sections added to such Act by subsection (a), the Secretary shall enter into individual agreements with the San Francisco Bay Area Regional Water Recycling implementing agencies to fund the projects through the Bay Area Clean Water Agencies (BACWA) or its successor, and shall include in such agreements a provision for the reimbursement of construction costs, including those construction costs incurred prior to the enactment of this Act, subject to appropriations made available for the Federal share of the project under sections 1642 through 1648 of the Reclamation Wastewater and Groundwater Study and Facilities Act and the sections added to such Act by subsection (a).

(c) CLERICAL AMENDMENTS.—The table of contents of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. prec. 371) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by adding at the end the following:

''Sec. 1649. CCCSD-Concord recycled water project.
''Sec. 1650. Central Dublin recycled water distribution and retrofit project.
''Sec. 1651. Petaluma recycled water project, phases 2a, 2b, and 3.
''Sec. 1652. Central Redwood City recycled water project.
''Sec. 1653. Palo Alto recycled water pipeline project.
''Sec. 1654. Ironhouse Sanitary District (ISD) Antioch recycled water project.''.

SEC. 3. MODIFICATION TO AUTHORIZED PROJECTS.

(a) ANTIOCH RECYCLED WATER PROJECT.—Section 1644(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–27) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by striking ''$2,250,000'' and inserting ''$3,125,000''.

(b) SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY.—Section 1648(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–31) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by striking ''$8,250,000'' and inserting ''$13,250,000''.

The SPEAKER pro tempore. The gentleman from California (Mr. GEORGE MILLER) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2442.

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

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the chairman of the Natural Resources Committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I wish to, in the very beginning, commend the gentleman from California, the chairman of our Committee on Education and Labor, Mr. GEORGE MILLER, for the tremendous leadership, dedication, persistence and patience with which he has handled the pending legislation. I wish to also commend our distinguished chairlady of our Subcommittee on Water on our Natural Resources Committee, the gentlelady from California, Mrs. GRACE NAPOLITANO.

I do rise in my capacity as chairman of the Committee on Natural Resources to support the pending legislation which was favorably reported out of our committee without controversy.

By now, I would think that most of us are aware that there are major issues associated with drought and agriculture in California. While the rainy season has hit parts of the State, it will do little to refill reservoirs that haven't seen normal level of rainfall for years. The impacts of the drought are obvious, whether we're talking about brown lawns, fallowed fields or increased water rates for struggling families.

To address this dire situation, the pending measure is based on the practical idea of conservation through reuse. By recycling water, this bill would create 39,000 acre-feet of water or enough water to supply over 24,000 homes. We're bringing this legislation up under a rule today because a very vocal minority opposed this bill for reasons unrelated to the merits of the legislation.

I'm fortunate to come from a State with abundant water resources. I understand how water is critical for both people and our economy. What I do not understand is why some Members on the other side want to use this bill as a strawman so they can demagogue Democrats on the drought issue.

One Republican Member from California in particular filed a number of amendments that are very good at generating headlines and controversy. Unfortunately, the amendments were not germane to the subject matter of the bill before us, nor are they very thoughtful or realistic solutions to the crisis before us.

Opposition to this legislation is like cutting off one's nose to spite one's face. Water supply issues in California are not a zero sum game. Creating more water through reuse in urbanized areas reduces pressure on water demands elsewhere in the State. If opponents to this legislation want to work towards solving California's water woes, then I suggest getting real about finding solutions and stop the partisan political attacks.

The bill before us today creates new water resources through reuse. We have brought up bill after bill doing the same thing before this body without any controversy, including bills for my Republican colleagues in southern California, Utah and Oregon.

The only reason we are here today debating this legislation is because one Member thinks a solution to a severe drought is to gut environmental laws and overturn court decisions. Perhaps that Member should propose a rain dance as well.

So it is time to support H.R. 2442 and move forward with practical solutions for a real drought in California. I urge support of the legislation.

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

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?

And the answer, 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 being 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 a 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

this man-made drought in the San Joaquin Valley and the policies of this Federal Government.

It has been stated, also, that the drought disaster is a California issue. The implication of that is that this is not of concern to other Americans. Mr. Speaker, that simply is wrong. What is happening in the San Joaquin Valley of California does affect all Americans. If this water recycling bill to benefit the Bay Area is worthy of consideration by the representatives of all 50 States in this House, then so is the drought disaster issue.

Mr. Speaker, if this can happen in 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 bailout. 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 Francisco Bay Area, then this House should be voting on legislation that brings relief to Californians suffering from this devastating man-made drought.

□ 1515

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. GEORGE MILLER 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. GALLEGLY 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. GALLEGLY 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. Again, the gentleman is correct. So far this year the House has approved five water bills, all for recycling or water reuse 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. ISSA, Mrs. BONO MACK, Mr. CALVERT, Mr. CHAFFETZ, and Mr. DREIER; 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 reuse 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. CALVERT.

Mr. CALVERT. 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 listened to my friend from California 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 that's 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 crisis in this country 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 policy. 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 about how we are going to deal 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. MCCLINTOCK.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, 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 morally unconscionable that water 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 order 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 objective 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 that policy. 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 by abandoning 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 to 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 others.

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 $4,500 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 families 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 million 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.

I want to speak to something that was said earlier, and that was that the salmon fishermen in California, the salmon fishing families, were not hurt, and that the claims that they were were bogus.

Mr. Speaker and Members, the salmon fishermen and their families in my district on the north coast of California have been out of work for 3 of the past 4 years, mostly because of illegal biological opinions issued by the past administration.

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 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.

□ 1530

This bill will ultimately conserve 2.5 million gallons of water per day for

drought-stricken California. This is a good idea and it helps bring flexibility to our system.

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 17½ minutes remaining and the majority has 19½ 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, as I sit 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 colloquy on the other side 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.

I come from the Central Valley, where unemployment is double digit. Some cities have 40 percent unemployment. But I don't hear the colloquy from my friends on the other side of the aisle to talk about H.R. 3105, the Turn the Pumps on Act.

You have 200 billion gallons a year being denied to the Central Valley. The party in power shows where their desire is to go, to deny the valley the ability to grow, to deny the valley the ability to go create jobs.

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

The pumps are off, the pipes are dry, the land is no longer able to produce, so the soil is being destroyed. But it does not have to stay that way. Man-made droughts can change. And what the debate today is about and what the passion you feel from this side is, it is not a partisan passion. This is a passion of Independents, a passion of Democrats and a passion of Republicans, that you allow the bills to come to the floor.

I listened to a colleague on the other side of the aisle say, well, these bills will fail. Well, bring them here. You have the power. You have the majority. Do not deny them. Do not deny the amendments. Let the people who have the power of the idea win at the end of the day.

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,'' and that is our message today. That is our message with this bill, that we have the power to make the decision to get the water pumping again.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, California is in the third year of a drought. The salmon fishers are in the third year of no season. Farmers are hurting, fishermen 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 name 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 projects 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 and it doesn't really have any commercial fishermen. We make chips. We also have double-digit unemployment.

So we all need to pull together here. Silicon Valley is willing to do its part to recycle so the water can flow to those in need.

I would like to just point out that although we all value San Francisco, San Jose has 1 million people, and since San Francisco really isn't part of this bill at all, perhaps we should refer to this as the San Jose Bay Area in the future. The San Jose Bay Area is willing to help out by supporting this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, reference was made as to why we are debating this bill on the floor, which obviously the concept of this bill brings forward water recycling and has broad support in this House. I certainly support that concept. But the inference was made that the only reason we are debating this is because of one Member—they didn't say where he is from, but I assume he is from California—who has been very, very outspoken about the economic disaster that is going on in the San Joaquin Valley of California.

Mr. Speaker, I just want to say that that individual is defending what he thinks is right for his constituents, and he is doing all the right things within the rules of this House to bring this issue forward so that we can have a debate.

The inference was also made by those remarks that this was partisan in nature. Well, I would just remind my colleagues, Mr. Speaker, that on the rule, bringing this bill to the floor of the House had bipartisan opposition. As you know, when there are rule votes, they are generally along party lines. Yet, Mr. Speaker, 23 Democrats voted against this rule.

Now, I don't know the motivation of all of them, but I would certainly hope, and I would guess that they probably voted ''no'' because they felt this issue was worthy of debate. And, I might add, of those 23, four of them are from the Natural Resources Committee, in which this bill passed out of by unanimous consent, but there was some discussion in the subcommittee on the issue, and the cost, as Mr. MCCLINTOCK pointed out so well.

Mr. Speaker, I just want to make this point: if somebody is accused of defending their constituents and that is done in a negative way, that is not what this House is all about. Every Member should be doing everything they can to defend their constituents.

So the debate on this really, I believe, is evolving into a bipartisan debate to have a debate on the underlying issue.

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

Mr. HASTINGS of Washington. 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 direct 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 congressional district, has said, ''As 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

recycling helps reduce stress on California's fragile freshwater system, and they have approved water recycling projects for California and across the Western region on a bipartisan basis in Congress. I hope we can do that again.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 5 minutes to the gentleman from the San Joaquin Valley, California (Mr. NUNES).

Mr. NUNES. Mr. Speaker, I thank my friend from Washington.

Since this House is being denied the opportunity to debate legislation that would have a meaningful impact on the California water crisis, I think it is appropriate to take a closer look at the bill before us today. This bill funds a water recycling project for the Bay Area. That is it.

The sponsor of this bill pounds his chest and says he is providing 2.6 billion gallons of water for his constituents. Congratulations. What the sponsor will not disclose is that he has worked consistently to deny delivery of 200 billion gallons of water to an area that has 40 percent unemployment in some cases, that has folks standing in food lines, and land dry with tumbleweeds.

Now, it is ironic that this bill provides water only to one little area of San Francisco, the Greater San Francisco Bay Area, which already receives pristine water from a beautiful glacial valley that is not far from where I live in the Yosemite National Park called Hetch Hetchy. You heard me correct. The Bay Area gets water from one of the Nation's flagship national parks.

The City of San Francisco, knowing that it needed to provide water to its citizens, destroyed a portion of Yosemite National Park to construct its own water supply reservoir. I actually have a picture of what it looked like.

This is what it looked like before. If you have ever been to Yosemite, you can see that it looks very similar to Yosemite Valley. But now it is dammed up. It is dammed up to provide water to the people of San Francisco.

Now, that is really not the worst of it, because we hear so much about how the other side of the aisle cares so much about the fish and the poor fishermen that are losing their jobs because the water is not being delivered to the Delta to save all these fish that need to be saved.

Well, let's go back and look at a little map of Hetch Hetchy. This is Hetch Hetchy, Yosemite National Park. Here is the dam. And the water is piped. There is not a river. It is piped directly into the San Francisco Bay Area. This is the same water, Mr. Speaker, that would go down to save the fish that they care about so much. So do they honestly care about fish, or do they really just care about providing water to their people and serving their radical environmental friends that have worked for decades to cut water off to people that are just trying to provide food for America?

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 project from the Wild and Scenic Rivers 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 cut off 200 billion 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.

□ 1545

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 irrigating agriculture.

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 bellied up to the bar. They put their money up. This bill says you've got to put up 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 that because one part 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.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FARR. No. You have time.

When you have that potable water, you ought not to be using it for agriculture. You ought to be using that for drinking purposes. All the golf courses on the Monterey Peninsula are irrigated by recycled water, Pebble Beach, Cypress, all these big famous golf courses.

So I think that those people that are criticizing this bill and criticizing the fact that we didn't get enough rain in the San Joaquin Valley ought to be asking for us to help them get recycling projects in their communities like we have in the Salinas Valley. We 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

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. HASTINGS of Washington. 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. HASTINGS of Washington. 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 his 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, Bureau of Reclamation area, 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 or a 50 percent cut. 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 in the House, on 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 with that, 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 regions of our 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 use and reuse, recycling, that the entire State benefits.

Someone said, 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 serious 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 available for high 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 and L.A. County and Riverside County 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 we should settle California 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. BILBRAY, no discussion of amendments, no need to settle 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 we were going to do something other than that.

In September, just a month ago, with Mr. GALLEGLY, for the Calleguas Municipal Water District, no suggestion of this. No requests for amendments. No debate in the committee on this.

And then, again, last month, Mr. WALDEN from Oregon, no suggestion we're going to take the Oregon bill and settle the California issue. Why? Because we know what's going on in California. We have a very difficult complex problem. The legislature, our State legislature, has been struggling with it for 2 years. They're in special session right now. They're locked in, and they don't know whether they will have the votes or not to do that. But people are getting together to try to solve it.

When this new administration came in, because I don't remember you asking for this in the first year of the drought or the second year of the drought or going into the third year of the drought, but Mr. Obama's been in town, what, 10 months, and somehow it's his problem. But when his administration did come to town, and when he did have a Secretary of the Interior and he did have a Secretary of Commerce, they immediately focused their attentions on this problem. And what did they do? They met with a cross section of our delegation to see how they could bring the Department of Commerce, the Department of the Interior together, the Bureau of Reclamation, the Fish and Wildlife Service. They sent millions of dollars to the valley to try to give relief to the farmers. They've supported our efforts.

I've supported the efforts to change the law that I wrote 10 years ago, 20 years, so we can have water transfers from east to west in the valley. That's people working together. That's not people just standing back and sniping at bills as they come through and pretending like they want to make policy or they want to change policy that's just political sniping. But it's interesting 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 the day, this legislation is about whether or not we can move California into the future, whether or not we can continue to have 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 almost 18 months and 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.

□ 1600

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.

This isn't partisan; 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, WateReuse 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 447 public agency members are collectively responsible for 90 percent of the water delivered in California for residential and agricultural uses.

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, ACWA appreciates 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,
House of Representatives,
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 funding 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 addressing 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 WateReuse 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 recycling legislation. Specifically, we are alarmed that the authorization of Title XVI 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 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 arid West. Clearly, the events surrounding the operation of the federal and state water projects in California serve to spotlight the challenges created by the drought. We were encouraged 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 federal water projects. Indeed, we believe it only serves to exacerbate the very problem all of us are seeking to resolve—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 strongly supportive of timely consideration and passage of Title XVI water recycling project authorizations by the House of Representatives.

Sincerely,

G. WADE MILLER,
Executive Director,
WateReuse Association.

OCTOBER 5, 2009.

Subject: Support for H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 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 for over six million 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 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 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 provide a long-term sustainable solution to California's water challenges. We strongly support H.R. 2442, and look forward to continuing to work with you as we develop new water supplies for California.

Sincerely,

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

SOUTH BAY WATER RECYCLING,
San José, CA, October 5, 2009.

Congressman GEORGE 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 to your efforts to have it reconsidered at the earliest appropriate opportunity.

The City of San José operates the largest urban nonpotable water recycling facility in northern California. Each year South Bay Water Recycling supplies nearly 600 Silicon Valley schools, parks, businesses and industries with over 10,000 acre-feet of high-quality recycled water, conserving drinking water that can be used for other purposes. Over the past 15 years we have invested over $200 million in local funds in this system, and received more than $30 million in Title XVI grants from the Bureau of Reclamation. Furthermore, as a founding member of the Bay Area Recycled Water Coalition (a partnership of eleven public agencies) San José is committed to assisting other communities in the Bay area to develop this important resource, and we encourage you to continue to fund and expand this important stimulus to local investment.

Recycled water is sustainable water, and the only new water available to help California and other western states deal with the combined pressures of drought and population that threaten to exhaust our existing supplies. We understand that much additional work needs to be done by Congress, by Interior Secretary Salazar and others to develop a comprehensive approach to supplying water to the western United States, including an integrated program to protect and restore the Bay-Delta system. However, in our opinion any sustainable solution will necessarily include intensive use of recycled water as the most reliable source of water currently available, including the nearly seven million gallons of water per day produced by the projects authorized in H.R. 2442.

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

Sincerely,

JOHN STUFFLEBEAN,
Director, Environmental Services,
City of San José.

Mr. RADANOVICH. 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, the San Francisco Bay area 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 who are 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 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.

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 delta water deliveries for storage in the San Joaquin Valley. Neither of my amendments would have authorized the spending of taxpayer dollars. Once again the Democratic leadership in the House of Representatives denied these amendments, denying relief to the ravaged San Joaquin Valley.

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 is always 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 sit down 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 $38 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.

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, over 500,000 acres of some of the world's most productive farmland have been fallowed, farmworkers 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 lack of a response to our water crisis in the San Joaquin Valley.

My definition of "crisis" is a disaster that requires an immediate response. The fact is, there still is no immediate response—in fact there is hardly even any response. And it's high time that the Federal Government admits that not enough is being done to address the valley's water needs.

In fact, I have with me a list of 26 projects that the Federal Government can work with us on to relieve the pressure that the lack of water has created on the valley.

My friends and colleagues from the San Joaquin Valley, Mr. RADANOVICH and Mr. NUNES, offered amendments in Rules Committee last night but they were not made in order.

My folks need relief. They are suffering and can't wait any longer. And farmers in the valley have planting decisions to make in the near future. They simply can't go through another farm season not knowing if they will have any water.

Mr. RADANOVICH and Mr. NUNES deserve to have their amendments on the floor today. Their amendments would have ended this regulatory drought once and for all and provided much-needed relief to our farmers.

Because San Joaquin Valley farmers are prevented from getting the water they so desperately need, I urge all of my colleagues to oppose this rule.

ACTIONS AND PROJECTS TO ADDRESS CALIFORNIA'S WATER SUPPLY CRISIS

Reconsultation of FWS and NOAA Biological Opinions.

Undertake a National Academy of Sciences 6-month review of all the factors in the decline of the Delta.

2-Gate Fish Protection Demonstration Project—coordination and funding.

Delta Mendota Canal and California Aqueduct Intertie—coordination and funding.

Completion of a long-term, multi-year water transfer program.

Develop a program to coordinate schedules on North to South transfers.

Support permanent reform of intra county East-West transfers within the CVP.

Patterson Irrigation District Pumping Plant and Fish Screen.

Patterson Irrigation District Pipeline Project.

Diversify Level 2/Level IV Refuge Program.

Announce 2011 rescheduled water decision in the Spring, 2010.

Additional federal support for the Westside Water Use Efficiency and Conservation program.

Support the removal of restrictions under the Emergency Drought Relief Act which restrict funds to temporary projects.

Mendota Dam Replacement.

San Luis Drain Rehabilitation.

Allow the use of Whiskeytown Reservoir to be used to meet the water supply needs of the most impacted areas.

Work in collaboration with the state on the development of a long term Joint Point of Diversion program.

Friant-Kern and Madera Canals Capacity Correction.

Friant-Kern Canal Reverse Flow.

Pipeline Replacements in the San Luis Unit.

Westlands Water District Reclamation Project for drainage impacted areas and reclamation of poor groundwater.

West Stanislaus Irrigation District fish screen and pipeline.

Stockton East Water District intake structure and fish screen.

Merced Irrigation District New Exchequer Dam Spillway Modification Project.

Semitropic-Rosamond Water Bank Authority Antelope Valley Water Bank Initial Recharge and Recovery Facility Improvement Project.

Semitropic Water Storage District Pond-Poso Spreading and Recovery Facility.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009, which will provide Californians 2.6 billion gallons of water per year, enough to meet the needs of 24,225 households, and should create at least 3,600 jobs. It is a concrete example of the sustainable solutions we should be looking for to address drought and promote economic development.

I would like to thank Chairman RAHALL for his skill and leadership in shepherding this bill to the floor. I would also like to thank my colleague, Chairman MILLER, for skillfully crafting such an imaginative and workable solution to one of the critical challenges facing California and other western States.

Mr. Speaker, the Bay Area Regional Water Recycling Program Expansion Act authorizes federal assistance for six recycling projects that are estimated to create more than 8,000 acre-feet of water annually by 2010, and more than 14,000 acre-feet annually by 2025. Additionally, the legislation is crafted so that fresh water withdrawals from the Sacramento-San Joaquin Delta are limited and treated wastewater discharges into the San Francisco Bay or the Sacramento-San Joaquin Delta are reduced. The cost to the federal government to realize all these benefits is only 25 percent of the total cost of a project.

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 making good on 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.

MOTION TO RECOMMIT

Mr. NUNES. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NUNES. In its current form, yes.

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

The Clerk read as follows:

Mr. NUNES moves to recommit the bill H.R. 2442 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 4. CENTRAL VALLEY PROJECT.

(a) NO RESTRICTION, REDUCTION, OR REALLOCATION OF WATER.—Notwithstanding any other provision of law, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may not use discretion to restrict, reduce or reallocate any water stored in Central Valley Project Reservoirs or delivered pursuant to Central Valley Project contracts, including execution of said contracts facilitated by the W.C. ''Bill'' Jones Pumping Plant, to meet the requirements of the Endangered Species Act of 1973, unless such water is acquired or otherwise made available from a willing seller or lessor and the use is in compliance with the laws of the State of California, including but not limited to, permitting requirements.

(b) BIOLOGICAL OPINIONS.—For the 2 years immediately after the date of the enactment of this Act, complying with the reasonable and prudent alternatives or reasonable and prudent measures and the incidental take limits defined in the biological opinions that immediately preceded the biological opinions issued by on December 15, 2008, by the United States Fish and Wildlife Service on the effects of the Proposed Coordinated Operations of the Federal Central Valley Project and the California State Water Project on the threatened delta smelt (*Hypomesus transpacificus*) and the biological opinion issued on June 4, 2009, by the United States National Marine Fisheries Service Biological Opinion on the Long-Term Central Valley Project and State Water Project Operations Criteria and Plan shall constitute compliance with all requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) APPLICABILITY.—This section applies only to those Federal agency and non-Federal actions related to the coordinated operations of the Central Valley Project and the California State Water Project.

POINT OF ORDER

Mr. GEORGE MILLER of California. Mr. Speaker, I raise a point of order that the motion to recommit contains a nongermane instruction in violation of clause 7 of rule XVI.

The SPEAKER pro tempore. The gentleman from California raises a point of order. Does any other Member wish to be heard on the point of order?

Mr. NUNES. Yes.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. NUNES. Mr. Speaker, 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 Chair is prepared to rule.

The gentleman from California (Mr. GEORGE MILLER) makes a point of order that the amendment offered by the gentleman from California (Mr. NUNES) is not germane.

The bill, H.R. 2442, amends the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program. The bill authorizes six new water recycling partnerships and modifies two existing partnerships.

The amendment offered by the gentleman from California seeks to address water availability related to the Central Valley Project.

Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a ''subject different from that under consideration shall be admitted under color of amendment.''

One of the central tenets of the germaneness rule is that an amendment should relate to the subject matter of the underlying measure.

The bill is confined to water recycling projects within a specific geographic area. The amendment addresses water availability related to the Central Valley Project. By addressing this topic, the amendment falls outside the ambit of the underlying measure and is not germane.

The point of order is sustained.

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

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. GEORGE MILLER of California. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. 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 recommittal.

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

[Roll No. 788]

YEAS—237

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boucher
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)

Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—176

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cardoza
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Flake
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Boswell
Boyd
Cao
Carney
Conyers
Deal (GA)
DeFazio
Emerson
Fleming
Foxx
Hall (TX)
Linder
Lofgren, Zoe
McCollum
Melancon
Mollohan
Radanovich
Scalise
Smith (WA)

□ 1628

Messrs. JORDAN of Ohio, FLAKE, OLSON, COLE, ROGERS of Alabama, COFFMAN of Colorado, McCAUL, 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 question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NUNES. 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 241, nays 173, not voting 18, as follows:

[Roll No. 789]

YEAS—241

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chaffetz
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Woolsey
Wu
Yarmuth

NAYS—173

Aderholt
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cardoza
Carter
Cassidy
Castle
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Boswell
Boyd
Cao
Carney
Conyers
Deal (GA)
DeFazio
Emerson
Hall (TX)
Harper
Linder
Lofgren, Zoe
McCollum
Melancon
Mollohan
Radanovich
Scalise
Smith (WA)

□ 1635

Mrs. BONO MACK changed her vote from ''yea'' to ''nay.''

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 H.R. 2423; and "yea" on H.R. 2442.

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 is passed by the Senate.

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 not 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 would not 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 until after the bill is posted. Now, I don't think I said that that necessarily 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 somewhat of a delay in scoring but we had the majority of it and posted 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, as there may well be, 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 72 hours. If, 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 and ask, 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 that we have a scoring; 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 they had with this House—I know 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 in the morning, 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.

□ 1645

The overwhelming majority of this bill, it's going to be a new bill and will have a new number, but this has been probably 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 Committee and the 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 will ultimately end up either in the Senate or the House bill have been available to the public for a long period of time, either in 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 frankly since July.

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 time, 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 to 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 to you is, when do you expect 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 conferees. So I can't give you the answer, really, to either question, because we don't have conferees 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 Iraq. The people of Baghdad 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, the 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 the Defense 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 is or not, 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, the passion which you started 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. I know we have our philosophical differences. 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 will guarantee you, I could bring a lot of bills to the floor.

Mr. HOYER. That was not an answer to my question, I respectfully 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, it 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 in my view, about 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 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 do that? Because I haven't been able to do it. With all that power you think I have and with the gavel that you think we have, we haven't been able to 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 we took up today on the floor when it came up about water. 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 Capitol, it's the second dome, 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 it from 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. HOYER. My comment is a very simple question, and you wanted to have an open rule.

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 obstructed by issues 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 BARNEY FRANK-authored Iran Sanctions Enabling Act. I know 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 passes it, I will bring 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.

□ 1700

Mr. HOYER. 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 a Friday, I don't know that I will schedule Friday; we may pass it 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 over 4,000 volunteers. They have 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 $26 billion a year. The average award is $4.7 million. More than 93 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 commitment 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.

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 of Israel for defending itself against the attacks of violent terrorist groups like Hamas. Its latest faux crusade will only serve to further undermine any scrap of legitimacy that the body may have left.

If the council votes to condemn Israel and accuse it of war crimes, it's committing a great injustice and allowing itself to serve as a mouthpiece for those who wish to sabotage a true and lasting peace in Israel.

This report is not about human rights abuses. It's about taking biased cheap shots at the nation of Israel and undermining its right as a sovereign nation to defend itself against attacks. The U.S. must continue to stand by Israel, a strong democratic ally in the Middle East.

LET'S GET TO THE WORK OF THE PEOPLE

(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, fussing, looking over at this side talking about Republicans playing politics and how this side over here had been playing politics with the water bill. There is nothing in playing politics when you are talking about tens of thousands of people being out of work and an important part of the country not being able to produce.

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.

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.

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.

Well, 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 they 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.

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

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

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 today to express my longstanding 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 this island 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 Inter-American 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.

□ 1715

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 maximum benefit 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 grant temporary protected status to 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 ensure that the U.S. is doing all we can to help President Preval in his efforts against the narcotraffickers.

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. They said we can pass whatever we want here in Washington, they are going to keep raising rates. As a matter of fact, by their calculation, by 111 percent.

Well, on one hand, I am stunned that they told the truth. On the other hand, I am not very surprised. Our rates have been going up twice if not three times the rate of our salaries every year. They have been going up about $1,000 for people who have health insurance. So the idea that they 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 said 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 65 say, no, you can't have it if you are 55 or 45 or 35. 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 bogeyman 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 the VA, 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 us are saying is, if you want to find savings in the system, and you don't want to cut into health care, maybe it is a place to start. Can you do maybe with 10 percent? 12 percent? 15 percent? Up to 30 percent. That is savings that we can get right there. But we are trying to get savings using a free market model. Competition. Let's see if there is someone that can do it more efficiently than 30 percent overhead.

We know, for example, Medicare can do it with about 3.5 percent overhead. That is the public option, and my colleagues don't want them to have what they have, which is government-funded health care.

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

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

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

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

TRIBUTE TO PAUL BURKE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman 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 Gallagher 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 1951 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 JOE 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 gentlewoman 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 police 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

as they mourn the loss of a husband, father, brother, friend, fellow officer and a North Carolina hero. May they know God's comfort during this difficult time.

□ 1730

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

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

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

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

HONORING THE HUMANITARIAN SERVICE OF ANN GLOAG

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

Mr. GOHMERT. Mr. Speaker, a leading Scottish businesswoman and board member of the global charity Mercy Ships, Ann Gloag is being honored by the National Council of Women of the United States this evening at the United Nations as the inaugural recipient of the Susan B. Anthony Humanitarian Award in recognition of her humanitarian service in Africa.

The reason someone from east Texas would take note of this philanthropic humanitarian from Scotland is because she has done so much for Mercy Ships. It may surprise some that such an oceangoing charitable enterprise would have an international headquarters in my east Texas district, but it does, due to its founders.

Mercy Ships uses hospital ships to deliver free, world class health services to those without access in the developing world. Founded in 1978 by Don and Deyon Stephens, Mercy Ships has worked in more than 70 countries, providing life-saving and life-enhancing services to more than 2.16 million direct beneficiaries.

More than 1,200 crew work worldwide, representing more than 40 nations. They're joined each year by 2,000 short-term volunteers. Professionals, including surgeons, dentists, nurses, health care trainers, teachers, cooks, seamen, engineers, and agriculturists donate their time and skill to that effort. I've seen the results of the enormous charitable work this institution does, and it is gloriously moving.

As for the devoted Ms. Gloag, she has supported various charitable organizations, providing much needed medical care, housing, and education in Africa for over 30 years. In addition to establishing the Balcraig Foundation, the Gloag Foundation, and the Freedom from Fistula Foundation, Ms. Gloag has worked with Mercy Ships, including the funding of the Africa Mercy Ship, the world's largest nongovernmental hospital ship providing free medical and humanitarian aid to the people of Africa.

Through partnerships in Liberia, Sierra Leone, and Kenya, the Freedom from Fistula Foundation alone is providing free surgeries to more than 1,500 women this year. In her home of Scotland, Ms. Gloag has already been honored for her work with Mercy Ships and has worked with the Scottish Government to promote its international development work in Malawi, where Ms. Gloag has also helped to establish a hospital.

Named for the American civil rights activist who helped form the National Council of Women of the United States, the Susan B. Anthony Humanitarian Award will be conferred annually on individuals dedicated to making a difference in people's lives, communities, or state of the world.

Don Stephens, founder and president of Mercy Ships, comments, ''Mercy Ships champions the selection of Scotland's Ann Gloag as the inaugural recipient of the Susan B. Anthony Humanitarian Award by the National Council of Women of the United States. Ann exemplifies a modern example of Andrew Carnegie, J.P. Morgan, and John D. Rockefeller, who almost delighted to use their wealth to assist the world's poorest. On board our new hospital ship Africa Mercy, I have personally observed Ann demonstrating her compassion for others at the bedsides of women and children who received a free surgery on the ship that she helped fund. In parts of Africa, health care infrastructure and delivery is nonexistent. Ann enabled Mercy Ships to bring hope and healing where it is otherwise often not available. Ann has found a powerful way to share her blessings.''

We must congratulate Ms. Gloag for caring so deeply and acting so generously, responsibly, and personally to make such a difference in the world. May God bless Ann Gloag as she has so richly blessed others around the world.

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

(Mr. FRANKS of Arizona 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. DEAL) is recognized for 5 minutes.

(Mr. DEAL of Georgia 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 Florida (Mr. POSEY) is recognized for 5 minutes.

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

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

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO SERGEANT JOSHUA M. HARDT

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

Mr. MCCLINTOCK. 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 is fundamental and sacred and eternal, that defines humanity itself. They defended something that can never be abandoned as long as humanity exists. They defended right 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 everybody.''

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 a way. And he paid for heaven's most expensive celestial article with his life, not for himself but for others.

I attended a Gold Star dinner recently, and I admitted to one 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, hulking kids who stand up for whoever'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 tells how excited he was 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 Kamdesh, 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. Mr. Speaker, I rise today to express my support and the support of Arkansas' Third District residents for the 287(g) program.

Two years ago, Benton and Washington County Sheriff's Departments and the cities of Rogers and Springdale sent 19 northwest Arkansas officers and deputies for training in the identification and possible detainment of illegal immigrant offenders they encounter during their regular daily law enforcement activities. I thank Rogers' Mayor Steve Womack in being a driving force behind this task force. His leadership has been instrumental in cracking down on illegal immigrants in northwest Arkansas.

Thanks to these law enforcement personnel, more than 1,500 illegal aliens have been arrested and have or are in the process of being deported in northwest Arkansas. 287(g) has a proven track record of success nationwide. According to Immigration and Customs Enforcement Agency, since January of 2007, the program is credited with identifying more than 100,000 potentially removable aliens, mostly at local jails. The numbers tell the story. 287(g) is an effective program, and that is why I'm a champion for it.

This week, I signed a letter to President Obama showing my support for the 287(g) program and asking that the funding be continued. I believe that Federal, State, and local cooperation is key to combating illegal immigration, and continuing the 287(g) program is a commonsense solution.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the 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 great 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 generosity, where 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 coming 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 great, values such as workers' rights, such as the weekend, such as the 5-day week, such as work and safety laws, such as worker's compensation, such as Social Security.

□ 1745

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 middle 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 60 years in the making, 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 helped 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.

So we are going to talk a little health care tonight. I am going to yield to the gentlelady to make a few 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 somewhere around $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 and she eventually died.

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 to you in your own community accessible health care. We want it to be affordable; we want it 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 just dickering around the edges of a reform. We are going to get one now because it's the right thing to do, Mr. ELLISON. And 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 could. 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, 1925 and died October 7, 2009 in Los Angeles. Her son is Danny 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.

Marbee, as she was affectionately known by her entire family, was always the life of the family. She preached ''family first,'' and anyone who knew her immediately fell in love with her glowing personality. She was full of life, love and laughter, and was also an activist.

Marybell Bakewell 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. She 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, deceased, Donny Brooks, Jamie Brooks, Brandon Brooks, Fatima Elswify, Amira Elswify; six great grandchildren—Taelor Bakewell, Danny J. Bakewell, III, Devyn Bakewell, Bryce Bakewell, Donny Brooks, Jr., Adrian ''AJ'' Brooks; sister-in-law, Delores Brazile; 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 the city and 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, 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 will do the right thing and we will see that before the year ends, 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 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. Continue to educate 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 VA 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 don't 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.

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 am on a medication—now get this—that costs $74,000 a month. I said repeat that figure. He said $74,000 a month. He told me that he had a very unique condition, that when he 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. Why 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 also 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 to the gentleman from Minnesota, thank you so much for your leadership. It is really important.

We are almost there. I describe this—if we were playing a football game, you know, we would call it ''crunch time.'' We're in crunch time right now when it comes to health care reform for the American people.

I don't know what struck others this week, but what struck me was the release of a so-called ''independent report'' from the American Health Insurance Plans lobby. It struck me because in that report was so much misinformation. And it was done by PricewaterhouseCoopers. Now, they

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 not 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 that 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 from January 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 this year 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, I 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 insurance was going to send premiums 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 the Senate—and 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 their lobbying, they have beaten and beaten 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 is against their interests. 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 into law and that we are closer 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, as the public knows, that a robust 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 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 the words of John Rother of AARP, executive vice president of policy and strategy.

You mentioned PricewaterhouseCoopers, which participated in preparing the report. They're running from 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, had instructed it to focus on only some 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 it would result in 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 flawed 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 will lower costs for those who have insurance, expand coverage and provide affordable insurance options to millions of Americans.''

I'm not done quite yet.

Nancy-Ann DeParle, 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 on back to the summer. I ask the gentlelady to take a walk back to August. You'll recall, 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 play a significant—not just administering the VA, they actually hire the doctors and provide the care. That is truly a single-payer system. That's government-run health care if there ever was, and you'd better not try to take health care away from our veterans, because they won't tolerate that. So then they had to move away from that.

Then we heard that it is only about the uninsured. Wait a minute. We find out premiums have been doubling over the last 10 years and are expected to double again. So now the insured, the people who have employer-based health care, say, wait a minute. We need reform, too. We have to have reform, and we cannot tolerate being rejected and excluded for preexisting conditions and tolerate discrimination, which will affect young women the most.

So Americans have been peeling back the onion of falsehood time and time again. As the gentlelady from Maryland pointed out, the public option still is standing stronger than ever. It's almost as if, the more they attack it, the stronger it gets.

I just wanted to point out: Who wants the public option? Well, doctors want a public option. Nurses want a public option. The majority of Congress wants a public option. Faith communities want a public option. President Obama prefers a public option, and the American people do.

If you look at what doctors want, most doctors support the public option. 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 this year and 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 want to keep their insurance, they know that 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've 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 Office of Personnel Management, 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.

So the American people are very smart, and they have said three things: We want quality care. We want competition. We want to lower costs. They know that, in order to achieve those things, there must be a public option component as part of the array of choices. It's like a marketplace, the array of choices that are available to them.

□ 1815

So they want to be able to stack up each one of these plans, private plan X, Y, and Z, and the public option and see which one works for their family and then make that choice. And I think that the American public should actually have that choice. I actually believe in real choice even in health care. And the problem with the system that we have now is that in most States, there is no competition; one or two insurers have a monopoly or duopoly on all of the health care coverage in that State.

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.

By the way, if the gentleman would yield 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

hard decisionmaking and to make the choices that we know are right for the American people.

And so what I say is, with the kind of support that you demonstrate among doctors, as much as 73 percent of doctors, two-thirds 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 need that 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 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 yielding, but the gentlelady should 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, but when it came down to really 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 is to include the public option which doctors want, which the public wants, which everyone wants. It was not simply a simple 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 culture, not by color, not by faith, 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 folks who are tuned in tonight, Madam Speaker, because I think that it's important that folks know that there are people in Congress that are fighting for them. This is not the time for cynicism. This is not the time to say, well, you know, the industry is going to get their way again. No, they're not, because there are people here in the Congress who are hearing the call of the public interest.

I'll yield to the gentlelady on that note.

Ms. EDWARDS of Maryland. Thank you for yielding.

And as the gentleman from Minnesota points out, this isn't about what any individual Member wants or not. It's about what the American people want, and it's about what the right thing is for so many of our communities: people who have health insurance now but who are afraid of losing it or afraid of the costs to their families, and, of course, the millions of people out across America who don't have health insurance.

And this isn't also about fighting the good fight—there are a lot of good fights out there—but we have been able to unify our Progressive Caucus standing up for health care reform that's going to work for all of us, ensuring that we get rid of the practice of excluding people for preexisting conditions; that we get rid of the practice of insurance companies, once you've taken advantage of your insurance, then cutting you off; that we invest in preventative care, because we know that early investment in preventative care really saves dollars in the long run, whether or not we can attach a number to that.

We also are fighting for a public option because it's important that with the health insurance reforms that we also have choice for patients, a choice for our doctors.

And so we are on the right track here. And I have to say that because of the leadership of the Progressive Caucus also working with our leadership in the United States Congress—and my hat's off to our Speaker because our Speaker has been out there in the front, at the forefront actually fighting with us for a strong, robust public health insurance option, and I am glad we're where we are today.

We know that there is still work to be done. We're counting on the American people actually to stand up, you know, to call their Representatives, to call their Senators, to make sure to put out the plea across this country for health insurance reform that the President of the United States can sign into law that will actually make a difference in people's lives, not just because it feels good, but because it will make a difference in people's lives and the long-term health and competitiveness of this country.

So I am a proud Progressive. I'm not afraid to say that at all. What I do know is that it's important to stand up to the people and not on the side of the lobbyist 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.

Mr. ELLISON. The red zone.

Ms. EDWARDS of Maryland. We are in the red zone. We are approaching the goal line, and now it's time to make the tough decisions and take the ball across the line.

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 what the health insurance industry is spending to defeat 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.

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 history.

I wonder if the Speaker knows—do you know that it was Roosevelt, President Roosevelt, Franklin Delano Roosevelt who first said we need universal health care? It was Truman who repeated the call. It was Nixon, even, who talked about health care reform; although, he did some things to undermine it. And it was, again, President

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 not far away. 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, believes 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 how 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 has been resoundingly rejected by the American people, but look at the numbers that are coming out regarding the public option. On the wrong side of history. I recommend the rank and file come join the Democrats in passing health care reform. But as this new poll and others in recent weeks have all shown, Americans support a public insurance option in health insurance and in reform legislation.

This new Quinnipiac poll I mentioned said that 61 percent of Americans support a public option. The Wall Street Journal/NBC says 73 percent of the population supports a public option. The New York Times/CBS says 65 percent of the American public supports a public option. The Kaiser Family Foundation says 58 percent of the American people support a public option.

Other findings of the Quinnipiac poll say that Americans trust President Obama more than Congressional Republicans to handle health care reform, 47–31 percent; 64 percent of those surveyed disapproved of the way congressional Republicans are doing their job, including 42 percent of Republican voters. And it's important for Republican voters to know that they have a choice and that they should vote effectiveness: the people who are getting it done, not the people who had the White House and the House of Representatives and the Senate from the year 2000 to 2006 and didn't do anything other than veto the State Children's Health Insurance Program, that's what they did; but people who, within a few months, are already within the grasp of true health care reform.

□ 1830

The fact is, Madam Speaker, that this moment in time is important. It is as important as any other piece of historic legislation that we have seen.

It's clear that the health care industry is in the final throes, final throes, and it is demonstrating a level of desperation by issuing this industry report which clearly is fundamentally flawed and clearly shows that it's dishonest and deceptive. And even the drafters, PricewaterhouseCoopers, don't want to claim it. Experts say that it's wrong.

So we've heard about the death panels. False. We've heard about the school sex clinics. False. We've heard about government-run health care and accusations of socialism. False again. We've heard about immigrants taking over health care. False. And now the truth is really, really standing clear. Truth crashed to the Earth will rise up. That is what has happened.

It's important for Americans to take heart, to take hope, to help support the passage of true health care reform and to understand that if we can pass health care reform, if we can win this 60-plus-year-old battle to get health care reform, then there are other battles to be fought and other mountains to be climbed and greater things that this wonderful people can produce for the American people, that America can live out its progressive value system and can say that we are going to expand opportunity for more Americans. We're not going to demonize and vilify Americans who happen to be of a particular racial group or happen to be not born in the United States or we're not going to turn them into somehow ''the other,'' we're going to continue to embrace more people as this great country has done progressively over its history.

We're going to say that we're going to live in harmony with creation and not just use it as just a fungible commodity to be burned and polluting the air and destroying the seas and acidifying the ocean. Big things await the American people, but it's important that we get over this last piece of true reform to get this momentum moving.

Madam Speaker, I will yield back at this time and close out the progressive message. Thank you very much.

HEALTH CARE

The SPEAKER pro tempore (Mrs. HALVORSON). Under the Speaker's announced policy of January 6, 2009, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 60 minutes as the designee of the minority leader.

Mr. CASSIDY. Madam Speaker, I had 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 businessman 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 who had died of cancer, and 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 four 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, 8 percent per year more than 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 the initial estimate, 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 that says that his cost of insurance is going up 27 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 really reform absent 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, again, 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 insurance plans with a 40 percent excise tax on insurance plans worth more than $8,000 for individuals or $21,000 for family policies. Families making less than $200,000 a year shoulder 87 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 $200,000 or less. Let's face it, $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 $300 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.

There's also $200 billion 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 joined by my colleagues, so I will 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 cost, 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 over 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. But even 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 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, and 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 the time 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 bureaucrat coming between a doctor and a patient, no rationing of care, and absolutely no denying coverage to people that have preexisting conditions and to assure that 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.

□ 1845

This is the thing that I want to stress, and I think it's hugely important that we always keep that in mind.

I thank the gentleman for giving me an opportunity to be with him tonight.

Mr. CASSIDY. Thank you, Congressman GINGREY.

I think what you are talking about when you have the money, honey, let's go buy a new car, means that you actually have a way of financing within your own budget that's honest and that you know you can sustain, so that after a year of purchasing the car, you can continue the payments.

I would like to in a later point go back to Republican solutions, but just provide a little bit of a critique on the Senate Finance bill, because I don't think that they actually have their money, honey. One of the reasons I am

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 it 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 deficits. According to different Governors, 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 5 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 $640 million over 5 years. I wish our State was as wealthy as California; but in our State, $640 million over 5 years 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's bill imposes a $33 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 speak of is from 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 don't 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 would you offer, say, 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 of 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 with rapidly 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 got 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, et cetera; 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 those 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 up out of pocket. But 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' 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 patients.

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 now in 2017, 2018. You have to ask yourself, What 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 the 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 all my life, and now I am at the point where I am needing my care, and we 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 this nice Congressional 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. Just to speak to 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 3½ 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, it's impossible.

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 Medicare-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 Tennesseans. It was a noble goal to try 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 years, 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 $8.5 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. Medicare pays 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 almost broke the State. The Governor, who 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.

□ 1900

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 could not afford it.

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, your experience is basically 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, my 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, cut the 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 a $100-a-month pension. They cannot afford any more for their health care right now.

There are millions of Americans, our seniors, who no longer can go out into the workforce. They can't hold a job at Wal-Mart as a greeter or at McDonald's or whatever. They are just physically not able. What are we going to do for those folks?

Mr. CASSIDY. Reclaiming my time, Congressman GOHMERT, your State will have a 77 percent increase in your Medicaid population, so your governor predicts it will be $4 billion more a year in costs to the State of Texas. So as we score this Senate finance bill, which supposedly saves the Federal Government money, it apparently saves it by making Texans pay more on their State taxes, is that correct?

Mr. GOHMERT. 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 30 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 so for Medicare average, but that is not all-inclusive of 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

costs smaller as a percentage of total costs. This creates the appearance that Medicare is a model of administrative efficiency.

But what John Alter sees as a miracle is really just a statistical sleight of hand. This notes that private insurers have a number of additional expenditures falling into the category of administrative costs, like taxes that they have to pay that Medicare does not pay.

Additionally, when you compare the administrative costs on a per-person basis, Medicare is dramatically less efficient than private insurance plans. And, as this article notes, Medicare's administrative costs from 2001 to 2005 were, on a per-person basis, 24.8 percent higher on average than private insurance. So when they talk about adding millions of more people on a Federal plan, you add that additional per-person amount, it is going to be dramatic.

My friend from Pennsylvania asked that I yield.

Mr. TIM MURPHY of Pennsylvania. I appreciate the gentleman yielding.

There are a couple items on that, that are important to know. When people talk about the low overhead cost for administration for Medicare, that is because they don't count the things that go with the Department of Health, CMS, and all of the administrative costs that physicians have to have, because what they do is, they pay doctors and hospitals less, as has been pointed out, and have many times a loss on this.

If I could elaborate on this, this is important, because as the majority is looking at removing $500 billion from Medicare, you can cannot slash a program by that much without having devastating effects.

It reminds me of the old days in medicine, I wasn't around at the time, when they thought they could treat patients by bleeding them. They said you won't miss a pint or two of blood. It does affect the patient.

In this case, let's keep this in mind: Health care is not expensive because people have insurance, and yet they want to tax insurance. It is expensive because it is filled with waste and inefficiency and misdirected government mandates. When the government comes by and gives doctors pages and pages of paperwork and says you can do this but you can't do that, it is a concern.

Let me give you an example of that. Ninety-five percent of Medicare goes to pay for chronic illness, but because Congress says you can't really manage chronic illness, it is a massive amount of waste. What can doctors pay for? Individual tests, individual procedures. But we know that disease management saves money. With a diabetic patient, heart disease, pulmonary disease, very complex cases which often times require multiple specialists to go to, multiple medications, but as the President himself said, and I remember having this conversation at the White House as well, we will not pay a penny 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 they will get in physical shape. 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 goes, and I was just looking at this, is, it says let's slash Medicare Advantage so seniors do not have this.

Keep this in mind: Only 1 in 10 Medicare beneficiaries are traditional fee for service, because fee for service doesn't limit out-of-pocket expenses and provides many of the supplement benefits that Medicare Advantage does. That is where, when people says it rewards overuse, it is because that is the only thing sometimes it will pay for.

We need to focus on how we 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 medicine 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, gut $500 billion, and somehow miraculously out of the sky will come a more efficient health care system. It is just the opposite, I submit to you. Just the opposite.

Mr. CASSIDY. Reclaiming my time, it strikes me really in one way there is nothing radical about these plans, 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 that 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 stood up here a few weeks ago and agreed. In fact, all of the things—he was going to fix everything—much of what he was going to fix was going to be paid for by getting rid of this waste and fraud, primarily in Medicare and then also in Medicaid. 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 whether or not they lose money. But, on the other hand, as he points out, Medicare is just taxpayer money, so they haven't been as concerned with waste, fraud and abuse.

From my days as a judge, what we saw was when somebody knows where there is fraud going on and they have a duty to do something about it and don't, they are accessories to the fraud. So it grieves me much to hear leaders around this town in the majority and the administration at the White House saying, if you will pass this bill, we will cut out the waste, fraud and abuse, and that will pay for $500 billion in cuts. Why don't you quit being an accessory and cut it where it is?

I have just got to mention this. I was talking to a senior that I consider a very wise individual, and this weekend she said, You know what concerns me about the $500 billion in cuts to Medicare? 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 us die off more quickly so that 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, as we come back to this, the conversation is that the bill which has been favorably reported as $81 billion in savings, actually the savings, as Ms. PELOSI says, comes on the back of the middle-class. If you will, part of the conversation is that it punishes the middle class. In fact, if you include the cost of the unfunded mandate to the States, if you recognize that some of these Medicare cuts just won't happen, it is reasonable to say that it is going to increase the deficit. If you will, I would like to say it is not so much fiscal responsibility as it is fiscal sleight of hand.

That said, Congressman THOMPSON, you have been a hospital administrator. What would be the impact of these savings upon the patients who were seen in hospitals where you worked?

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 in two areas specifically designated in here: 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 are the sick of the sick. They are individuals who have no other alternatives. We work real hard to have people stay in their homes and to age with dignity, but there are certain ones, and it is a small part of the population, they need facilities like good, caring, compassionate skilled-nursing facilities.

At the same time, for those folks who are at the final days of their lives and find themselves with a terminal disease, they need 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 angers 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 to make 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, reclaiming 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. This is in fact an impact on people's lives, and the lives of people who really are some of the most vulnerable folks that are in our country.

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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 the bills we've seen from 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 wall of sound 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 how much something 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, if you 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 Ministries, 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, through 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're healthy over a number of years, 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 or 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. They have about 97 percent covered, but they're running into the same issue that we did in Tennessee. From 2006 until now, State spending on health care is up 70 percent. And in that State, you cannot be denied coverage and you have a mandate to buy 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 own best interest. They're smart, and they'll figure out what to do. So I don't know how you make people or force people to do it.

Guess what happened in Massachusetts? The rest of us, the rest of the folks up there who got insurance subsidized those people greatly. So I think you have to put the onus back on, and we have several plans out there that can do that, that incentivize people to look after their own health care. I mean, some very simple things 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 5 years ago and I'm uninsurable, 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. Ardoin said, from Ville Platte, Louisiana, patients are the only one that can control costs. 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 a 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 reclaiming my time, to have some independent judgments, again, the Congressional Budget Office is the one that says that the Senate Finance plan will have a growth 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. CASSIDY. So Congressman GOHMERT, have you ever driven across five lanes of traffic to get some gasoline at a penny cheaper?

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 about health 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 on track, of getting patients the power they haven't had in years, the coverage they haven'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 have no alternative to that. 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, like my friend Dr. ROE was talking about, that is going 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, because when 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 a 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 bills that are 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 very, very hard. Everyone agrees. 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. The problem was 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 had more problems—except maybe 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 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.

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Mr. CASSIDY. Excuse me, Congressman. 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 Tennessee. 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 good way 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 come and help us get a 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 part of the waste, and that is 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 annually.

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 spoken and in the Record, 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 Presidential campaigns when 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 him and that he trusted me 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 remarks 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 the 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. He 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 he had 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 make sense of 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 our major global 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 have a chance. Well, number 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 sending U.S. troops to far-off 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 who loved 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 those brave souls in various countries who were resisting or fighting pro-Soviet Communist dictatorships, which was our enemy as well as their oppressor.

In Poland, we covertly helped the Solidarity Movement. We bolstered our broadcasting to captive nations in Eastern Europe and elsewhere. We provided funds and resources to the anti-Sandinistas insurgents in Nicaragua, which eventually forced that Marxist gangster regime to have a free election; and when they did, those Sandinistas, those Marxist Sandinistas lost overwhelmingly.

The implementation of the Reagan Doctrine, not just rebuilding U.S. military strength, was what broke the will and the bank account of the Soviet Union. Nowhere was it more effective and harder fought than in Afghanistan, which in the mid-1980s was in the front lines of the Cold War.

A few years into the Reagan administration, I was approached by an old friend, Dr. Jack Wheeler, who, interestingly enough, was the chairman of Youth for Reagan in Ronald Reagan's first campaign for Governor in California back in 1966. That's where I met him. After that, Dr. Wheeler had gone on to earn a Ph.D. in philosophy and had been earning his living as a tour guide which took people on adventure tours into some of the world's most dangerous territories. He was a real Indiana Jones; but more than that, he was a real patriot.

Jack Wheeler wanted to be part of President Reagan's historic effort to reduce communism's influence on this planet and to relegate it to the ash heap of history. Dr. Wheeler's plan was to travel to some of the most inhospitable locations in the world and to contact the leadership of various anti-Communist insurgencies who were there in those far-off places engaged in taking on Soviet military power. I agreed to receive his reports and documentation as he traveled, and after 6 months it began to arrive. He was on the road and into the front lines.

I started receiving information, pictures and notes and descriptions and audiotapes and videotapes in my office in the White House; much of it came through diplomatic pouch from far away embassies.

When Dr. Jack Wheeler returned from searching out the leaders of the various anti-Communist insurgencies, he came directly to the White House where I arranged for him to brief about 30 national security-focused staff members at the White House. What they heard was electrifying. There was a very real opportunity to defeat the Soviet Union and to usher in a new era of world peace.

□ 1945

The Soviet empire was vulnerable, and that's where the Reagan Doctrine started at that particular briefing. Everybody knew it could be a strategy, and we went to work putting it in place and presenting it to the President.

This strategy of the Reagan Doctrine was implemented by men like Dr. Constantine Menges, 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 defeated 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, that nuclear war with the Soviet Union that we all felt someday might happen and obliterate most of mankind. Reagan ended that threat. Communist tyranny was advancing when Ronald Reagan became President. He turned it around and laid the foundation for a collapse of the Soviet Government in Russia. Afghanistan was the tip of the Reagan Doctrine spear.

So, our assistance to the Afghanistan 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 Afghanistan warriors to my office in the White House. Other times, these rugged fighters—the Mujahedeen as they are called—would come to Washington for secret meetings, and I would end up taking them for lunch at the White House dining room or introducing them to specific people in the bureaucracy and in the power structure who could help them. So I got to know and admire these brave people.

In the late 1980s, the Soviets upped the ante, unleashing Hind helicopter gunships which ripped the Mujahedeen, and they were just destroying them at will. At this moment of desperation, there was a major debate in the White House over the proposal to neutralize the helicopter gunships by providing 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.

Ronald Reagan 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 material 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.

Yes, Charlie Wilson, who used to be a Member of Congress and a member of the Appropriations Committee, played an important role in getting the money allocated to help these brave people, and other people in Reagan's White House can be proud of what was done to support these Afghan freedom fighters. I would have to say, for as much as we did—Charlie Wilson and those of us in the White House and other people—it's the Afghan people who thoroughly deserve the credit of not only defeating this Soviet Army in Afghanistan but of breaking the will of the Communist Party bosses who controlled the Soviet Union.

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—a Russia committed 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 repay 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 to this day 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 President—George Bush, Sr., 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?

One of the reasons 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 had agreed to let the Pakistani 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, Sayoff 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 to determine? No. You could 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 fascism. 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 kept looking for a 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 faction 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 and torn country but not so 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 fascism, and not so obvious to 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 CIA. Prince Turki 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 importantly, would be a Pakistani and Saudi ally, an ally who would be willing to do their bidding.

What did the Clinton administration do? What did the Clinton administration want? Well, what they wanted was to make the Saudis and the Pakistanis happy. So, in the mid-1990s, the Taliban emerged. They are not the same as the Mujahedeen. Many Americans mistakenly believe that the people who fought against the Soviet Army, who were named the Mujahedeen, later became the Taliban.

By and large, it was the Mujahedeen later on who drove the Taliban out of power. It was the Taliban which had been kept as a reserve force, you might say, going to these moderate schools in Pakistan until after the Soviets had been defeated. The lion's share of Mujahedeen leaders, who fought against the Soviet troops, were not part of the Taliban.

Well, I hoped for the best after it was clear that the Taliban was anointed by the Clinton administration, by the Saudis and the Pakistanis, and they took over Kabul, the capital city of Afghanistan. I hoped for the best for about 2 weeks. I was just hoping. People told me maybe they'll come through, and maybe they'll start moderating, but my worst nightmares began to come true after just a few weeks.

A brutal fundamentalist, Islamic movement that hated the West was taking control of Afghanistan, supported by the United States Government in the name of stability. That was it. In the name of stability, we're going to support these radical fundamentalists and other tyrannical forces.

For several years, at this time in the 1990s, I was a voice in the wilderness here in the House, warning that the creation and support of the Taliban would come back to haunt us someday. I had no idea how true these warnings were, and how much it would hurt us. During that time in the 1990s, I met with the leaders of Afghan tribes and ethnic groups in and out of Afghanistan in an effort to forge an anti-Taliban coalition. The core of the plan was to bring back Zahir Shah, King Zahir Shah, as the focal point for dislodging the Taliban—someone everyone could rally around, who would treat people fairly and create a peaceful, more democratic country.

At the end of the year 2000, after a Herculean effort, there was a meeting that had been arranged of all the Afghan factions except for the Taliban. After that meeting, King Zahir Shah agreed to return to Afghanistan to hold a Loya Jirga in July of 2001. The Loya Jirga, let me note, is a convention of tribal elders which was to take place in the territory that was controlled by Commander Masood. Commander Masood is a man who was never beaten by the Soviets. He was also never beaten by the Taliban, and he was one of the last commanders who held any part of territory in Afghanistan. The rest was controlled by the Taliban.

Considering this agreement of Zahir Shah to go to Commander Masood's territory and have a Loya Jirga to talk about the future governance, the governance of Afghanistan, this was a great step forward, and this agreement was forged despite the opposition of the Clinton administration. It was a great accomplishment just to get that agreement. Those involved in making this happen included International Relations Committee Chairman Ben Gillman; Tom Lantos, a senior member of the Foreign Affairs Committee; as well as a few others but just a few.

After George W. Bush was elected, I was able to meet several times with his new National Security Adviser, Condoleezza Rice, whom I knew from the Reagan days. Well, we discussed Russia, and we talked extensively about Afghanistan. I pitched the idea of overthrowing the Taliban using the coalition that I'd been building—the anti-Taliban coalition.

Well, the idea wasn't rejected, but no action was taken, at least until 9/11.

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 gotta get control 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 that they were going to do to us. It made all the sense in the world.

They were going to have a major attack on the United States, and it must have been something that was going to be humongous and cause much loss of life or they wouldn't have gone out of the way to kill Commander Masood because we wouldn't have wanted to try to retaliate against them, to use him to retaliate against them for something they did to us. Well, yes, that was exactly the case. And I realized there would be a monstrous attack on the United States, so I immediately called the White House.

I called the White House. I called for National Security Adviser Condi Rice, and her assistant came on the phone and said, Congressman ROHRABACHER, what is it? And I said, I've got to see her. I've got to warn her about an imminent, major terrorist attack that is going to happen very soon in our country. There will be a huge terrorist attack. I need to talk to her about it and give her some details of what I think is going to happen.

And the aide said, You know, Congressman, she's talked about Afghanistan before. We know you're an expert on that, but she can't see you today. She's a busy person. But if you come over tomorrow at 3 o'clock, she will talk to you, and I will put you on the schedule.

So I was on the schedule at 3 o'clock to talk to Condoleezza Rice to warn her of an imminent major terrorist attack. 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 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. Al 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 and knew the players 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 that 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 Mazar-e-Sharif, which later turned out to be pivotal in 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 drove them out of 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 the financial support 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—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. Once we 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 Iraq 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 camp for the 9/11 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 the Afghans loved us 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.

We can defeat a foreign army, be it a German or Japanese military power of World War II or Republican Guard of Saddam Hussein. We cannot defeat the country of Afghanistan. We cannot occupy or control its people. We can be their friend, and if we do so, we will win. If we attempt to use our military might to force an outcome based on control and pacification of a vast and inhospitable countryside, we will eventually lose. The 4,500 villages will be with us or against us. They will be with our enemy, radical Islam, or they will be against it.

Just as I was 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 or 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 kids 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 the way 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.

Opposing 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 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 decentralized 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't have a real country unless you really 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. Remember this. Our schools are run locally. Our police are run locally. The criminal justice system is run at the State or local level. What would have happened if somebody had come into our country during the American revolution and said, No, we have to reconfigure 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 people in Afghanistan can 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 at a province-wide level which means 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 fringe if it is at least honest at its core 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 military forces, 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 personnel. Alexander the Great left the bones of his entourage there as did the British and, yes, the Russians. The sword has never conquered these people. It may for a limited time give an appearance of stability but, instead, will feed a simmering antipathy that will not cool but only grow hotter and more ferocious. Again, we can defeat any army. We cannot conquer and subdue the nation of Afghanistan. Only Afghans, from the bottom-up, can control and pacify their countryside.

There is still time for our action in Afghanistan to end with honor and success, for the Afghans and for Americans. They can still have a great ending to all of this. The first step towards that is to signal to the whole nation of Afghanistan, send them a message heard in every corner of those 4,500 villages, and that is that the United States is not trying to foist upon them a corrupt central government. To accomplish this, we must recognize the travesty of this last election. While we cannot have an entirely new election, we can insist on a runoff between Messrs. Karzai and Abdullah. In this runoff election, a respected international organization, perhaps the OSCE, could be given a free hand to correct problems as they appear and throw out illegal ballots if necessary. After the elections we should commit ourselves to a new course, a new course that respects the traditional village structure and reaches out with assistance to improve health, water, education and agriculture in Afghanistan. Yes, at first the risk of such a plan will be great for the individuals who are willing to go to the front lines with our helping hand offensive. But this approach, a helping hand, will be far more effective than a mailed fist approach. It will take money. We may need to begin to buy goodwill. Maybe we need to offer to put some people on consulting fees at the local level, some of these local leaders and village elders. Well, that can be done; and we can also do things like, for example, some expenditures that prove our good faith, like setting up clinics or schools or economic projects that will improve the life of those villagers. It may take courage and we will lose some people. But in the end the expense and the loss of life will be far less than a warrior-focused alternative. And, yes, fighting will be necessary. The Taliban are evil. They are inseparable from al Qaeda because they are the same radical extremists. We know that. Anybody who is a dreamer, who thinks that, well, we can bring back the Taliban but we can separate them 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 alternative. Let us build 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 even 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 what 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 give them anything, or just give them a little bit. No, 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 with a billion dollars, yes, you can buy the loyalty of a number 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 didn't 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 Jalalabad as part of a small military force. All we had were AK–47s and rocket-propelled grenades. I had a beard. I was in Afghan garb. 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 hillsides toward the battle. A 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, ''What do you plan to do once 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 you 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 napalmed 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 can only hope that he is 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.

Life 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 as well as for 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 illusionary 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 rather than a military dynamic. 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 stepdaughter'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. WEINER) to revise and extend their remarks and include extraneous material:)

Mr. LANGEVIN, for 5 minutes, today.

Mr. WEINER, 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. MCCLINTOCK, 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

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES B. RANGEL, Chairman, Oct. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. James P. McGovern	8/23	8/25	Kuwait		109.00		3,954.10				4,063.10
	8/25	8/27	Bahrain		248.00						248.00
	8/27	8/29	Kabul, Afghanistan		26.00		4,151.20				4,177.20
Committee total					383.00		8,105.30				8,488.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LOUISE MCINTOSH SLAUGHTER, Chairman, Oct. 7, 2009.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Eliot L. Engel	2/16	2/18	Mexico		699.50		(3)				699.50
	2/18	2/20	Nicaragua		337.32		(3)				337.32
	2/20	2/22	Jamaica		775.68		(3)				775.68
Committee total											1,812.50

[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.

HON. HOWARD L. BERMAN, Chairman, Oct. 5, 2009.

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 Chairman, Defense Nuclear Facilities Safety Board, transmitting Certification Report on the design 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 Health and Human Services, transmitting the Department's report entitled, ''Report to Congress on the Impact and Effectiveness of Administration for Native Americans Projects for Fiscal Year 2007''; to the Committee on Education and Labor.

4120. 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.

4121. A letter from the Acting Director, Office of Civilian Waste Management, Department of Energy, transmitting the Office's report entitled, ''2008 Annual Financial Report for Years ending September 30, 2008 and 2007''; to the Committee on Energy and Commerce.

4122. A letter from the Chairman, Pension Benefit Gauranty Corporation, Department of Labor, transmitting the Inspector General's semiannual report to Congress for the reporting period Octber 1, 2008 through March 31, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4123. 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.

4124. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ironwood, 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.

4125. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Monee, IL [Docket No.: FAA-2008-1314; Airspace Docket No. 08-AGL-21] received September 21, 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 — Amendment of Class E Airspace; Iowa Falls, IA [Docket No.: FAA-2008-1272; Airspace Docket No. 08-ACE-4] received September 21, 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; Clayton, GA [Docket No.: FAA-2009-0605; 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.

4128. A letter from the Secretary, Department of Transportation, transmitting the second of five reports required by Section 1201(c) of the American Recovery and Reinvestment 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 — Modification of Class E Airspace; Sarasota, FL [Docket No.: FAA-2009-0652; Airspace Docket 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-2009-0603; 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-2009-0604; 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; 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.

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 09-AEA-11] 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 Fiscal Year 2010 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.

4136. A letter from the Chairman, Social Security Advisory Board, transmitting a report titled, ''The Social Security Statement: How It Can Be Improved''; to the Committee on Ways and Means.

4137. A letter from the Chairman, United States International Trade Commission, transmitting the nineteenth report in a series on The Impact of the Caribbean Basin Economic Recovery Act (CBERA), pursuant to 19 U.S.C. 2704; to the Committee on Ways and Means.

4138. A letter from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2008, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Oversight and Government Reform and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 3585. 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. 3815. A bill to extend temporarily the reduction of duty on polyethylene HE1878; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 3816. 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. 3817. 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. 3818. A bill to amend the Investment Advisers Act of 1940 to require advisers of certain unregistered 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. GIFFORDS, and Mr. OLSON):

H.R. 3819. 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. MOORE of Kansas):

H.R. 3820. A bill to reauthorize Federal natural hazards reduction 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 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. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, and Mr. BUYER):

H.R. 3821. 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. 3822. 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.

By Mr. DEAL of Georgia (for himself, Mr. PITTS, Mr. BLUNT, Mr. BARTON of Texas, and Mr. BUYER):

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; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, 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. A bill 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 Mrs. 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, in each case 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. KIRK, Mr. LEE of New York, Mr. GERLACH, Mr. ROGERS of Michigan, Mr. NEUGEBAUER, 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. BACHUS, Mrs. BACHMANN, Mr. BARRETT of South Carolina, and Mr. MCHENRY):

H.R. 3828. A bill to temporarily suspend the approval or certification of any housing counseling agencies of ACORN or its affiliates and require the Inspector 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 hospice budget neutrality adjustment factor; to the Committee on Ways and Means.

By Mr. FRANKS of Arizona:

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 the successful development or deployment of 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 chapters 81, 83, and 84 of title 5, United States Code, 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. HINCHEY, Mr. MASSA, Ms. MOORE of Wisconsin, Mr. MAFFEI, 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 development in high job-loss zones in metropolitan and micropolitan statistical 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, Ms. CLARKE, Mr. DEFAZIO, Ms. RICHARDSON, Ms. NORTON, Mr. SIRES, Ms. JACKSON-LEE of Texas, Mr. CLEAVER, and Ms. TITUS):

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 Juvenile Justice and Delinquency Prevention Act of 1974 to provide incentive grants to promote alternatives to incarcerating delinquent juveniles; to the Committee on Education and Labor.

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. THORNBERRY):

H.R. 3840. A bill to strengthen certain provisions relating to arms export licenses, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHRADER:

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 $5,000,000, and to reduce the maximum estate and gift tax rate to 45 percent; to the Committee on Ways and Means.

By Mr. SCHRADER (for himself and Mr. DRIEHAUS):

H.R. 3842. A bill to amend the Internal Revenue Code of 1986 to extend the first-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 Internet website of the Department; to the Committee on Veterans' Affairs.

By Mr. TIAHRT:

H.R. 3844. A bill to amend the Internal Revenue Code of 1986 to provide a special depreciation allowance and recovery period for noncommercial aircraft property; to the Committee on Ways and Means.

By Mr. ANDREWS:

H. Con. Res. 200. Concurrent resolution expressing the sense of Congress regarding the 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. EHLERS, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOODLATTE, Mr. GRAVES, Mr. HELLER, Mr. HERGER, Mr. INGLIS, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LUCAS, Mrs. MCMORRIS RODGERS, 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. LARSON of Connecticut:

H. Res. 834. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to. considered and agreed to.

By Ms. JENKINS (for herself, Mr. BOEHNER, Mr. CANTOR, Mr. PENCE, Mr. PAULSEN, Mr. MCCLINTOCK, Mrs. SCHMIDT, Mr. LEE of New York, Mr. HENSARLING, Mr. LATTA, Mr. ROE of Tennessee, Mr. REICHERT, Mr. MANZULLO, Mr. SCHOCK, Mr. DENT, Mrs. CAPITO, Mr. KLINE of Minnesota, Mr. THOMPSON of Pennsylvania, Mr. GERLACH, Ms. FOXX, Mr. TERRY, Mr. GRAVES, Mr. BARTON of Texas, Mr. CULBERSON, Mr. MICA, Mr. SMITH of Texas, 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. CARTER, Mr. POE of Texas, Ms. GRANGER, Mr. THORNBERRY, Mr. DREIER, Mr. BUYER, Mr. CAMP, Mr. POSEY, Mr. SESSIONS, Mr. BARTLETT, Mr. BACHUS, Mr. HASTINGS of Washington, Mr. MCCARTHY of California, Mr. HALL of Texas, Mr. HOEKSTRA, Mr. CAMPBELL, Mr. GARRETT of New Jersey, Mr. LANCE, Mr. BUCHANAN, Mr. DAVIS of Kentucky, Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. GOODLATTE, Mr. RYAN of Wisconsin,

Mr. KIRK, Mr. LATHAM, Mr. GALLEGLY, Mrs. MCMORRIS RODGERS, Mr. CONAWAY, Mr. ADERHOLT, Mr. GUTHRIE, Mr. CALVERT, Mr. MARCHANT, Mr. CHAFFETZ, Mr. ISSA, Mrs. BLACKBURN, Mr. OLSON, Mr. ALEXANDER, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mr. WESTMORELAND, Mrs. MILLER of Michigan, Mr. SULLIVAN, Mr. NEUGEBAUER, Mr. FRELINGHUYSEN, Mr. MCCAUL, Mr. HARPER, Ms. GINNY BROWN-WAITE of Florida, Mr. FLEMING, Mr. WALDEN, Mr. UPTON, Mr. PRICE of Georgia, Mr. EHLERS, Mrs. BONO MACK, Mr. MACK, Mr. FORBES, Mr. JONES, Mr. PITTS, Mr. SENSENBRENNER, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. BARRETT 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 Kentucky Wesleyan College for over 150 years of service as an institution of higher education; to the Committee on Education and Labor.

By Mr. BILIRAKIS (for himself, Mrs. MALONEY, Mr. SARBANES, Ms. TSONGAS, Ms. TITUS, Mr. ROSKAM, Mr. SPACE, and Mr. GALLEGLY):

H. Res. 838. A resolution welcoming to the United States and to Washington, DC, His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch on his upcoming trip on October 20, 2009, through November 6, 2009; to the Committee on Foreign Affairs.

By Mr. BLUMENAUER (for himself, Mr. PAYNE, and Mr. FALEOMAVAEGA):

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. GERLACH (for himself, Mr. DENT, Mr. UPTON, Mrs. MILLER of Michigan, Mr. EHLERS, Mr. CASTLE, Mr. CAO, Mrs. BIGGERT, and Mr. BISHOP 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 arts around the world, and the cultural heritage of the United States; to the Committee on Oversight and Government Reform.

By Ms. ZOE LOFGREN 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. SHEA-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. BOCCIERI.
H.R. 501: Ms. EDWARDS of Maryland.
H.R. 560: Mr. CONNOLLY of Virginia.
H.R. 644: Mr. BLUMENAUER.
H.R. 678: Mr. ELLSWORTH.
H.R. 734: Mr. SESTAK.
H.R. 795: Mr. BERMAN.
H.R. 836: Mr. MELANCON.
H.R. 930: Mr. SMITH of New Jersey.
H.R. 1064: Mr. HALL of New York and Mr. MASSA.
H.R. 1074: Mr. LINDER.
H.R. 1101: Mr. HEINRICH.
H.R. 1132: Mr. RUSH, Mr. CAMP, and Mr. GRIJALVA.
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. ALTMIRE.
H.R. 1408: Mr. ELLISON and Mr. LEWIS of Georgia.
H.R. 1427: Mr. YOUNG of Alaska.
H.R. 1468: 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. ALTMIRE.
H.R. 1578: Ms. HIRONO and Mr. POLIS.
H.R. 1690: 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: Ms. SCHAKOWSKY, Ms. MARKEY of Colorado, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHWARTZ, Mr. PERLMUTTER, Mr. RUSH, Mr. SCOTT of Georgia, Ms. JACKSON-LEE of Texas, Ms. BEAN, 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. ALTMIRE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. DREIER, Mr. HENSARLING, Mr. SERRANO, Mr. BARROW, Mr. BISHOP of Georgia, Ms. 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. 1977: Mrs. DAHLKEMPER.
H.R. 1987: Mr. MCMAHON.
H.R. 1993: Mr. MCNERNEY.
H.R. 2017: Mr. BARRETT of South Carolina.
H.R. 2024: Mr. DONNELLY of Indiana.
H.R. 2055: Mr. MCNERNEY.
H.R. 2057: Mr. MEEKS of New York.
H.R. 2124: Mr. COLE.
H.R. 2139: Ms. EDWARDS of Maryland and Mr. KILDEE.
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. 2275: Mr. MCMAHON, Mr. CONAWAY, Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Mr. MORAN of Virginia, Mr. ABERCROMBIE, Mr. GENE GREEN of Texas, Ms. FUDGE, Mr. DRIEHAUS, Mr. HINOJOSA, Ms. WATERS, and Mrs. CAPPS.
H.R. 2279: Mr. MEEKS of New York, Ms. MATSUI, Mr. SPACE, Mr. BUTTERFIELD, Mr. ROSS, Mr. INSLEE, Mr. GONZALEZ, Mr. SARBANES, and Ms. FUDGE.
H.R. 2296: Mr. ARCURI.
H.R. 2329: Mr. TAYLOR.
H.R. 2345: Mr. GARY G. MILLER of California and Mr. FORTENBERRY.
H.R. 2360: Mr. MITCHELL, Mr. CUMMINGS, Mr. STEARNS, and Mr. SCALISE.
H.R. 2413: Mr. TIERNEY and Mr. MICHAUD.
H.R. 2443: Mr. ROTHMAN of New Jersey and Mr. SIRES.
H.R. 2446: Mr. MINNICK.
H.R. 2452: Mr. ADLER of New Jersey, Mr. ABERCROMBIE, Mr. RODRIGUEZ, Mr. BILIRAKIS, Mr. VISCLOSKY, Mr. MAFFEI, Mr. GONZALEZ, Mr. GENE GREEN of Texas, and Mr. ORTIZ.
H.R. 2478: Mr. THOMPSON of California and Mr. MICHAUD.
H.R. 2480: Mr. ROTHMAN of New Jersey and Ms. FUDGE.
H.R. 2502: Mr. MCGOVERN and Mr. PAYNE.
H.R. 2548: Mr. CAPUANO.
H.R. 2567: Mr. RANGEL and Mr. VAN HOLLEN.
H.R. 2625: Mr. GRIJALVA, Ms. BERKLEY, Ms. CHU, and Ms. JACKSON-LEE of Texas.
H.R. 2672: Mr. SHUSTER.
H.R. 2730: Ms. FUDGE.
H.R. 2777: Mr. BOSWELL.
H.R. 2785: Mr. POE of Texas.
H.R. 2788: Mr. BOCCIERI, Mr. LATTA, and Ms. ROS-LEHTINEN.
H.R. 2807: Mr. MORAN of Virginia.
H.R. 2817: Mr. CONNOLLY of Virginia.
H.R. 2844: Mr. LARSEN of Washington.
H.R. 2894: Mr. WATT.
H.R. 2905: Mr. BURTON of Indiana.
H.R. 2946: Mr. ROTHMAN of New Jersey and Mr. LOBIONDO.
H.R. 2964: Mr. CHAFFETZ.
H.R. 3012: Mr. MEEK of Florida.
H.R. 3024: Mr. MARSHALL, Mr. HOLT, Mr. CUMMINGS, and Mr. OLVER.
H.R. 3044: Mr. FATTAH and Mr. BONNER.
H.R. 3116: Mr. GUTHRIE.
H.R. 3202: Mr. HOLT.
H.R. 3218: Mr. BLUNT.
H.R. 3264: Mr. PIERLUISI.
H.R. 3265: Mr. SARBANES.
H.R. 3276: Mr. BLUNT.
H.R. 3337: Mr. WU and Ms. SUTTON.
H.R. 3375: Mr. SHULER.
H.R. 3401: Mr. NADLER of New York.
H.R. 3407: Mr. BUCHANAN and Mr. ELLISON.
H.R. 3408: Mr. KILDEE.
H.R. 3501: Mr. POLIS of Colorado.
H.R. 3519: Mr. HASTINGS of Washington, Mr. THOMPSON of Pennsylvania, and Mr. PUTNAM.
H.R. 3554: Mr. MCMAHON and Mr. MCGOVERN.
H.R. 3569: Mr. BROUN of Georgia.
H.R. 3572: Mr. WEINER.
H.R. 3578: Mr. GERLACH.
H.R. 3585: Mr. KLEIN of Florida, Mr. HALL of New York, Mr. RODRIGUEZ, Mr. CARNAHAN, Ms. SLAUGHTER, Mrs. HALVORSON, Mr. BISHOP of New York, Mr. WELCH, Mrs. MILLER of Michigan, Mr. MORAN of Virginia, Mrs. DAVIS of California, Mr. HIGGINS, Mr. POLIS of Colorado, Mr. WAMP, Mr. BARTLETT, Mr. ROTHMAN of New Jersey, Mr. HIMES, Mr. YOUNG of Florida, and Mr. THOMPSON of California.
H.R. 3597: Mr. WELCH, Ms. FUDGE, and Mr. KILDEE.
H.R. 3608: Mr. BACHUS.
H.R. 3615: Mr. SMITH of Nebraska.
H.R. 3630: Mr. SCHIFF.
H.R. 3633: Mr. DOYLE and Mr. MCNERNEY.
H.R. 3636: Mr. PAYNE.
H.R. 3639: Mr. HODES, Mr. BACA, Mr. SHERMAN, Mr. KISSELL, Mr. HALL of New York, and Ms. ZOE LOFGREN of California.

H.R. 3644: Mr. PIERLUISI 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. CUELLAR.

H.R. 3667: Ms. GINNY BROWN-WAITE of Florida and Mr. KLEIN of Florida.

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. 3691: Mr. DENT, Mr. GERLACH, 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. BOSWELL, Mr. HEINRICH, Mr. TEAGUE, Mr. COURTNEY, and Mr. WALZ.

H.R. 3760: Mr. JOHNSON of Illinois, Mr. MARIO DIAZ-BALART of Florida, and Ms. GRANGER.

H.R. 3761: Mr. JOHNSON of Illinois, Mrs. LUMMIS, Mr. EHLERS, 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. 16: Mr. WOLF.

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. CUELLAR, and Mr. CAMP.

H. Res. 274: Mr. POSEY.

H. Res. 395: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 510: Mr. LOBIONDO and Mr. MCMAHON.

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. BROUN 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. MCCAUL, Mr. SCOTT of Virginia, Mr. FRANKS of Arizona, Mr. CONNOLLY of Virginia, and Ms. EDWARDS of Maryland.

H. Res. 783: Mr. MCCARTHY of California, Mr. MASSA, Mr. MCNERNEY, and Mrs. CHRISTENSEN.

H. Res. 787: Mr. RUSH, Ms. MATSUI, Ms. ESHOO, Mr. BUTTERFIELD, Ms. CASTOR of Florida, Mrs. CAPPS, 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. MCMAHON.

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, Mr. ISSA, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. COLE, Mr. AKIN, Mr. KING of Iowa, Mr. KLINE of Minnesota, Mr. GOHMERT, Mr. BROUN 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, Mr. FALEOMAVAEGA, Mr. CARNAHAN, Mr. CASTLE, Mr. WEXLER, Mr. MEEKS of New York, Mr. INGLIS, Mr. PAYNE, Mr. GENE 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. BILBRAY, and Mr. SOUDER.

H.R. 3413: Mr. AL GREEN of Texas and Ms. JENKINS.

H.R. 3612: Mr. SAM JOHNSON of Texas.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, THURSDAY, OCTOBER 15, 2009 No. 149

Senate

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 guest Chaplain offered the following prayer:

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 light and love You never fail to show to those who accept their calling as Senators. Now we would ask You to continue empowering this body to make decisions in keeping with Your purpose. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 15, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

Mr. REID. Madam President, under my leader time, I yield to Mr. LUGAR, the Senator from Indiana.

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

The Senator from Indiana.

WELCOMING THE GUEST CHAPLAIN

Mr. LUGAR. Madam President, I thank the distinguished majority leader for the opportunity to thank my friend, Rev. James Merrell, for opening our session with prayer this morning. He has been a very dear friend from high school days onward. We attended Shortridge High School in Indianapolis, IN. He was 2 years older than I and was already well established with the Shortridge Daily Echo, a daily high school newspaper at Shortridge, writing for the Tuesday paper. I was grateful for the opportunity to write weekly for the Thursday paper. We shared experiences with the late Jean Grubb, a distinguished teacher of journalism at our school. Then likewise we were mentored by C.C. Shoemaker, the debate coach at Shortridge High School.

Jim proceeded on to distinguished honors at Indiana University and then on to the Disciples of Christ Church in his ministry. He was most distinguished as the editor for many years of World Call and then established an additional paper at the Church of Christ on his own, The Disciple. He has been a pastor in St. Louis for many years. He has many mutual friends from Indianapolis.

I am delighted he could be a part of our session today. I greet Jim Merrell as a very dear friend, someone I respect as a clergyman, a writer, and debater. I am thankful to the Senate Chaplain for inviting him to be with us.

I thank the majority leader for yielding.

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Following leader remarks, there will be a period of morning business for 2 hours. Republicans will control the first hour and the majority will control the second hour. Following morning business, the Senate will resume consideration of the conference report to accompany H.R. 3183, which is the Energy and Water appropriations bill. We hope to reach agreement that would allow us to yield back postcloture time and vote on the conference report this afternoon. We are also working on an agreement to consider conference reports on the Homeland Security bill and the Defense authorization bill. Senators will be notified when any votes are scheduled.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE WEEK XIII, DAY III

Mr. MCCONNELL. Madam President, from the very outset of the debate over

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health care, Americans have made it known that they support reform. But over the course of the past several months, Americans have come to realize that not all reforms are created equal.

And while they still support reform, very few of them support the specific proposals they have seen from Democrats in Washington. Americans want reform. But higher premiums, higher taxes, and cutting Medicare is not reform.

Somewhere along the way, the terms of the debate shifted.

At the outset, nobody expected that reform would lead to higher premiums. In fact, most people thought the whole point was to reduce costs, not raise them.

At the outset of this debate, nobody expected they would be paying higher taxes, particularly in the midst of the worst recession in generations. Yet that is what they are now being told, that middle class Americans will take the brunt of a whole slew of new taxes to pay for a trillion-dollar experiment with our health care system.

And at the outset of this debate, seniors had no idea they would be asked to help foot the bill for this massive experiment in government health care through cuts to Medicare. Yet that is precisely what they're now being told—that Medicare will be cut by half a trillion dollars, whether the 40 million seniors who depend on it like it or not.

Let us focus for a moment on those Medicare cuts.

For months, Americans have been hearing that if they like the health care plans they have, they will be able to keep them. Evidently, that pledge didn't apply to the millions of seniors currently enrolled in the popular Medicare Advantage program, because the Finance Committee bill explicitly calls for more than $130 billion in cuts to Medicare Advantage, cuts that will undoubtedly alter the plans that more than 11 million seniors on Medicare Advantage now enjoy.

These cuts might lead to fewer benefits; or they might force seniors off their plans altogether. But under either scenario, seniors would no longer enjoy the plans they have and like. No one expected that at the outset of this debate.

And this is just a fraction of the Medicare cuts that the Finance Committee calls for as the cost of reform. Other cuts include more than $120 billion in cuts to hospitals that care for seniors. The Kentucky Hospital Association warned earlier this year that these kinds of cuts would affect the services hospitals provide in my State. I am sure if my colleagues talked to doctors and hospitals back home, they would hear the same.

Then there is more than $40 billion in cuts to home health agencies which give seniors the option of receiving care in their homes.

The bill also takes another $15 billion in cuts to nursing home which care for seniors who can no longer be cared for at home.

And then there is nearly $8 billion in cuts to hospice care.

Nobody expected a free lunch when it came to health care reform. But no one expected this either. Americans are doing the cost-benefit analysis, and they don't think half a trillion dollars in cuts to Medicare is an acceptable tradeoff, especially since none of these cuts would do anything to strengthen and protect Medicare.

It would be one thing if Medicare reforms were used to ensure its solvency for future generations. But the proposals we have seen do nothing of the sort. Instead, they use Medicare as a piggy bank to create another government program that will undoubtedly face the same financial stresses that we see in Medicare and in just about every other entitlement program.

The President thought this was a bad idea on the campaign trail. It is still a bad idea today.

Americans know the dangers of holding off on Medicare reform. When Medicare Part A was created in 1965, it was projected to spend out $9.1 billion on hospital services and related administration in 1990. As it turned out, costs that year were more than seven times the original estimates. Forty-four years after its creation, Medicare is already paying out more money than it is taking in. It is already committed to spend nearly $40 trillion it doesn't have, and current forecasts indicate that Medicare will face bankruptcy in less than a decade.

It is time to restore this vital program for the sake of our seniors, not raid it to pay for a massive government-driven experiment that could make our health care worse.

The American people want reform. But higher premiums, higher taxes, and cutting Medicare, that is not reform. That is why they overwhelmingly oppose this proposal, and they shouldn't have to apologize for it. They should expect Congress to listen to them, and keep up the pressure until Congress listens.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first hour and the majority controlling the final hour.

The Senator from Arizona.

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 MCCONNELL's remarks earlier this week.

Yesterday, Senator DURBIN made a couple of points. One I specifically want to focus on has to do with the national debt. Senator MCCONNELL 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, 2 days ago, 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.

The Republican leader said:

> Since January 20 of this year, the Federal Government has borrowed $1.2 trillion or more than $10,500 for every household in the United States.

What is the significance of January 20? That is the day President Obama was sworn in as President.

Under 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, in 5 years, this 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.

This 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 not sustainable. 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 more than most of us owe on 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 Bush 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 anybody can contend 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 appropriate, but how about analyzing them to see whether they are wrong.

The majority whip then went on to say that the Congressional Budget Office even disagrees with the Republican 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 in 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—think 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 group market. 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 are going up.

Milliman, 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 deductible plans. 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 are wrong when we 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 was another 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.

> [W]e 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 passthrough. 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 premiums 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—the 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 insurance. 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 mentioned 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: Here are things we 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 as if we do not have 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 litigation 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 my colleague, Senator ENSIGN, pointed out in an exchange with the CBO Director in the Finance 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 $100 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 homes or our car insurance, from any company anywhere 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. So it is 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 should 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 it is they want. They do not want a massive, big spending bill that is going to add to our deficit, that 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 costs. We want to reduce costs 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, and we have 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 those 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 so they might 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 person 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 your 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 high 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

on people from whom you buy your medical devices; it puts them on people from whom you buy your health insurance. We all know what will happen when we put taxes on people from whom we buy things. If we put taxes on oil companies, what happens? They pass it on to us at the gas pump. If you put taxes on all these health care services, what happens? Our insurance premiums go up.

So one does not have to be an actuary to figure this out. If the individual mandate penalty is weaker, premiums go up. If young people can't buy cheaper policies—cheaper than mine if there is a rule—their premiums go up. If we all have to buy government-approved policies, or most of us do, that are richer than what many of us want to buy today, our premiums go up. If we have $955 billion in new taxes when the bill is fully implemented, most of which are passed along to us, our premiums go up.

So I would ask this question: What is this exercise all about? I thought it was about reducing costs. I thought it was about lowering the cost of our insurance premiums. But it looks as though it will increase the cost of our insurance premiums and, if that is true, we ought to reject this bill for that one reason alone. Of course, we haven't even seen the bill. It is not written yet. It has to be combined by the majority leader in a dark office somewhere and then we will see it. But that is what we should be looking for.

It is often said that—that is another reason why the Republican idea of a step-by-step approach to reduce costs makes a lot more sense than these big, comprehensive, 1,000-page, $1 trillion bills. We want to reduce the cost of insurance, but we don't want to pass a bill that raises premiums to do that.

It has been said there is not much bipartisanship.

Madam President, I hope you will please let me know when I have consumed 9 minutes.

The ACTING PRESIDENT pro tempore. The Chair will notify the Senator.

Mr. ALEXANDER. Again, it has been said there is not much bipartisanship in this debate. That is not true. There has been a partisan rejection of a bipartisan bill. Fourteen of us signed up on the bill which Senator WYDEN, a Democrat, and Senator BENNETT, a Republican, offered.

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 the majority leader. He became 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 when this bill comes to 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 is the right thing to do: Put it on the Internet for 72 hours. Senator BUNNING has offered an amendment for that. That now has bipartisan support.

That means, when this bill is finally written—it is not a bill yet—when it comes out of the back rooms, 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 we need to know: Are your premiums 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, and we will have at least as 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—at least I will be talking about—whether this bill is reform; whether it will reduce costs, and whether it will raise your premiums or lower your premiums. If it weakens the individual mandate; if it says young people can't buy inexpensive policies anymore; if it says millions of us have to buy government-approved, richer policies instead of policies with high 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?

That is not health care reform. That is not reducing costs. We should instead take the Republican approach and go step by step to reduce costs starting with small business health care plans, reducing junk lawsuits, allowing insurance to be sold across State lines, creating health insurance exchanges, implementing health information technology, and changing tax incentives.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, I wish to pick up where my colleague from Tennessee left off and talk a little bit about this issue that is before us and before the country right now, the issue of health care reform. I would submit to my colleagues in the Senate that the purpose of reform, as has been stated now for many years as reform has been talked about, is that we have to do something to get health care costs under control. We have to rein in these increasing, double-digit, every year inflationary increases people are seeing in their health care costs. So the purpose of health care reform, as stated, is to lower the costs of health care for people in this country, as well as to extend coverage, provide access to coverage for those who don't normally have it, which, as has been noted in the past, is about 15 percent of the population. About 85 percent of the people in this country do have health care, and their concern is: What are we going to do to drive down the costs of health care? What are we going to do to make my health insurance cost less and my health care coverage cost less?

In that vain, I wish to point out an article from yesterday in the Wall Street Journal, which I would recommend to my colleagues and which was written by former CBO Director Douglas Holtz-Eakin.

Madam President, I ask unanimous consent to have that article printed in the RECORD.

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

[From the Wall Street Journal, Oct. 13, 2009]

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 sensibility, 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 on 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 Democrats chose to ignore this reality 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 $1 trillion and destroys any pretense of budget balance.

It is beyond fantastic to promise that future Congresses, for 10 straight years, will allow planned cuts in reimbursements to hospitals, other providers, and Medicare Advantage (thereby reducing the benefits of 25% of seniors in Medicare). The 1997 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 willing to do 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 health insurers, drug companies and device manufacturers, and an assortment of odds and ends.

But the economics are clear. These costs will be passed on to consumers by either directly raising insurance premiums, or by fueling higher health-care costs that inevitably lead to higher premiums. Consumers will pay the excise tax on high-cost plans. 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 nondeductible. 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 in fees that the bill intends to collect. According to my analysis, premiums will rise by as much as $200 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 ascent. 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 $12,000 raises their bill by $2,800—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 the kinds of entitlements already in crisis, instead of passing medical malpractice reform and allowing greater competition among insurers? Why should middle-class families pay more than $2,000 on average, by my estimate, in taxes in the process?

Middle-class families have it tough enough. There is little reason to believe that the pain of the current recession, housing downturn, and financial crisis will quickly fade away—especially with the administration planning to triple the national debt over the next decade.

The promise of real reform remains. But the reality of the Democrats' current effort is starkly less benign. It will create a dangerous new entitlement that will be paid for by the middle class and their children.

Mr. THUNE. Madam President, I wish to highlight a few sentences from that article regarding the bill that was reported out of the Finance Committee earlier this week. In that article he says this:

The bill would impose nearly $400 billion in new taxes and fees. Nearly 90 percent 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-percent tax on sales by insurers of ''Cadillac'' policies, fees on health insurers, drug companies, and device manufacturers. But the economics are clear. These costs will be passed on to consumers by either directly raising insurance premiums or by fueling higher health care costs that inevitably lead to higher premiums.

Mr. MCCAIN. Madam President, will the Senator yield for a question?

Mr. THUNE. I am happy to yield to my colleague from Arizona.

Mr. MCCAIN. It is my understanding of the proposal that this reform will begin to be implemented in what year?

Mr. THUNE. I believe the answer to that question, I might state through the Chair, is 2013, 2014.

Mr. MCCAIN. 2013, 2014. But when do the taxes that would supposedly implement this proposal kick in?

Mr. THUNE. The taxes, I would say to my colleague, again through the Chair, kick in immediately. You get the revenues starting to come in right away. So the revenues are front-loaded, the costs of the program are back-loaded, so it understates and distorts what this new proposal will cost.

Mr. MCCAIN. So we have 10 years' worth of tax increases to pay for 5½ years of the implementation of this so-called reform, and then what are the implications in the future?

Mr. THUNE. Well, that is clearly the case. If you look at the 10-year cost of this, because the revenues—the tax increases—are front-loaded, and we get to see basically 10 years of tax increases and only about 5½ years of actual implementation of the program, what you have to do to get a full picture of what the cost of this program will be is take the fully implemented cost. When you take the fully implemented cost, I would say to my colleague from Arizona, you are looking not at the $829 billion that was reported by the CBO; because of this distortion and this creation of a revenue source before the actual costs kick in, you are looking at a $1.8 trillion new entitlement program fully implemented over a 10-year period.

Mr. MCCAIN. I have one more question for my colleague. Is there any provision in the legislation, as you have seen it, that has any approach whatsoever to medical malpractice reform or medical liability reform which, in the view of many experts, could be as much as $100 billion to $200 billion a year?

Mr. THUNE. There is not.

Mr. MCCAIN. Isn't that incredible?

Mr. THUNE. I think it is incredible because it is now validated by the Congressional Budget Office that if you were to incorporate that, you would drive down the cost of health care in this country by literally billions and billions of dollars. Yet there is no mention or reference to medical malpractice reform in this bill.

Mr. MCCAIN. Isn't it true, as much as we respect the Congressional Budget Office and their figures as to the amount of money that can be saved by implementing meaningful medical malpractice reform, such as is the case in the State of Texas, that it doesn't reduce the costs as far as litigation is concerned? Not only that, but I don't believe it is calculated using the way they calculate costs: The incredible increase in health care costs associated with the practice of defensive medicine, with doctors prescribing unneeded, unnecessary and, many times, because of the nature of the procedure, unwanted additional tests and procedures because that physician is practicing what we call defensive medicine, which is the fear of finding themselves in court; and not only because of the increasing premiums for medical malpractice but also obviously the time, the effort, the energy, including damage to reputation that could accrue from a lawsuit brought against that physician.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, my understanding is that the Congressional Budget Office does not only contemplate the cost of litigation, it does not take into consideration the cost of the practice of defensive medicine, which, as the Senator from Arizona noted, is an enormous additional cost, and many independent estimates suggest $100 billion to $200 billion annually. The CBO study only took into consideration government health care, so it didn't include the private health care delivery in this country. But many physicians, as the Senator noted, practice defensive medicine because they are worried about being sued. All these duplicative tests and additional practices that are undertaken by doctors in this country to avoid the lawsuit potential or the risk they incur when they practice medicine adds significantly—as I said, as independent estimates suggest, to the tune of $100 billion to $200 billion annually.

Mr. MCCAIN. Madam President, isn't it absolutely incredible that in the name of reducing health care costs, and with the burden that rising health care costs impose on every American family, that there should not be one provision—one meaningful provision—for medical liability reform, which is, in the judgment of any objective observer—except maybe the trial lawyers—something that must be implemented if you are going to have a serious effort at reducing the cost of health care in America?

Mr. THUNE. Absolutely. I think that in a moment of honesty Howard Dean

recently said that the reason medical malpractice reform is not included in this legislation is because they didn't want to take on the trial lawyers. It seems to me that you cannot have a meaningful discussion about lowering health care costs in this country absent the inclusion of this issue—an important issue—of the practice of defensive medicine, which is tied directly to medical malpractice lawsuits in this country, and the desperate need we have for reform in that area.

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 during the hearing, the Director of CBO, Doug Elmendorf—and earlier I mentioned Douglas Holtz-Eakin, a former CBO Director, but the current Director has repeatedly admitted that he did not have the opportunity to find answers to some 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 to health care, 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 know 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 doing with this bill—buying a national health care plan without any idea about how much it is going to cost the Nation or individual taxpayers.

We do know that the plan is going to bring us higher taxes, higher premiums, and cuts in Medicare. I think that is a fair assessment. Two studies last week—independent analyses—verified that premiums are going to go up. I will point out that one of those studies which came out yesterday—the Oliver Wyman study—said premiums will increase in the individual market approximately $1,500 for single coverage and $3,300 for family coverage annually. That is exclusive of inflation. So the annual inflationary increases we are seeing in medical expenses are not included in that estimate, but it is $1,500 for an individual and $3,300 for a family annually, the increase in cost for coverage.

Small employers purchasing new policies in the reform market are going to experience premium increases that are up to 19 percent higher. This is in year 5 of reform. The other study—the PricewaterhouseCoopers study—which came out a couple days ago, also had some statistics that were revealing. It illustrated, too, that these premium costs that are going to be borne by 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 that is going to fall. If you look at the biggest 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 tax increases will fall 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, along with the cost of everything else, who are going to be hit with higher taxes and premiums, and our senior population will be hit with higher Medicare premiums because Medicare will be cut, and it is going to impact the Medicare Advantage Program, and it will impact providers across this country.

What we know for certain about this bill is that it is going to spend $1.8 trillion, when fully implemented over a 10-year timeframe; it is going 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 and lowering costs, at the end of the day 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 noted, 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, according to one of the studies. In the 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.

My State of South Dakota isn't 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 $1.8 trillion program, with higher taxes, higher premiums, and cuts 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.

As the majority leader begins discussions behind closed doors to create the Senate bill that he is going to bring to the floor, I think it is important for the American people to understand the impact these policies will have on the cost of health insurance premiums, tax rates, and our economy for generations to come.

I think we should understand the smoke and mirrors used to make the Democrat proposal appear to improve the budget over the next 10 years. The following taxes start next year. If you have insurance, $201 billion is raised in excise taxes on health plans. If you don't buy a plan, or you buy one that the government doesn't think is good enough, the concept proposal raises $4 billion in fines on the uninsured. If you are an employer who today cannot afford to provide health insurance to your employees, which is the case with small business, the ones hurting the most—not Goldman Sachs or JPMorgan but the small businesses—the concept proposal raises $23 billion in employer penalties and contributions. If you use medical devices, such as hearing aids or artificial hearts, the concept proposal raises taxes by $38 billion on medical device manufacturers. Who will pay for that in the long run? The user. If you take prescription drugs, the concept proposal raises $22 billion in new taxes on medicines.

The Congressional Budget Office estimates that Americans will face higher health insurance premiums, while waiting 4 years for the reform proposal to begin. This gimmickry is incredible. The President and Senate Democrats claim the proposal is under $1 trillion and slightly reduces the deficit over 10 years. That is a joke—ten years of taxes but only 5½ years of implementation. To get the true 10-year cost of implementation, you should look at the

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. The answer is 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. Forty percent of doctors 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 Medicaid 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, less taxes, more freedom, and more choices.

The concept paper in the Senate Finance Committee—it is not even a bill—slams Americans with an 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 conducts 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, 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 Medicare Advantage—and try to save about $400 billion doing that and take 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 form of 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 that is going 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 in the context of 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 a home, their ability 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 money to be paid by posterity 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. To run debts of this size, 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 are either going to inherit a nation 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 on 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 without offsetting 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 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 stop smoking, if you get yourself into a workout 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 delivery systems in this country today which accomplish that. Rochester, MN; Salt Lake City, UT; Pittsburgh, PA—there are a whole series of these centers which have shown you can deliver better quality at lower costs if you are intelligent 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 about abusive lawsuits. The simple 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 understated cost 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 we 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 exchange when it comes from 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 end up with delays. There will be price controls put in place relative to certain types of medicines you can receive. Innovation will be stifled because 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 guarantee you, finding 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 piece of legislation with the 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 point. When a bill 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 $1.2 trillion and 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 by 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 business.

When I am 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 something, you ought to expect 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 country 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 many fewer small 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 responsibility 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 90 percent. Small businesspeople 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 make an enormous difference for small businesses and for the people employed by small businesses. It will lower premiums and the cost of health insurance coverage; provide tax credits for small businesses that provide health insurance—that do the right thing; exempt most small businesses from employer responsibility requirements; subsidize health insurance for employees in small businesses that do not provide health insurance; increase entrepreneurship to expand the pool of workers available to small businesses; and eliminate job lock. Job lock means having to stay in a job because you are so scared of losing your insurance.

The estimate is that the administrative costs for small businesses, when it comes to health care insurance, will drop by over 50 percent. Most small businesspeople I know, who are skeptical sometimes of the reform we are talking about, will tell me this administrative burden is extraordinary for them today. Today, it is a paper-and-pencil system of trying to root out and sort out the health insurance market for their employees. Tomorrow, what we are going to have is an exchange where people can easily compare prices, compare coverage, and get the best deal for their employees, not to mention the fact they are going to be able to pool their purchasing power and drive down cost as a result.

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 businesses being able to increase wages for their employees by almost $300 billion by the end of this period of time.

So 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 businesses 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 hard for them to hire again, which is driving up our unemployment rate. Over the medium and long term, what is critical to the success 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.

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 perspective on why, as a former small businessperson himself, health care reform is so critical to keeping our small businesses competitive.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. 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 on the impact to 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.

I am pleased to join my fellow colleagues and talk about the importance of health insurance reform in general, but the myth I wish to talk about today, which I have heard stated over and over, involves scare tactics and, in particular, a word which I think belongs in the soup lines of the Great Depression—''rationing.'' Opponents of health insurance reform have resurrected the word to suggest that Americans will get less care when reform legislation passes.

Is there anything more cynical than telling Americans their health care will be rationed because of reform; that they will lose or get less care when Congress and the President finally take action? Defenders of the status quo ought to be embarrassed. They know the opposite is true—that more Americans will have access to more health care when reforms are finally adopted.

Rationing is not some roadblock waiting down the road for the vast majority of Americans, it is what is happening right now. Let's use my State as an example—a State where 52 percent of the folks employed are from small businesses. When I came into the Senate at the start of this year, the Census Bureau said 123,000 Alaskans were uninsured. But new data came out last month—just a few months after the earlier statistic—and that number is up to 133,000. In other words, 10,000 more Alaskans have been rationed out of their coverage. Insurance companies no longer cover them.

Unable to pay the skyrocketing insurance premiums, or maybe their employers can no longer afford it—as laid out so well by the Senator from Colorado—people and businesses are struggling to make sure they can afford their insurance premiums for their employees or they are rationed out of the system because they have switched jobs. Then, when they apply for new insurance, they are disqualified because of a preexisting condition or perhaps the annual cap on how much their insurance company will pay is so low people get sick and hit their limit early. From that point on, they can't afford to see a doctor for the rest of the year or ensure their coverage or their quality of care is maintained. This is another form of rationing, and it is real.

By one estimate, 14,000 Americans lose their health insurance every day. These are friends and neighbors and loved ones and it is inexcusable. Maybe the reasoning for rationing is even more outrageous—the cases where insurance companies revoke coverage by a process of rescission. Unfortunately, that is very real. A report by the House Ways and Means Committee says insurance companies saved themselves $300 million over 5 years through this practice of rescission.

So, again, let's put the word ''rationing'' in proper context. It is the status quo, and the insurance industry is making lots of money because of it.

Let's talk about what will change when we pass health insurance reform. As you can see on the chart, reform will easily take care of many of the issues Americans face: Tell insurance companies they can no longer deny coverage because of preexisting conditions; stop them from setting low annual or lifetime caps and refusing to pay the care after that; reform will offer Americans more choices by creating health insurance exchanges—as so well described by the Senator from Colorado. As I like to call it, it is health insurance Expedia. As we do with travel, we can do with health insurance. It will require insurance companies and Medicare to pay for more preventive care so people can have regular checkups and screenings. This means we can recognize and even prevent oncoming chronic illness. Of course, this is better for the patient, and it saves us money.

Let me say it again: The scare tactic of so-called health care rationing is just that, a tactic trotted out by those who want to kill reform. The truth is, health insurance reform will give Americans more—more people have more access to more health care.

Mr. President, I yield the floor.

Mr. BENNET. Mr. President, I thank the Senator from Alaska, and I think he raises such an important point because so much of the debate has been about dividing one set of Americans from another set of Americans. Health care reform is something that needs to be of concern to 300 million Americans—if you are concerned about the double-digit increases every year of your premiums; if you are concerned about spending almost 20 percent of our GDP on health care, when every other industrialized country in the world is spending less than half that; concerned, as the other side is and this side is, with the fiscal condition of our government, when we know the biggest drivers of our medium-term deficits are rising Medicare and Medicaid costs, and the biggest drivers of those are health care costs. We are all in this together.

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 who have 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 those citizens become seriously 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 canceling your 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 neurologist to determine 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 last few months.

Through COBRA, Alaya's 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, the individuals had health insurance. 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 were covered by insurance. We are not getting done the job that needs to get 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 they spent, in 1 year, $180 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 Colorado, for organizing this 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 folks 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 on 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 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 how 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 has 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 while these are the numbers we are trying to deal with right now, literally triple that number, about 87 million Americans during a year, at one point or another, through either being unemployed for a while or moving off one plan to another, go through some period of being uninsured and uncovered.

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 we have other 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 be this ''caucus of no,'' who seem to say: Let's take more time, let's put it off, let's wait a little bit longer before we take on health care reform—why that policy choice is so wrong.

If we do nothing, if we choose not to act this year, our current health care system is financially unsustainable. If we do nothing, Medicare, under the current projections, will go bankrupt in 2017. Many of us on this side of the aisle share the concerns of some of our colleagues on the other side of the aisle about the exploding deficit our Nation faces. The largest single driver of our Federal deficit is not the stimulus program, it is not the TARP program, it is not some of the other things we debate back and forth, it is the rising cost of health care that we pay for with Federal dollars in Medicare, Medicaid, and the VA.

If we do nothing, our deficit and those health care costs will continue to explode, undermining the dollar, undermining our ability for economic recovery. If we do nothing, an average family in Virginia—and I would argue probably an average family in the State of Colorado—will see literally 40 percent of their disposable income go to paying their health insurance premiums within the next decade. Those costs are unaffordable and unsustainable.

Finally, as a former business guy and somebody who believes, as my colleague from Denver does, that the heart of what keeps our economy growing is the business community, and particularly the small business community, if we can't lower our health care costs, then American business will not be competitive in the global economy. No matter how productive American workers are, America builds into our cost structure, for almost every business, about $3,000 to $4,000 more per employee because we have so much higher health care costs than any of our competitors around the rest of the world. We cannot maintain that competitive disadvantage in a global economy.

The time is now. There are ways we can continue to improve these bills. We are looking forward to the melding of the Finance bill and HELP bill, and I know myself and some of my fellow freshmen colleagues will have some ideas about how we can improve programs even in that package.

I thank my colleague from Colorado for his leadership on this issue, and I look forward to working with not only my freshmen colleagues but all colleagues on this side of the aisle, and hopefully those on the other side, to make sure we do get health care reform this year.

I yield my time.

Mr. BENNET. I thank the Senator from Virginia. I particularly, on behalf of all the colleagues here today, thank him for his leadership over the last couple of months on the question of personal responsibility: how do we incentivize people to make sure they are doing a better job to take care of themselves; how do we work with some of the corporations in this country that have done an extraordinary job of lowering health care costs by incentivizing folks to take personal responsibility for their health care. I have enjoyed working on those issues with him and look forward to continuing to work on it.

Next, we have the Senator from New Mexico who is here to talk about another myth, which is the idea that our health care system always works well for everybody.

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 greatest treatments in the world. If you are going to get sick, a place you want to get sick, depending on what you have, is the United States. But we are not perfect by any stretch of the imagination, and the Senator from New Mexico is going to comment on that.

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

Mr. UDALL of New Mexico. Mr. President, it is good to see our Presiding Officer, the new Senator from Massachusetts, here, who has joined us within the last couple of weeks, Mr. PAUL KIRK.

Today we are talking about myths, inaccuracies, deliberate exaggerations, and outright lies that have abounded over the months we have been debating health care reform. Some have been dreamed up by those who stubbornly cling to the status quo. Others reflect fears lying just beneath the surface.

If we step back, it is easy to see these scare tactics for the lies they are, but 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 discussed 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 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 of the best, 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 a job or someone with a preexisting 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 U.S. health care 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 solution 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 right 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 potential, the talent, the 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 a 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 on behalf of the people on health care, 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, we have all 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 choice and accountability 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 these 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, and 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 on the premium it collects 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 will benefit when all these uninsured people will now be covered. There will be no government takeover, no death panels, no rationing, and no redtape between you and your doctor.

It is time to reject these myths and to take decisive action. The only way to achieve meaningful health care reform and bring costs down is through a public option that creates real competition in the system.

Let it be clear to all of my colleagues in this august body: I will not vote for any health care bill that does not include a public option.

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 why today is 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. I am looking to him, as we move down the road on health care reform, to continue to show leadership to make sure we achieve meaningful health care reform.

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 for reform of 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 afford to wait for 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 level. In 1979, 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. We must begin 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—spend more on these two programs than 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 reform done the right way will mean savings for families and businesses, money that could be pumped into the economy.

We all know in the short term the cost of expanding coverage to Americans will temporarily increase government spending. Quickly, however, the net impact of the cost containment provisions will accumulate, and there will be a reduction in government spending. It is important to remember that while we are awaiting the cost containment provisions to take hold, the President and congressional leaders have insisted that health care reform be deficit neutral. In other words, the administration and Congress are committed to responsible health care reform that reduces the deficit over 10 years and major reductions over the long term. We will not be able to get the major reductions we need to sustain the budget and sustain the Government if we don't do these things now which will only begin to benefit us in the long term. For this reason we cannot afford to wait for health care reform.

Finally, if we lose this opportunity to pass health care reform, we will not have an opportunity to reform our health system in the foreseeable future. We will be stuck with the unsustainable status quo. This Congress, this President is not about to return to this issue if we do not pass it because it is so incredibly difficult and so traumatic and takes everyone's concern. I have been around Congress for 36 years, and I have learned something about how Washington works. Trust me, we have truly a unique window of opportunity for health care reform. The window is now open. It will soon close. We have a new President in his first year in office who has a good relationship with Congress. There is major support for reform among providers, patients, business, labor, and everyday Americans. With the major players in health care seeking reform, this could be our chance. I believe it is 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 will not be done 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 must gather 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 Delaware 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 every year. 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 mounting 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.

The PRESIDING OFFICER. 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 try 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 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 coverage, and 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 or 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 insurance 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 the markets acting 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. I agree with her that for far too 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 $800—and the cost of insurance 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 some 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 because they lose a job or 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 overhead 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.

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. BURRIS). 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 the second time I have come to the floor to urge those who are holding up this critical legislation to stop blocking its passage.

This week we learned that Wall Street firms are expected to pay out a record $140 billion in compensation. While the economy seems to have turned around for Wall Street executives, it sure hasn't turned around for millions of American workers who still can't find a job.

If we can bail out the big banks that got us into this financial mess, shouldn't this Senate be able to act quickly to help the people hit hardest by this recession—unemployed workers?

Apparently not, because there are Members of this Senate who are playing partisan political games and delaying an extension of unemployment benefits. This needs to stop.

Today, more 5 million workers have been unemployed for 6 months or longer. Through no fault of their own, millions of Americans cannot find work because there are now more than 6 unemployed workers for each job opening. Until the job market improves, we have a responsibility to help these workers keep food on the table and pay the mortgage.

Not only is this the right thing to do for families, it is the right investment to make in our economy. An effective stimulus is timely, targeted and temporary, and that's how this extension is designed.

This extension is temporary. It is targeted at 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 mortgages, buy food, and pay for 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 got 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 gases 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 migrants—people who 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 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 its oil or gas to another country; or 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 from the strongest Nation in the world? 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 and Senator BOXER have 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 that legislation will do is to reestablish 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 very hard to promote additional 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. I happen to represent two of 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 we can create four times as many jobs here in America by investing in green energy rather than in oil or gas. Japan also knows that. They have been investing in renewable energy sources. Germany knows that. They are investing today because they know it is good for jobs. China knows that. They are investing today. They are going forward with these programs for alternative and renewable energy sources in wind and solar and many other areas, because they know that is where the competition will be tomorrow, and they are going to be prepared. We also need to be prepared.

The legislation Senator KERRY and Senator BOXER have brought forward protects the consumers, making sure that in our transition we don't add to the cost of the typical consumer in America. It also helps industries that are very dependent today on carbon energy sources. It helps them in transition so they can transition to the new energy of tomorrow. It invests in clean coal. We have plenty of coal, but it emits too much carbon. Well, this bill invests in figuring out how we can use coal in an environmentally friendly way.

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 deal with development. The bill also provides for wildlife—to preserve wildlife.

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 granddaughters, that all our children and grandchildren will benefit from by having a cleaner environment, a safer country through energy security, good jobs for the future, and all without adding to the deficit.

I reminded my colleagues in Athens that for Copenhagen to be successful, we need to have a bill that sets reasonable targets, absolutely—short term and long term. We have to have the mechanisms that get us to those targets in place in Copenhagen. We also have to have the financing to help the developing countries, and we also have to have enforcement. We have to have enforcement.

What do I mean by that? Well, we are not going to accomplish our goals if the United States does everything it does to reduce carbon emissions but we find other countries don't do that and then they send their products here to America at a cheaper price. That is unfair to U.S. manufacturers and producers, and it doesn't accomplish our international goals of bringing down 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 reflective of 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 us to act. 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 energy.

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. Investing in new 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 was 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 to have 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 DIDN'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 high in calories. The taxes, the advocates 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. According to the National 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 has 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 in front of a 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 the last four 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 combined contribute 5.5% of the calories 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 soft drinks with sugar, 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 added sugars, as a 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 cause? I would submit to you 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 beverage 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 demonizing an industry that directly employs more than 220,000 people in the U.S., and through supporting industries, an additional three million. Instead, business and government should come together to help 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. Unlike many in his 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 bandbox stadium in Ponce de Leon Park. In the 1960s, as his career emerged, 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 risked 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 the Milwaukee Braves from Milwaukee and convinced them to bring major league baseball for the first time ever to the South.

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 the gifted writing of 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 sports fan in 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. I went to Furman Bisher. Furman 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 in 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 doesn't just hurt them 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 all across the country. Blocking this legislation, saying no to everything, delaying everything—that is not going to pull us out of this recession and it is not going to help American families.

The time to act is now, right now. I urge my colleagues to stop blocking an important effort to help working men and women in this country, people who have followed the rules all their lives, have done nothing but find themselves at this place and this time, with the economy where it is, as we rebuild it—and we are and we will. We need to support them so they can do the right thing for their families and keep a roof over their heads and food on the table 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 are uninsured, who want to 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

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 just to pay for bills, groceries, and 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 is being 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 $420,000 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, three people get an expensive 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 health 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 day to enable them to go to school and get through their daily life. With the medication and periodic exams with a neurologist, they are doing well. My employer pays over half the cost of our premiums, but my portion of the premium is $600 per month out of my paycheck. I'm worried 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 might 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 complete their education, they won't 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 pill cutting to make their prescriptions last longer. Virgil and the dedicated police officers, firefighters, teachers, nurses, and public servants deserve better than. 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.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Mr. VITTER. Mr. President, I stand to 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 but also 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 context 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 to 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. Obviously, 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 rightly 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 saying 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 them to see how we are doing it; they do not want them to see why we are doing it. They want the elite position 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. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that at 2:15 p.m. today, all postcloture time be yielded back and the Senate then proceed to vote on adoption of the conference report to accompany H.R. 3183, the Energy and Water Appropriations Act; further, that no points of order be in order.

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 surrounded by the Great Lakes, and the funding provided in this conference report 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 sustainable economy while producing quality jobs.

The conference report includes important funding for a wide range of energy research and technology development at the Department of Energy, including advanced vehicle technologies, hydrogen 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 including high energy and nuclear physics, biological and environmental research, and advanced scientific computing research. Research and technology development in these groundbreaking areas of energy and science will continue our nation's advancement toward greater use of technologies that will reduce our dependence on oil, reduce our carbon footprint and greenhouse gas emissions, and increase our reliance on our home-grown renewable resources. Federal Government support of research and development in these technology areas will also help ensure that our companies remain competitive in the global marketplace and ensure that the U.S. remains on the competitive edge of technology development and scientific discovery.

I am particularly pleased that the conference report includes $12 million in funding for research and development, conceptual design and engineering for the Facility for Rare Isotope Beams, FRIB, to be built at Michigan State University. Inclusion of this funding in the conference report is critical to moving forward with this facility. Under the Department's current plans, engineering work would continue 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 solid and well-known expertise in the field of rare isotopes and nuclear physics, with the largest nuclear physics faculty in the nation and a nuclear physics graduate program ranked number two in the U.S., second only to MIT. MSU is currently the home of the National Superconducting Cyclotron Laboratory, NSCL, which is the most advanced 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 facility 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 important energy projects in Michigan that will advance the development of technologies including advanced batteries and energy storage systems, plug-in hybrid vehicles, solar and photovoltaic systems, wind energy, biomass, and energy efficiency. Michigan companies and universities are well-positioned to contribute to the development 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 businesses, limestone and cement to build roads and buildings, iron ore to produce steel, and grain to feed our Nation and for export overseas. Throughout the Great Lakes, there are significant dredging and other operation and maintenance needs so that freighters can safely deliver these vital commodities. There is a significant backlog in the work required to maintain the Great Lakes navigational system. The Army Corps estimates there is a backlog of 17 million cubic yards of material that needs to be dredged in the Great Lakes, which is estimated to cost to about $200 million, to restore

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 operations and maintenance 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 $100 million in fiscal year 2010 for this $500 million project. I 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 states that ''the conferees 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, ARRA, 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 operate 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 Des Plaines 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 Corps do what it can 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 Negunee in Michigan's Upper Peninsula. Improving sewer systems is important not only for public health, but also to eliminate untreated discharge into surface 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 restoration projects in Michigan. Funding of $90,000 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 and have been 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 and boating 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 that 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 the fact that we will have a 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 one of my colleagues. I supported that amendment by the way. We were not able to get that through the conference with the House. It urged greater transparency on reports from the Energy Department. 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 moving. 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 bill 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 a role to decide 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 reflective 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	Gregg	Reid
Bennet	Hagan	Risch
Bennett	Harkin	Roberts
Bingaman	Inouye	Rockefeller
Bond	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown	Kirk	Shaheen
Brownback	Klobuchar	Shelby
Burris	Kohl	Snowe
Byrd	Kyl	Specter
Cantwell	Lautenberg	Stabenow
Cardin	LeMieux	Tester
Carper	Leahy	Thune
Casey	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lincoln	Vitter
Corker	Lugar	Voinovich
Cornyn	McConnell	Warner
Crapo	Menendez	Webb
Dodd	Merkley	Whitehouse
Dorgan	Mikulski	Wicker
Durbin	Murkowski	Wyden
Enzi	Murray	

NAYS—17

Bayh	Ensign	Isakson
Bunning	Graham	Johanns
Burr	Grassley	McCain
Chambliss	Hatch	McCaskill
Coburn	Hutchison	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 want and need a serious 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. Cutting our Nation's emissions by 80 percent would provide two certain outcomes: First, reducing CO_2 at that reckless pace would certainly devastate our economy and ruin our Nation's global competitiveness. Secondly, according to the U.N.'s own calculations for CO_2'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 costs down 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 economy, and it does not make sense 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 compromise on this 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 HELP Committee'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 insurance market 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 sleight of hand 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

market. That is why it is time to draw a line in the sand. It is time to reject these distractions and stand on the side of the American people.

That is what this debate is about. It is about individuals who send us to Washington to fight for their rights and defend their interests. It is about families who sit around the kitchen table in Illinois and across America. They open their pocketbooks and write larger and larger checks every month. They are wondering when we will have the courage to act on our convictions.

We must not delay another moment. If we fail to act, health care coverage will continue to increase in price and decline in quality. Let us rise to the challenge. Let us seize this moment. There is no doubt the Senate is the greatest deliberative body on the face of the planet. Throughout our history, contentious arguments such as this one have played out on the floor of this Chamber and the old Senate Chamber down the hall. The world knows this Senate can debate. But let it now show them we can also act. Let it show them we can take action.

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

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

MEDICARE PHYSICIAN FAIRNESS ACT OF 2009—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 178, S. 1776 and, in the process, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 178, S. 1776, the Medicare Physician Fairness Act of 2009.

Harry Reid, Debbie Stabenow, Roland W. Burris, Patty Murray, Mark Udall, Mark Begich, Frank R. Lautenberg, Amy Klobuchar, Jack Reed, Carl Levin, Jeff Bingaman, Sherrod Brown, Sheldon Whitehouse, Barbara Boxer, Kirsten E. Gillibrand, Charles E. Schumer, Jeanne Shaheen, Richard J. Durbin.

Mr. REID. I ask unanimous consent that the cloture vote occur at 5:30 p.m., Monday, October 19, and that the mandatory quorum be waived; further that at 4:30 p.m. on Monday, there be 60 minutes of debate equally divided and controlled between the leaders or their designees prior to the 5:30 p.m. vote.

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

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. Congressional apportionment 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, and it should not be increased because 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.

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 the interim census data 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 expect not to lose population, lose congressional seats, would do so if these numbers are counted. For example, Indiana, Iowa, Michigan, North Carolina, Oregon, Pennsylvania, South Carolina, and Louisiana—all of those would be expected to stay the same or gain. And if illegals are counted, they will either not gain or lose seats.

So I think that is a pretty important issue. It is not something with which my State is directly involved. But having dealt with the immigration issue over some period of time, and trying to be informed about it, I hear a lot of people raising this fundamental question. I think it would be simple to fix constitutionally. We would simply say: Ask how many people are here legally and use that to be the basis of the apportionment of congressional seats, and not using people who are not here legally. It does not threaten people. It does not mean they will be arrested or anything like that or to be subject to deportation. It simply means when the numbers are all in, we will know how many U.S. residents exist in the various States, and from that number we will be able to apportion our House of Representatives and the Electoral College for the next Presidential election.

I think that is the right thing to do. We need to get away from this other process and urge the support of the Vitter amendment.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

HEALTH CARE REFORM

Mr. LAUTENBERG. Mr. President, I rise to make some comments about the health care bill we are all anxious to see and discuss.

Everyone knows a principal focus of our attention now in the Senate is on the health care reform bill, and we expect a major debate on the precise structure of that bill over the next few weeks. But I want to, in that connection, start my remarks with a quotation from a statement given by the Senator from South Carolina. He said, on June 17, 2009:

> If we're able to stop Obama on this, it will be his Waterloo. It will break him.

That is the Republican dominant view on health care reform. The mission is not to do better for the American people but, rather, to destroy the Presidency of Barack Obama. It is an unpleasant scene to witness.

Almost all Americans want to see us fix our health care system. I say ''almost'' because there is a group of people here who love the status quo: health insurance companies and their lobbyists and CEOs.

Everyone knows health care costs have skyrocketed, and that means everybody pays more. But when working people are under assault to pay more, it could cause a catastrophic confrontation with funds, with money for food and education and other ordinary but essential expenses for living.

America's small businesses are struggling to provide health care for their employees, and more people are less able to afford health care coverage. And while enormous pressure is placed on middle-income families, the largest health insurers are seeing massive profit growth.

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, one of 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, $3 billion, an increase of 304 percent.

Mr. President, we all know who paid the price for those 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 $14.8 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. It is 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 for Mr. Marino.

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 with health care.

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 the people in our country. 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, Americans' 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 metric, we are not delivering 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 hard.

This Senate and the President and the House must do the right thing for the health of America's working families. Surely these families and their children are as critical with their contributions to America's well-being as those profiteering from their sweat and toil.

This debate is about our commitment to the millions of Americans who work hard every day, pay taxes, care for their kids, but risk the chance of losing everything because of a single illness. We declare here and now that we will not allow exaggerated profits to breach the primary obligation we have to all of our people to protect them from assault, whether from terror, natural disaster, or from the scourge of disease. In the wealthiest country in the world, no one should be left out and left behind because government won't respond to their cries for help.

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 of decency that we can muster; that we do something about it, that we show part of 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 growth of these companies. I am a corporate person. I come from having run a very large corporation, one of the largest and one of the best in the country called ADP. It has over 240,000 employees. A couple of other fellows and I started that company. I took a look at the fellow who is now running that company. The company made over $1.5 billion last year and his salary was $1 million. He does a good job.

Some people here, largely on the other side—almost exclusively on the other side, except for one courageous Senator who stood up and said she is not going to let this go by without trying to do something serious about it—want to take the role of doctors and they want to write a prescription to do nothing but obstruct and say no. They want to say no to those looking to government for help and no to those desperately in need of health care. All they say 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. Their 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 look in the mirror and see how they would feel if a child suddenly comes up with a condition that is long lasting and that is hard to deal with. I have a granddaughter with diabetes. I have a grandson with asthma. Fortunately, they have good health care. I am able to afford to pay it. But there are lots of people in this country who can't. I would like one of these people on the other side to stand up with them face to face and say, no, I don't think we ought to help you. I don't think we can afford to help you. I don't think my colleagues with whom I have an industry connection would like it if I helped you.

Too bad. Too bad, I say. I hope we gain some sense and some visibility in this debate over the next several weeks.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 the most. Both paid the ultimate sacrifice. They are Army SFC 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 quickly 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 Sergeant Westbrook died from his injuries last week.

Military families are a special group of people. Every day they face sacrifices and challenges the average person can't imagine. They do it with grace and strength and an unwavering belief in the country they call home. That is what I saw the day I visited Charlene and 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 Westbrooks have given more than most 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 is being honored 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. Similar to Sergeant 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 helicopter 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 MCCONNELL, the Republican leader. We talked a little bit about the debt America faces and how this debt came about.

Senator KYL, my Republican 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 $236 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 an 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 woes should be 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 and it 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, reinvestment, 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 face. But to say that this 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 major 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.

The bill clerk proceeded to 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 to $11.7 trillion in 5 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 President 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 insured, 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 $829 billion over 10 years, but they say it is not 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 dime 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.'' Would that it were so, but that is not an accurate 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. They write the 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 beginning in 2010, but individuals 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.

Why 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 solution that keeps doctors' pay 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 the bill does not have to reflect 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 in 2014.

The Senate Budget Committee estimates—and I am a member of the committee—show that the Finance Committee bill cost for 2014 to 2023 is actually $1.8 trillion. So although CBO says that it costs $829 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 make the 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 their budget that we 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 Medicaid and Medicare 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 is very unlikely to happen. 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 where 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 contrast.

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.

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

THE DEFICIT

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 described that.

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 fact is, we 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 newscast, $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 longest 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 it richest fiefdoms, the $592 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.

The New York Times: ''A Year Later, Little Change on Wall St.''

> One year after the collapse of Lehman Brothers, the surprise is not how much has changed in the financial industry, but how little.
>
> . . . banks still sell and trade unregulated derivatives, despite their role in last fall's chaos.

The Washington Post, September 15: ''The Wall Street Casino, Back in Business.''

> 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 longshot 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.''

> [Wall Street] still operates on the principle of taking care of itself first, really big and [most] important customers second, everyone else last.

The Wall Street Journal, August 22: ''Bankers Play Dress Up With Old Deals.''

> Irresponsible 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 has been done 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 On Track To Award Record 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 and benefits 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 . . . a record 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 who trade them and those who created them. That is what steered this country into the ditch. CDOs, credit default swaps, unregulated derivatives, dark money—a lot of people got wealthy trading it. The fact is, it created an unbelievable 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 by the taxpayer, 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.

As we end this issue of 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 do not address this issue of too big to fail, shame 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

banks that did the worst job in risk management. . . . In effect, the government is tilting the playing field—towards the losers. . . .

Paul Volcker says:

I do not think it reasonable that public money—taxpayer money—be indirectly available to support risk-prone capital market activities simply because they are housed within a commercial banking organization.

The question at the end of the day is, Are we going to address these things, such as too big to fail and get rid of no-fault capitalism and see if we cannot push investment banking to that which it used to be? I hope so. But on today, a day in which we hear of record home foreclosures and $140 billion in bonuses and compensation on Wall Street, I just say there is some huge disconnection in this economy of ours and it is something we ought to care about and something we ought to do something about.

This country works best when we lift the country, when we expand the middle class, when we have jobs available to people who want to work. There is no social program in this country as important as a good job that pays well. That is what makes everything else possible.

But this question of financial healing—when, first, the healing occurs to those who caused the problem, and the healing occurs in record compensation, $140 billion, at a time when other people are struggling to pay their grocery bills, struggling to buy the medicine they need, struggling to make their house payment because they have lost their job, there is something missing in this country.

My hope is, when I see all these stories about Wall Street—the same old Wall Street, nothing has changed, going right back to the same old risk, right back to the same old risk because they know, they have learned in the last year, whatever they lose, the American people will pick up the tab—this Congress had better say to them: No more, no longer, never again. Too big to fail is a doctrine that cannot continue to live at the Federal Reserve Board or in this government. It is time those at the top at the biggest institutions who take the biggest risks, when they lose—it is time they lose, not the American people.

So we are headed toward financial reform. When that happens, I will be on the floor of the Senate talking about the too-big-to-fail doctrine and how we are going to end it, and quickly.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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 loosely because what 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 are pretty complex.

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 very much flawed 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 think we know a few 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 now the two 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, at least as stated in terms 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 increase premiums for people in this country, increase the costs for health care coverage.

In the Senate Finance Committee bill—the most recent version, 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 thing we have seen in all of these 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 are going to 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 analysis. If you are a family, 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 exclusive of inflation. That doesn't include the normal inflationary costs that we deal with year in and year out for health care in this country. This study concluded the

same thing the PricewaterhouseCoopers 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 premium costs. 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 everybody wants to know 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, if you have the good fortune of being in a larger group, you will see, if you are an individual, your premiums go up 14 percent. If you are a family in a 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 in 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 higher premiums, 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 it with 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 health care consumers. 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 that tax burden would lie. Under 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, I think it was 71 percent of those—and that was in the year 2019—71 percent of that tax burden would fall on those earning under $200,000 a year when the bill initially kicks in.

So we are going to see 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 some conclusions earlier 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 these 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, wage earners, taxpayers in this country with under $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 almost a half 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.

Anytime 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 taxes did occur.

A $500 billion, or $½ 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 cost of this by having the revenues kick in immediately. The tax increases kick in right away, but the actual costs under the plan don't kick up for about 4½ years. You have all these tax increases hitting people right away, and so the 10-year cost of this is understated significantly. CBO said $829 billion over the first 10 years. I think the important number to look at is what is the cost of this when fully implemented over a 10-year period. It is $1.8 trillion. That is $1.8 trillion in new spending, which is financed with higher taxes, cuts in Medicare, and, ironically, no savings to health care consumers because every analysis done says it is

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 this country, as you have more 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 threshold, their standard. 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 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 interstate competition in 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, just off the 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 spending, new taxes, higher 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 bill—whatever comes out of the 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 health care costs down 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. 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 senior citizens. Before that, I ask unanimous consent for Senator CHAMBLISS to follow me on 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 Senators 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. We are all 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 Americans who have given 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.

While we remain concerned about the need to start creating the millions of jobs the middle class in this country desperately need, we cannot turn our backs on the senior citizens of this country. What we are seeing today is that millions of seniors are facing extremely high prescription drug costs. They are facing very high health care costs. We have to address that issue.

The legislation I introduced—and it was introduced by Congressman DEFAZIO in the House—would provide a one-time $250 payment for more than 50 million seniors and disabled veterans. We would pay for that cost of about $14 billion by raising the Social Security tax on people who earn between $250,000 and $359,000, on a 1-year basis—about $14 billion.

What I am delighted about is that yesterday President Obama announced his support for the concept of a $250 one-time payment to our 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 REID, 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, relief that will not only make a difference 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 the difficult choice about whether or not 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 do not deliver on 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.

RETIREMENT 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 gloried 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 Falcons games at Atlanta-Fulton County Stadium and the Georgia Dome and covered the Olympics, both winter and summer.

He wrote 11 books, including coauthoring two editions of a Hank Aaron autobiography. At the Masters Tournament in Augusta 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 every Kentucky Derby since 1950 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 congregations 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 turning in his 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 Willie Mays had 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.

Part of that is doing what 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 Presiding Officer, 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 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 troops.

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 also talks about at least three 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, and in 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 here 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 coming before 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 or literally cut fingers off of 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 the single nontransferable 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 fraud that we know 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, difficult 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 citizen's 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 Afghan 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 institutional reform is vitally necessary. 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 at a time 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 our government—our strategy—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 provincial 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, 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, the Ministries of Defense and Interior 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 firsthand 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 the institutional 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 there is progress yet 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 significant progress in Afghanistan 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 grave, between 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 to enhance and 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 Thomaston, ME and 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 failed to return home, but we hope that one day these families will take solace in what President Lincoln described as ''the solemn pride that must 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 Paktika 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 moments.

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 and his family's debt.

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 series 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 family 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 decades' worth 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 it. His legacy as a man, who loved his family and loved his country. His legacy as a senator, who crafted hundreds of pieces of legislation and helped pass thousands more, all with an incalculable impact on the lives of millions.

His legacy as a mentor, who not only taught so many young senators, including myself, but inspired so many young people and young staffers, some who entered public service because of Teddy, others who—because of him—just plain refused to leave. . . .

When Teddy first arrived in the United States Senate, he immersed himself in the issues of the day and the concerns of folks back home. But he also threw himself into the history of the chamber. He studied its philosophical underpinnings; he studied its giants and their careers; the times that influenced its members, and how its members influenced the times. He became fluent in procedure and protocol, no matter how obscure, until he could master the Senate as easily as he mastered the oceans.

No one made the Senate come alive like he did. He loved its history and its place in our American story. Rarely was he more animated than when he'd lead you through the living museums that were his office and his hideaway office in the Capitol. They held memories that stood still, even as he refused to. And he could—and he would—tell you everything there was to know about each artifact, each object that you were seeing.

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 Wellstone—and Robert F. Kennedy. I thought of the great battles they'd waged and how they still echoed through the Senate chambers. And one can't enter the chamber without thinking of the momentous debates that have occurred within its walls—questions of war and peace; of tangled bargain between North and South; 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 forged compromise; where LBJ stalked the aisles, imposing his will and collecting votes; and where Ted Kennedy raged at injustice like a force of nature, even after a staffer would hand him a note saying, ''Sir, you're shouting.''

At its worst, it could be a place where progress was stymied. There was a time, of course, when there were no desks for women, or African Americans, or Latino Americans, or Asian Americans. There was a time when a Senator might have referred to another as a—I like this—''noisome, squat and nameless animal,'' just to name one instance of the occasional lack of decorum. And we should all view it as a positive sign that there hasn't been a caning on the Senate floor in more than 150 years. That's good.

But at its best, it was what Ted Kennedy loved; a place of community and camaraderie where Senators inspired their colleagues to seek out those better angels and work collectively to perfect our union, bit by bit. And in my time in the Senate, I never met a colleague, not even one with whom I most deeply disagreed, who didn't have a deep sincerity in his or her beliefs, an abiding love for this country, and a genuine desire to leave it stronger and better.

Still, I know that many of us, 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 collegial place, it's become more polarized and more confrontational. And gone, sometimes, is that deeper understanding of one another; that ideas that there are great battles to be won and great battles to be waged—but not against the person on the other side of the aisle, rather to be waged on behalf of the country.

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 what our involvement in it signifies; of our relationship with people; and of what all of that should lead to, which is the unfettered and vital exchange of ideas.''

That's why whenever heartbreak 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's office. That's why whenever debate got fierce he never got personal—because that was the fastest way to ensure nothing got done. Once, after he and Strom Thurmond went at each other for a few rounds—as you'd imagine Ted and Strom might do—Ted put his arm around him and said, ''C'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 first. Because rather than lord over it, Teddy sought to mentor others to better navigate it. Rather than to go it alone, he sought cooperation, he never hesitated to cede credit. Rather than abandon course when political winds got rough, he always followed his north star—the cause of a society that is more fair, more decent, and more just. And through all of it, his seriousness of purpose was rivaled only by his humility, his warmth, his good cheer, his sense of humor.

That is who Ted Kennedy was. That's what he did. And that's why he's so missed. . . .

For it is now—especially now—that we need to get people interested in our public problems, and reignite their faith in our public institutions, bring Americans together to forge consensus and understand not just the United States Senate's role in our government—but their role in it at well.

Today, the Senate is engaged in another important battle on one of the great causes of our time, and the cause of Ted Kennedy's life—the battle to make health care not a privilege for some, but a right for all. He has been so sorely missed in this debate; especially now that we're closer than we've ever been to passing real health reform. But even though we took a critical step forward this week, we've got more work to do. And I hope and believe that we will continue to engage each other with the spirit of civility and seriousness that has brought us this far—a spirit that I think Teddy would have liked to see.

More than a half century ago, a Senate committee was set up to choose the five greatest senators of all time. No, it wasn't an exercise in the Senate's own vanity—it was because there were five empty spaces designated for portraits in the Senate Reception Room.

''There are no standard tests to apply to a Senator,'' the chairman of that committee wrote. ''No Dun & Bradstreet rating, no scouting reports. His talents may vary with his time; his contribution may be limited by his politics. To judge his own true greatness, particularly in comparison with his fellow senators long after they are all dead, is nearly an impossible task.''

When John F. Kennedy wrote those words, I doubt that he imagined his 25-year-old-brother would one day stand as indisputably one of the finest senators of this or any age. But here's the thing: Teddy—Teddy didn't earn that distinction just because he served in the United States Senate for nearly one out of every five days of its existence. He earned it because each of those days was full, and passionate, and productive, and advanced the life of this nation in a way that few Americans ever have. And he did it all by bridging the partisan divide again and again in an era that someday may be recalled as one where bipartisanship was too rare an achievement.

There will never be another like Ted Kennedy. But there will be other great senators who follow in his footsteps. That's not an insult to his legacy—it is, rather, the legacy he sought to leave, both with this institute and with his example.

''Being a senator changes a person,'' he wrote in his memoirs. ''Something fundamental and profound happens to you when you arrive there, and it stays with you all the time that you are privileged to serve. I have seen the changes in people who have come into the Senate. It may take a year, or two years, or three years, but it always happens: it fills you with a heightened sense of purpose.''

In all our debates, through all our tests, over all the years that are left to come—may we all be blessed with a sense of purpose like Edward M. Kennedy's. Thank you, Vicki, thanks to all of you. Thanks for making this such a success. God bless you, God bless America.

TED KENNEDY: A LIFE OF SERVICE

(By Speaker Nancy Pelosi (D-Calif.))

With the passing of Sen. Edward M. Kennedy (D-Mass.), this nation lost a great patriot, a force for justice and equality and a passionate voice for a brighter future.

Sen. Kennedy was the beloved patriarch of a beautiful family. At this moment of mourning, our thoughts and prayers are with his loving, caring and devoted wife, Vicki; and with his children, Kara, Teddy Jr. and our colleague Patrick. Surely it was a highlight for both father and son to see the Kennedy-Kennedy Mental Health Parity bill become law last year—ending discriminatory treatment toward mental health coverage—and a true tribute to the Kennedy family's unyielding commitment to the common good.

Above all else, Sen. Kennedy was a champion—of the poor and the oppressed, of the forgotten and the voiceless, of young and old. Over a lifetime of leadership, Sen. Kennedy's statesmanship, passionate arguments and political prowess produced a wealth of accomplishment that expanded opportunity for every American and extended the blessings of prosperity to millions of his fellow citizens.

He had a grand vision for America and an unparalleled ability to effect change and inspire others to devote themselves to that change. And no one did more to educate our children, care for our seniors and ensure equality for all Americans.

The reach of Sen. Kennedy's achievements extends far beyond any one state, issue or group. And the light of his example shone 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 understood their responsibility not to politics, but to the people they serve—and today, America's seniors have a stronger and more enduring safety net to keep them healthy.

Because he believed in the need for bold action to rescue our economy, from his hospital bed he played a pivotal role in ensuring the passage of the American Recovery and Reinvestment Act, putting people back to work and setting our nation on the road to recovery. And because of his stirring words of optimism, vitality and courage at the Democratic convention exactly one year before he passed away, he laid a foundation for the election of a president who shared his ideals and intellect—and personified his vision of an America where race was no longer a barrier or qualification.

Sen. Kennedy's deep faith remained a palpable force in his life. It inspired his belief in social justice. It demanded action on behalf of the least among us. It sustained him, and offered a refuge from the spotlight of elected office. When his daughter, Kara, was diagnosed with lung cancer, Sen. Kennedy turned to his faith for solace, going to Mass each morning in the same house of worship where his funeral service will be conducted—a basilica that became a source of hope and optimism for him in recent years.

Throughout his career, Ted Kennedy spoke of a new hope; of holding fast to our ideals and fulfilling the promise of our country. He carried on the legacy of an extraordinary family—a family defined by service and a family that inspired an entire generation, including myself, to take action and to serve a cause greater than our individual interests. And with the Edward M. Kennedy Serve America Act now the law of the land, another generation of teachers and volunteers, students and community organizers will put those values into action.

Perhaps more than any other issue, Sen. Kennedy never stopped fighting for what he called ''the cause of my life''—ensuring quality, affordable healthcare for every American. He believed it was a moral imperative. He viewed it ''as a fundamental right, not a privilege.'' It is a tribute to him—but really to the Americans for whom he fought every day—that this dream will become reality this year.

ONE OF A KIND

(By Rep. Dale E. Kildee (D-Mich.), Chairman of the Subcommittee on Early Childhood, Elementary and Secondary Education)

I have a lot of acquaintances in Congress and many friends, but one who stood out above the rest and to whom I always felt close was Ted Kennedy. It was a privilege to know him as a friend, and it was an honor to work with one of the most dedicated and knowledgeable senators I ever met. His passing is truly a great loss for our country. I am hopeful, however, that in mourning his death, we will be inspired to continue to fight for the causes to which he dedicated himself so tirelessly and work together to pass the comprehensive healthcare reform that he called ''the cause of my life.''

My relationship with the Kennedys started back in 1960 when I was a volunteer on John F. Kennedy's campaign for president and had the privilege of meeting his mother Rose, who was nothing but gracious and kind. When Rose came to my hometown of Flint, Mich., to campaign for her son, it was my responsibility to get her to Mass at St. Michael's. It wasn't even Sunday, but Rose went to Mass every day. I met John later that year when he was campaigning for the presidency and again in October of 1962 when he came to campaign for the midterm congressional elections. Shortly thereafter he went back to Washington claiming he had a ''bad cold,'' even though he appeared to be the picture of health. We learned later that we weren't completely misled, but that it was a different kind of cold flaring up—the Cuban Missile Crisis, one of the most heated moments of the Cold War.

Ted was the last member of the Kennedy family whom I actually met, but my relationship with him lasted the longest. Like his brothers, Ted was born into a life of privilege, but instead of choosing a comfortable life of leisure, he chose to work hard in the U.S. Senate, fighting to improve the lives of American families. Ted successfully fought to raise the minimum wage, protect Americans with disabilities, expand health insurance for low-income children and improve educational opportunities for all students, regardless of family income. His legislative accomplishments were so wide in scope that his work has changed the life of nearly every American for the better.

Ted and I shared a passion to improve education and we worked together often, particularly during the Head Start Reauthorization of 2007, which he and I authored. During many of the other conferences we worked on together, when differences arose that were slowing down the passage of legislation, Ted was a skilled and fair negotiator who would keep the conversation going until late into the night to make sure things were resolved. From Ted, I learned that compromise is often necessary to achieve the greater good. But above all, he taught me that we must never stop fighting for what we believe in.

While Ted achieved greatness in his political life, he was no stranger to personal tragedy and suffering. The country mourned with him as first John and then Bobby were taken from us in acts of violence, leaving Ted as the only remaining Kennedy brother. A 1964 plane crash broke his back and left him with terrible pain that plagued him for the rest of his life, but he never let his condition get in the way of his goals for the country. His discomfort was evident on the trips he often took with me to Flint, where he always enjoyed visiting Buick UAW Local 599. It was difficult for him to stand for long, but he would patiently pose for pictures and sign autographs for the workers there, who greeted him as a hero. He would stay until his back became too painful and then he would turn to me and say, ''Dale, you have to get me out of here, now,'' and we would make a quick exit so he could rest in my campaign van, which he referred to as the ''Kildee Express.'' Even while in pain, he always had a smile on his face and was an inspiration to those around him.

I have never known another senator like Ted Kennedy, and we may never see another like him again. He carried on the torch of his family's political legacy, masterfully reaching across the aisle to shepherd important and often difficult pieces of legislation through Congress. As we mourn the passing of our friend Ted, let us celebrate his numerous achievements and remember him for the great humanitarian and leader that he was. Let us honor his memory by never giving up the fight for social justice, never resting until every child has an equal chance to learn, and never backing down until every American has access to quality affordable healthcare. He often called universal healthcare ''the cause of my life'' and it is a tragedy that he will not be around to vote for the legislation for which he fought so tirelessly. So let's continue the fight in his honor and pass healthcare reform so that all Americans, regardless of income, age or preexisting condition, will have access to 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)

As a very junior senator from Idaho, I selected an office on the third floor of the Russell Building, which happened to be 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 and 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 enduring 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 . . . Blarney, his Jack Russell Terrier. I began keeping a box of Milk Bones for Blarney's morning visits—and he gladly accepted these treats. In his classical Boston accent, Ted would pretend frustration with Blarney's habit of taking the treats back down the balcony and eating them in his office while leaving all the crumbs on his floor!

When I decided to come home to Idaho and run for governor, Sen. Kennedy said he completely understood my decision. There was no second-guessing why I would want to return to a beautiful state like Idaho and be closer to the people there. He wished me well and said that he would miss me. Little did we both know that in 2006 President George W. Bush would nominate me to become the 49th Secretary of the Interior. One of the very first calls I received after the announcement was from Ted Kennedy, who said he was so glad I was coming back and he asked what he could do to help with my confirmation. That was the kind of man he was and the kind of friend he was. It didn't matter that I was a conservative Republican or he was a liberal Democrat. We were friends, and he wanted to help. And he did.

Several months later, I got another call from Ted Kennedy telling me he had been invited to speak at the Ronald Reagan Library. Nancy Reagan was going to host an intimate dinner for him in her residence at the library and she said he could invite a few friends. He was calling to see if I would go. After extending the invitation, he started laughing and said, ''What a pal I am, right? Inviting you to dinner 2,500 miles from here!'' We both laughed, and I said I wouldn't miss it for anything.

The night of the speech, I was seated in the front row along with Nancy Reagan and California Gov. Arnold Schwarzenegger. Sen. Kennedy commented on how three of his favorite Republicans were there for him. I don't think many people realize how much Ronald Reagan and Ted Kennedy liked each other, but it was very apparent that night at the dinner that Nancy gave for her friend, Ted, and his great wife Vicki, and a few of their friends.

After Sen. Kennedy was diagnosed with his illness and it was made public, I wrote him a two-page letter recapping some of the positive and enjoyable things we had done together. I received an immediate call from Vicki saying how it had brightened his day. That was followed by a handwritten note from Ted, and that was followed by a phone

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 better place if we all worked a little 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 Reagan)

Sometimes the best 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 often—I'll never forget 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 over the past few years on behalf of a cause 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 describe Ted: ''He was a fierce competitor who wanted to win—not just for himself, but for his beliefs. He sought to defeat his opponents, not destroy them. He taught us that while the battle would inevitably resume 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—and that was Ted, too.

Ted and Ronnie were 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, so maybe it isn't 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 policymaking, Republicans on Capitol Hill greatly admired Sen. Edward 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 because it shows how people with drastically different points of view can come together.''

In April, The Hill conducted a survey of all sitting senators to ask which member of the opposing party they most enjoyed working with. The most common answer among Republicans was Kennedy, being specifically mentioned by Kyl, Orrin Hatch of Utah, Kit Bond of Missouri, Richard Burr of North Carolina, Sam Brownback of Kansas, Mike Enzi of Wyoming, Johnny Isakson of Georgia and Jeff Sessions of Alabama.

''I'd love to co-sponsor every piece of legislation with Ted Kennedy,'' Burr said at the time. ''When Ted says he's going to do something, he's committed to it.''

Kennedy's 47 years in the Senate began as his brother, Democrat John F. Kennedy, was president and were marked by a legislative record of liberalism long and prominent enough to earn him his ''Liberal Lion'' moniker. Republican Party leaders even used him as a fundraising tool for years in races across the country.

In the Senate itself, though, the Massachusetts senator was mostly known by Republicans for his bipartisanship—for diligent, patient and consistent reaching across the aisle to find common ground on the country's most pressing concerns. Eventually, some of the chamber's most conservative Republicans, from Alan Simpson of Wyoming to Hatch to Kyl, came to discover that while Kennedy may have had the heart of a liberal, he possessed the mind of a pragmatist.

Republican leaders such as Conference Chairman Lamar Alexander of Tennessee recalled that Kennedy was known for reaching out since his earliest days in Congress. Alexander came to Congress in 1967 as an aide to then-Sen. Howard Baker of Tennessee and worked with Kennedy near the end of his first term.

''I've known and worked with him for 40 years. He's results-oriented. He takes his positions, but he sits down and gets results,'' Alexander said last May.

In recent years, examples of Kennedy's bipartisan efforts included teaming up with Kansas Republican Nancy Kassebaum on healthcare in 1996, with President George W. Bush on education reform in 2001, and on unsuccessful attempts with Sen. John McCain (R-Ariz.) and other Republicans to pass immigration reform in the 110th and 111th Congresses.

KENNEDY BROUGHT INTENSITY, PASSION TO THE SENATE

(By Jim Manley)

Coming from a wealthy, famous family, Sen. Kennedy could have taken shortcuts. But he never did that—he brought a passion and intensity to his work the likes of which I will never forget.

His staff accepted the long hours and dedication he demanded from us because he stood with us working twice as hard.

Former Senate Majority Leader George Mitchell (D-Maine) once accurately remarked that Sen. Kennedy was better-prepared than any other senator. His No Child Left Behind briefing book was legendary—a huge binder full of studies and analyses. It seemed every page was dog-eared, heavily underlined and carefully tabbed.

One Friday, there was a lull in a debate over a minimum-wage increase. On pure impulse, he went to the Senate floor and delivered one of the most impassioned speeches I had ever heard from him. At one point, he voice echoed through the chamber so loud that I had to leave the floor because my ears were ringing.

As Sen. Kennedy said of his brother Robert, the same can be said of him. He ''need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.''

BAYH REMEMBERS 1964 PLANE CRASH

(By J. Taylor Rushing)

If not for former Sen. Birch Bayh of Indiana, Sen. Edward Kennedy very well may have died on the night of June 19, 1964.

Both nearly died in a plane crash the night the Senate passed the 1964 Civil Rights Act. Delayed by the vote, the two men were flying through a thunderstorm to get to the Massachusetts state Democratic convention.

''We were bounced around so much we couldn't see the moon in any steady way,'' said Bayh, who served in the Senate from 1963 to 1981 and is now a partner in the D.C. law firm Venable LLP. ''Then I looked out and saw this black line coming. I thought it was another storm, but it was the tops of trees.''

Pilot Ed Zimy pulled out of the trees but quickly lost control again, crashing into an apple orchard just short of the Springfield airport. Bayh said he thought the plane had been hit by lightning, and was convinced he was dead. When he woke up, Bayh said, his wife Marvella was screaming, the pilot and Kennedy aide Ed Moss were both mortally wounded and Kennedy was barely responsive.

Bayh said he resisted initial thoughts of leaving Kennedy in the wreckage, but was later amazed at how he carried the hefty 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 corn under my arm,'' Bayh said.

Kennedy spent five months in the hospital, re-emerging barely in time to win reelection in November 1964.

''A lot of 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.

''He was a 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 Wilkie)

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, politicos and media personalities. He went for the most powerful Catholic in Congress, Sen. Edward Kennedy (D–Mass.), to be his partner at the event and balance the politics.

Presented with Boehner's request to cochair the inaugural gala dinner, Kennedy ''didn't blink'' before signing on; and true to his reputation for generosity, Kennedy's response went well beyond that.

Kennedy threw 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 inaugural evening and comedian Bill Cosby to keep the guests laughing.

Boehner and Kennedy were both lifelong Catholics and graduates of Catholic schools. They had recently worked together on the House and Senate versions, respectively, of the 2002 education law known as the No Child Left Behind Act.

As colleagues, they enjoyed a comfortable rapport, which, according to a staff member, was strengthened by the fact that ''Boehner and Kennedy always knew what the other had to do to get legislation passed.''

This dinner was no exception. It marked the start of a five-year collaboration between two men who served radically different constituencies, but who found common ground in their shared commitment to education, service and their faith.

Both lawmakers also believed they had an obligation to give back to the citizens of Washington, their ''adopted city.'' To help illustrate this point, each year at a pre-gala breakfast Kennedy would share the example of his brother, former President John F. Kennedy, who instructed his entire Cabinet to visit Washington's public schools and read books to the students.

Dubbed the Boehner-Kennedy Dinner, the annual event takes place each September, and since its inception has raised more than $5 million for the District's Catholic schools.

Much of the credit for this success belongs to Kennedy. As one Boehner staff member told The Hill, ''This event may have been John Boehner's idea, but it was Sen. Kennedy who really got it off the ground.''

During the last year of his life, Kennedy's illness forced him to scale back his commitments. As a result, former Washington Mayor Anthony Williams assumed the co-chairman's role alongside Boehner in 2008.

This year's Boehner-Williams Dinner will be held on Sept. 23 at the Washington Hilton. Discussions are under way about how best to honor Kennedy at the event.

TRIBUTES TO EDWARD M. KENNEDY

We've lost the irreplaceable center of our family and joyous light in our lives, but the inspiration of his faith, optimism, and perseverance will live on in our hearts forever. He loved this country and devoted his life to serving it. He always believed that our best days were still ahead, but it's hard to imagine any of them without him.—The Kennedy family

Michelle and I were heartbroken to learn this morning of the death of our dear friend, Sen. Ted Kennedy.

For five decades, virtually every major piece of legislation to advance the civil rights, health and economic well being of the American people bore his name and resulted from his efforts.

I valued his wise counsel in the Senate, where, regardless of the swirl of events, he always had time for a new colleague. I cherished his confidence and momentous support in my race for the Presidency. And even as he waged a valiant struggle with a mortal illness, I've profited as President from his encouragement and wisdom.

An important chapter in our history has come to an end. Our country has lost a great leader, who picked up the torch of his fallen brothers and became the greatest United States Sen. of our time.

And the Kennedy family has lost their patriarch, a tower of strength and support through good times and bad.

Our hearts and prayers go out to them today—to his wonderful wife, Vicki, his children Ted Jr., Patrick and Kara, his grandchildren and his extended family.—President Barack Obama

It was the thrill of my lifetime to work with Ted Kennedy. He was a friend, the model of public service and an American icon.

As we mourn his loss, we rededicate ourselves to the causes for which he so dutifully dedicated his life. Sen. Kennedy's legacy stands with the greatest, the most devoted, the most patriotic men and women to ever serve in these halls.

Because of Ted Kennedy, more young children could afford to become healthy. More young adults could afford to become students. More of our oldest citizens and our poorest citizens could get the care they need to live longer, fuller lives. More minorities, women and immigrants could realize the rights our founding documents promised them. And more Americans could be proud of their country.

Ted Kennedy's America was one in which all could pursue justice, enjoy equality and know freedom. Ted Kennedy's life was driven by his love of a family that loved him, and his belief in a country that believed in him. Ted Kennedy's dream was the one for which the founding fathers fought and his brothers sought to realize.

The liberal lion's mighty roar may now fall silent, but his dream shall never die.—Senate Majority Leader Harry Reid (D-Nev.)

Today, with the passing of Sen. Edward M. Kennedy, the American people have lost a great patriot, and the Kennedy family has lost a beloved patriarch. Over a lifetime of leadership, Sen. Kennedy's statesmanship and political prowess produced a wealth of accomplishment that has improved opportunity for every American.

Sen. Kennedy had a grand vision for America, and an unparalleled ability to effect change. Rooted in his deep patriotism, his abiding faith, and his deep concern for the least among us, no one has done more than Sen. Kennedy to educate our children, care for our seniors, and ensure equality for all Americans.—House Speaker Nancy Pelosi (D)

It is with great sadness that Elaine and I note the passing of Sen. Ted Kennedy, one of the giants of American political life, a longtime Senate colleague, and a friend.

No one could have known the man without admiring the passion and vigor he poured into a truly momentous life.—Senate Minority Leader Mitch McConnell (R-Ky.)

Ted Kennedy was my friend. While there were few political issues on which he and I agreed, our relationship was never disagreeable, and was always marked by good humor, hard work, and a desire to find common ground. Ted Kennedy was also a friend to inner-city children and teachers. For the better part of the last decade, Ted and I worked together to support struggling Catholic grade schools in inner-city Washington. By helping these schools keep their doors open and helping them retain their committed teachers and faculty, this joint effort made a positive difference in the lives of thousands of inner-city children, who otherwise would have been denied the opportunity for a quality education. It wouldn't have been possible without Sen. Kennedy and his genuine desire to give something back to help inner-city students in the city in which he'd served for many years. I'm proud to have worked with Sen. Kennedy on this project, and I will dearly miss his friendship and his partnership in this cause.—House Minority Leader John Boehner (R-Ohio)

Teddy spent a lifetime working for a fair and more just America. And for 36 years, I had the privilege of going to work every day and literally, not figuratively sitting next to him, and being witness to history.

In 1972 I was a 29 year old kid with three weeks left to go in a campaign, him showing up at the Delaware Armory in the middle of what we called Little Italy—who had never voted nationally by a Democrat—I won by 3,100 votes and got 85 percent of the vote in that district, or something to that effect. I literally would not be standing here were it not for Teddy Kennedy—not figuratively, this is not hyperbole—literally.

He was there—he stood with me when my wife and daughter were killed in an accident. He was on the phone with me literally every day in the hospital, my two children were attempting, and, God willing, thankfully survived very serious injuries. I'd turn around and there would be some specialist from Massachusetts, a doc I never even asked for, literally sitting in the room with me.

He's left a great void in our public life and a hole in the hearts of millions of Americans and hundreds of us who were affected by his personal touch throughout our lives.—Vice President Joe Biden, in remarks at an event Wednesday at the Department of Energy

Laura and I are saddened by the death of Senator Ted Kennedy. Ted Kennedy spent more than half his life in the United States Senate. He was a man of passion who advocated fiercely for his convictions. I was pleased to work with Senator Kennedy on legislation to raise standards in public schools, reform immigration and ensure dignity and fair treatment for Americans suffering from mental illness.

In a life filled with trials, Ted Kennedy never gave in to self-pity or despair. He maintained his optimistic spirit, his sense of humor, and his faith in his fellow citizens. He loved his family and his country—and he served them until the end. He will be deeply missed.—Former President George W. Bush

Sen. Ted Kennedy was one of the most influential leaders of our time, and one of the greatest senators in American history. His big heart, sharp mind, and boundless energy were gifts he gave to make our democracy a more perfect union.

As president, I was thankful for his fierce advocacy for universal health care and his leadership in providing health coverage to millions of children. His tireless efforts have brought us to the threshold of real health care reform. I was also grateful for his efforts, often in partnership with Republicans as well as Democrats, to advance civil rights, promote religious freedom, make college more affordable, and give young Americans the opportunity to serve at home in Americorp. I am glad the bill President Obama signed to expand Americorp and other youth service opportunities is named the Edward M. Kennedy Serve America Act. Through it, his commitment to public service will live on in millions of young people across our nation.

Hillary and I will always be grateful for the many gestures of kindness and generosity he extended to us, for the concern he showed for all the children and grandchildren of the Kennedy clan, and for his devotion to all those in need whose lives were better because he stood up for them.—Former President Bill Clinton

Barbara and I were deeply saddened to learn Ted Kennedy lost his valiant battle with cancer. While we didn't see eye-to-eye on many political issues through the years, I always respected his steadfast public service—so much so, in fact, that I invited him to my library in 2003 to receive the Bush Award for Excellence in Public Service. Ted

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 H.W. Bush

Rosalynn 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 remembered with great affection 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 its progress. He used his political influence wisely. He was the voice of moderation and common sense. He was unequivocal in his rejection of violence at all times and 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 role in solving our problems has been vindicated by the success of the Peace Process.

Today, America has lost a great and respected statesman and Ireland has lost a long-standing and true friend.

Ar dheis Dé 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 proud 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 Teddy as the ultimate example for all of us who seek 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, advance 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 ingrained 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. 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 years of age nor 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. Ted Kennedy was. Throughout his career, 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, Sen. Kennedy always showed that he cares deeply for those whose needs exceed their political clout. Unbowed by personal setbacks or by the terrible sorrows that have fallen upon his family, his spirit continued to soar, and he continued to work as hard as ever to make his dreams a reality.

In his honor and as a tribute to his commitment to his ideals, 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 that he served so ably, which 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, and 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 at this moment of deep sorrow—Sen. Robert 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 United States 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 an itch to take on any and everyone who stood in my way, including Ted Kennedy. As I began working within the confines of my office I soon found out that while we almost always 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

He had a gregarious personality. He had a keen sense of how to position himself with people. He had an old Irish wit and was a great storyteller. But all of those things probably pale in—in comparison to the fact that once he was on an issue, he was relentless. And he—once he gave his word, then there 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 from his own party and our party 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 Ted 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 that.—Sen. John McCain (R-Ariz.), 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 known 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, but more importantly for the humanity and caring in our politics that is at the center of faith and true public service. No words can ever do justice to this irrepressible, larger than life presence who was simply the best—the best senator, the best advocate you could ever hope for, the best colleague, and the best person to stand by your side in the toughest of times. He faced the last challenge of his life with the same grace, courage, and determination with which he fought for the causes and principles he held so dear. He taught us how to fight, how to laugh, how to treat each other, and how to turn idealism into action, and in these last fourteen months he taught us much more about how to live life, sailing into the wind one last time. For almost 25 years, I was privileged to serve as his colleague and share his friendship for which I will always be grateful.—Sen. John Kerry (D-Mass.)

Ted Kennedy was a mentor, a guiding light, and a close friend—we all loved the man. In the Senate, Ted Kennedy was our sun—the center of our universe. To be pulled by his strong gravitational field, to bask in his warmth was a privilege, an honor, and, for many of us, even a life changing experience. His death leaves our world dark but, as he said in his own words, ''the work goes on, the cause endures, the hope still lives, and the dream shall never die.'' Ted, we will not let your flag fall.—Sen. Charles Schumer (D-N.Y.)

Ted Kennedy was at once the most partisan and the most constructive United States senator. He could preach the party line as well as bridge differences better than any Democrat. I will especially miss his cheery disposition and his devotion to United States history of which he was such a consequential part.—Senate Republican Conference Chairman Lamar Alexander (R-Tenn.)

With the passing of Sen. Kennedy the United States Senate has lost one of its most effective and respected voices.

Sen. Kennedy's colleagues—Republicans and Democrats—greatly enjoyed working with him and respected his views.

A handshake from Sen. Kennedy was all that was ever needed. His word was his bond.

When the history of the United States Senate is written, his name will be toward the top of the list of senators who made a tremendous impact on the institution.

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-S.C.)

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 lives of 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 anticipated, I am sure that little can 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. For their sake, and his, it 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 the Congress to try to tackle many human problems, but I am especially gratified by 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 more hopeful future. As a nation and as 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 that has left its mark on 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 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 Massachusetts. The last son of 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 enormously 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 his great personal 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 my family and 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 great 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 the confirmation of America's 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 Colorado in mind. Still, there is much to be accomplished.

We must come together to find opportunities to improve the quality of life of 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, Latinos face a 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, approximately 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 are just a few reasons I 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 make our environment 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 . . . a new engagement 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 to 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 will be at the forefront in realizing the full potential of this important legislation, creating healthy communities by inspiring and equipping

willing Americans to do more of the heavy lifting in their communities as we all work to improve our Nation.

Mr. President, I once again commend the Points of Light Institute on this landmark anniversary.

ADDITIONAL STATEMENTS

TRIBUTE TO LAURA RHEA

• Mrs. LINCOLN. Mr. President, it is with great pleasure that today I honor and recognize more than 25 years of service by 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 Arkansas, 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 mission field 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 replicated in over 40 States.

Laura 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 heatstroke 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.•

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 Tackett of Nashville for Washington, DC. Over the course of the next 26 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 historic preservation. 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 23, 1820 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 1990. 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 4½ 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.

In addition, Interior Secretary Bruce Babbit twice appointed Parker to the National Park System Advisory Board where he served as chairman of the Committee on National Historic Landmarks.

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.•

275TH ANNIVERSARY OF FIRST CONGREGATIONAL CHURCH, UNITED CHURCH OF CHRIST

• Ms. SNOWE. Mr. President, I wish to pay tribute to the First Congregational Church, United Church of Christ of South Portland, ME, on the momentous occasion of its 275th anniversary. What a tremendous milestone and enduring testament to the church's centuries of spiritual leadership and goodwill.

Established in 1733, the church held its inaugural worship service in 1734 and has, through its steady growth and exemplary commitment to others, expanded its ministries, championed education for all, and engendered an abiding sense of fellowship for literally hundreds of years. Although the physical buildings of worship may have changed over time, the church's fundamental mission—to foster its congregation's spiritual life while offering outreach to others through words and actions—has not wavered.

Although this church's history and time-honored presence within the

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 people whose lives are enriched by 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 sociocultural 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 bills, in which it requests the concurrence of the Senate:

H.R. 1327. An act to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

H.R. 1700. An act to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

H.R. 2651. 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.

H.R. 3371. An act to amend title 49, United States Code, to improve airline safety and pilot training, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 138. Concurrent resolution recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas.

At 1:27 p.m., a message from the House of Representatives, delivered by Ms. Niland, 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.''

The message also announced that pursuant to 20 U.S.C. 955(b), and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the National Council on the Arts: Ms. MCCOLLUM of Minnesota and Mr. CARNAHAN of Missouri.

The message further announced that pursuant to 10 U.S.C. 4355(a), and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the Board of Visitors to the United States Military Academy: Mr. LEWIS of California and Mr. SHIMKUS of Illinois.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 22. An act to amend title 5, United States Code, to reduce the amount that the United States Postal Service is required to pay into the Postal Service Retiree Health Benefits Fund by the end of fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1327. An act to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1700. An act to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum; to the Committee on Environment and Public Works.

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. 2651. 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.

H.R. 3371. An act to amend title 49, United States Code, to improve airline safety and pilot training, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 138. Concurrent resolution recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas; to the Committee on Commerce, Science, and Transportation.

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, reports, 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'' ((RIN0750–AG34)(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 ''Defense Acquisition Regulation Supplement; Restriction on Research and Development—Deletion of Obsolete Text'' ((RIN0750–AG33)(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–3373. A communication from the Acting Deputy General 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'' (RIN3133–AD64) received in the Office of the President of the Senate on October 14, 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–AI88) 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 Paralegal, 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 Program Updates'' (RIN2132–AA95) 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–AE50) 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 Assistant Chief Counsel, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers'' (RIN2137–AE21) 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 Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Express Lane Demonstration Program'' (RIN2125–AF07) 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 Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Congestion Management Rule for John F. Kennedy International Airport and Newark Liberty International Airport; RESCISSION'' (RIN2120–AJ48) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

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 LaGuardia Airport; RESCISSION'' (RIN2120–AJ49) 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–AWP—3'' (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–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. 3338'' (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–3383. 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 (7); Amdt. No. 3339'' (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–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. 3341'' (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–3385. 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 (122); Amdt. No. 3340'' (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 ''Part 95 Instrument Flight Rules (20); Amdt. No. 483'' (RIN2120–AA63) 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; Boeing Model 727 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–1117)) 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 LUFTAHRT 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–3389. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG–100 Gliders'' ((RIN2120–AA64)(Docket No. FAA–2009–0881)) 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 A318, 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 A310–203 and –222 Airplanes and Model A300 B4–620 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–2009–0552)) 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–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–3394. 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 and E Airspace, Removal of Class E Airspace; Aguadilla, PR'' ((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–3395. 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, Modification of Class E Airspace; Bunnell, Florida'' ((RIN2120–AA66)(9–24/9–25/0327/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–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)(9–24/9–25/0986/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 ''Amendment of Class E Airspace; Platteville, Wisconsin'' ((RIN2120–AA66)(10–9/

10–9/0512/AGL–9)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3398. 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; Pueblo, Colorado'' ((RIN2120–AA66)(10–9/10–9/0349/ANM–6)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3399. 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; Little River, California'' ((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 law, the report of a rule entitled ''Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG—100 Gliders'' ((RIN2120–AA64)(10–5/10–5/0897/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 law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, –100B, –100B SUD, –200B, –200C, –200F, –300, –400, –400D, –400F, and 747SR Series Airplanes'' ((RIN2120–AA64)(10–5/10–1/0293/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 law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727–281 Airplanes Equipped with Auxiliary Fuel Tanks Installed in Accordance with Supplemental Type Certificate SA3449NM'' ((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 law, the report of a rule entitled ''Airworthiness Directives; Teledyne Continental Motors O–470, IO–470, TSIO–470, IO–520, TSIO–520, IO–550, and IOF–550'' ((RIN2120–AA64)(9–21/9–21/0367/NE–10)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3404. 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 Model 767–200, –300, and –300F Series Airplanes'' ((RIN2120–AA64)(10–1/10–1/1363/NM–104)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3405. 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 Model 727 Airplanes'' ((RIN2120–AA64)(10–1/10–1/0646/NM–359)) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3406. 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 Model 737–300, –400, and –500 Series Airplanes Equipped with a Digital Transient Suppression Device (DTSD) Installed in Accordance with Supplemental Type Certificate (STC) ST00127BO'' ((RIN2120–AA64)(10–1/10–1/05221/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 law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 767–200 and –300 Series Airplanes'' ((RIN2120–AA64)(9–24/9–29/0682/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'' ((RIN1625–AA00)(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 Technology Revisions'' ((RIN1625–AA26)(Docket No. USG–2001–8661)) 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 of a rule entitled ''Television Broadcasting Services; New Orleans, Louisiana'' (MB Docket No. 09–147) 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 manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the AN/ASA–70 Tactical Data Display Group in the amount of $100,000,000 or more; 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 to the United Kingdom relative to Lewis Machine and Tool Co. (LMT) .309 caliber (7.62mm) Semi Automatic Rifles in the 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 for the period from October 1, 2008 through March 31, 2009; 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 Quarter 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. 379. A bill to provide fair compensation to artists for use of their sound recordings.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 1793. 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.

Dolly M. Gee, of California, to be United States District Judge for the Central District of California.

Richard Seeborg, 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 all other health care workers by establishing a safe patient handling and injury prevention standard, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. SPECTER, Mr. FEINGOLD, Mr. CARDIN, 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.

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.

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. ROCKEFELLER (for himself and Mr. GRASSLEY):

S. 1792. A bill to amend the Internal Revenue Code of 1986 to modify the requirements for windows, doors, and skylights to be eligible for the credit for nonbusiness energy property; to the Committee on Finance.

By Mr. HARKIN:

S. 1793. 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; 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. BEGICH):

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 expenditures of private 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. ENSIGN, 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 XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 451

At the request of Ms. COLLINS, the name 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 retired 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 amend title 38, United States Code, 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. DURBIN, 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 name 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 nonregular service 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. TESTER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 956, a bill to amend title XVIII of the Social Security Act to exempt unsanctioned State-licensed retail pharmacies from the surety bond requirement under the Medicare Program for suppliers of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS).

S. 1056

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. 1056, 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 name 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

S. 1171, a bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program.

S. 1177

At the request of Mr. KOHL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1177, a bill to improve consumer protections for purchasers of long-term care insurance, and for other purposes.

S. 1304

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. KIRK) was added as a cosponsor of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1340

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1340, a bill 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.

S. 1360

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1421

At the request of Mr. LEVIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1421, a bill to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

S. 1584

At the request of Mr. MERKLEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1584, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1608

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1608, a bill to prepare young people in disadvantaged situations for a competitive future.

S. 1685

At the request of Mr. SANDERS, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1685, 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. 1700

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1700, 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. 1723

At the request of Mr. CORKER, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1723, a bill to authorize the Secretary of the Treasury to delegate management authority over troubled assets purchased under the Troubled Asset Relief Program, to require the establishment of a trust to manage assets of certain designated TARP recipients, and for other purposes.

S. 1776

At the request of Ms. STABENOW, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Alaska (Mr. BEGICH), and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1776, 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. 1783

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1783, a bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products.

S. RES. 307

At the request of Mr. BUNNING, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 307, a resolution to require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

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. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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 all other health care workers by establishing a safe patient handling and injury prevention standard, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRANKEN. Mr. President, today I am introducing a bill to help keep our country's invaluable nurses and health care workers safe from debilitating injuries suffered on the job. This legislation will require workplace standards that eliminate the manual lifting of patients—the primary cause of musculoskeletal disorders in the health care profession. And I want to first thank my colleague in the House, Representative CONYERS of Michigan's 14th District, for his leadership on this issue and for the impressive work he put into crafting this bill.

When we think of dangerous working conditions, mines or construction sites might come to mind. But in fact, work performed in hospitals and nursing homes contributes to thousands of cases of musculoskeletal disorders in nurses and health care workers each year. These injuries require time away from work, and unfortunately, many workers suffering from chronic back injury are forced to leave the profession permanently. Nurses and health care workers deserve better—they shouldn't have to sacrifice their safety and their livelihood to help others, especially when many of these injuries could be prevented.

The manual lifting of patients is the primary cause of musculoskeletal injuries, and can be eliminated with the use of lifting equipment. Many health care facilities already have this equipment available, and studies have shown that it reduces injuries to workers, increases safety for patients, and is a cost-effective investment over several years.

This legislation would require the Department of Labor to propose standards for safe patient handling to prevent musculoskeletal disorders for health care workers, and eliminate manual lifting of patients through the use of lift equipment. It would also require health care facilities to develop safe patient handling plans and provide training on safe patient handling techniques.

Under the bill, health care workers would have the right to refuse assignments that are not in compliance with safe patient handling standards and be protected from employer retaliation against workers who refuse these assignments or report violations.

To help health care facilities to make this transition, the bill creates a new grant program for needy health care facilities that require financial assistance to purchase safe patient handling equipment.

I urge my colleagues to support the Nurse and Health Care Worker Protection Act. All of us benefit from the services these professionals provide, and by passing this legislation, we can help ensure they are able to safely continue in their important careers.

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. 1788

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—8,580 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 manually. 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 lost 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 increasing 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 the 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 on 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. A final 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 care. The standard 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, maintain, and have accessible an 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 injuries relating 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 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.

(7) Each health care employer to post a uniform notice in a form specified by the Secretary that—

(A) explains the safe patient handling and injury prevention standard;

(B) includes information regarding safe patient handling and injury prevention policies and training; and

(C) explains procedures to report patient handling-related injuries.

(8) Each health care employer to conduct an annual written evaluation of the implementation of the safe patient handling and injury prevention plan, including handling procedures, selection of equipment and engineering controls, assessment of injuries, and new safe patient handling and injury prevention technology and devices that have been developed. The evaluation shall be conducted with the involvement of nurses, other health care workers, and their representatives and shall be documented in writing. Health care employers shall take corrective action as recommended in the written evaluation.

(c) INSPECTIONS.—The Secretary of Labor shall conduct unscheduled inspections under section 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657) to ensure implementation of and compliance with the safe patient handling and injury prevention standard.

SEC. 3. PROTECTION OF DIRECT-CARE REGISTERED NURSES AND HEALTH CARE WORKERS.

(a) REFUSAL OF ASSIGNMENT.—The Secretary shall ensure that a direct-care registered nurse or other health care worker may refuse to accept an assignment from a health care employer if—

(1) the assignment would subject the worker to conditions that would violate the safe patient handling and injury prevention standard; or

(2) the nurse or worker has not received training described in section 2(a)(5) that meets such standard.

(b) RETALIATION FOR REFUSAL OF LIFTING ASSIGNMENT BARRED.—

(1) NO DISCHARGE, DISCRIMINATION, OR RETALIATION.—No health care employer shall discharge, discriminate, or retaliate 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) NO FILING OF COMPLAINT.—No health care employer shall file a complaint or a report against a direct-care registered nurse or other health care worker with the appropriate State professional disciplinary agency because of the nurse's or worker's refusal of a lifting assignment under subsection (a).

(c) WHISTLEBLOWER PROTECTION.—

(1) RETALIATION BARRED.—A health care employer shall not discriminate or retaliate in any manner with respect to any aspect of employment, including hiring, 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 or 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 health care employer;

(B) initiates, cooperates, or otherwise participates in an investigation or proceeding

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.

(2) GOOD FAITH DEFINED.—For purposes of this subsection, an individual shall be deemed to be acting in good faith if the individual reasonably believes—

(A) the information reported or disclosed is true; and

(B) a violation of this Act or the safe patient handling and injury prevention standard has occurred or may occur.

(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 that sets forth the violation and the required remedy or remedies.

(3) REMEDIES.—The Secretary shall have the authority to order all appropriate remedies for such violations.

(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 and 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, including instructions for how to file such a complaint.

(g) ADDITION TO CURRENT PROTECTIONS.—The worker protections provided for under this section are in addition to protections provided in section 11(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 660(c)).

SEC. 4. APPLICATION OF SAFE PATIENT HANDLING AND INJURY PREVENTION STANDARD TO HEALTH CARE FACILITIES NOT COVERED BY OSHA.

(a) IN GENERAL.—Section 1866 of the Social Security Act (42 U.S.C. 1395cc) is amended—

(1) in subsection (a)(1)(V), by inserting ''and safe patient handling and injury prevention standard (as initially promulgated under section 2 of the Nurse and Health Care Worker Protection Act of 2009)'' before the period at the end; and

(2) in subsection (b)(4)—

(A) in subparagraph (A), inserting ''and the safe patient handling and injury prevention standard'' after ''Bloodborne Pathogens standard''; and

(B) in subparagraph (B), inserting ''or the safe patient handling and injury prevention standard'' after ''Bloodborne Pathogens standard''.

(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 PURCHASE 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 safe patient handling and 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 specifically for home health agencies or entities. Funds appropriated under this subsection shall remain available until expended.

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 by at least one State to practice as a registered nurse and who provides bedside care or outpatient services for one or more patients or residents.

(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, home health care agency, hospice, federally qualified health center, nurse managed health center, rural health clinic, or any similar health care facility that employs direct-care registered nurses or other health care workers.

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. SPECTER, Mr. FEINGOLD, Mr. CARDIN, 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 cocaine and powder cocaine. At the same time, it would increase penalties for the worst offenders for crimes involving these substances. It accomplishes two very important goals: One goal is to restore fairness to drug sentencing and, second, to focus our limited Federal resources on the most effective way to end violent drug trafficking.

I have cast thousands of votes as a Member of the House of Representatives and the Senate. Most of those votes are kind of lost in the shadows of history. Some were historic, relative to going to war and impeachment issues, and you never forget those.

But there was one vote I cast more than 20 years ago which I regret. It was a vote that was cast by many of us in the House of Representatives, when we were first informed about the appearance of a new narcotic on the streets. It was called crack cocaine. It was so cheap it was going to be plentiful, and it was so insidious—or at least we were told that 20 years ago—we were advised to take notice and do something dramatic and we did.

More than 20 years ago, I joined many Members of Congress from both political parties in voting for the Anti-Drug Abuse Act of 1986. It established the Federal cocaine sentencing framework that is still in place today.

Under this law, it takes 100 times more powder cocaine than crack cocaine to trigger the same 5-to-10-year mandatory minimum sentence. This is known as the 100-to-1 crack/powder sentencing disparity. But that phrase doesn't tell the story. Here is the story. Simply possessing 5 grams of crack, which is the equivalent of holding five packets of sugar or Equal or one of the sugar substitutes, simply possessing that small amount of crack cocaine under the current sentencing framework carries the same sentence as selling—not possessing but selling—500 grams of powder cocaine—the equivalent of 500 packets of sugar. Why? Well, because we believed we were dealing with a different class of narcotics; something that was much more dangerous and should be treated much more harshly.

Make no mistake, cocaine—whether in crack or powder form—has a devastating impact on families and on our society and we need to have tough legislation when it comes to narcotics. But in addition to being tough, our drug laws have to be fair.

Right now, our cocaine laws are based on a distinction between crack and powder cocaine which cannot be justified. Our laws don't focus on the most dangerous offenders. Incarcerating for 5 to 10 years people who are possessing five sugar packets' worth of crack cocaine for the same period of time as those who are selling 500 sugar-size packets of powder cocaine is indefensible.

The Fair Sentencing Act, which I am introducing today, would completely eliminate this crack/powder disparity. It establishes the same sentences for crack and powder—a 1-to-1 sentencing ratio.

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. But 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 based the disparity has since been dispelled or altered.''

Earlier this year, I held a hearing in the Senate Judiciary Committee on this disparity in sentencing and we learned the following: Crack is not more addictive than powder cocaine, and crack cocaine offenses do not involve significantly more violence than powder cocaine offenses. Those were the two things that led us to this gross disparity in sentencing between powder cocaine and crack cocaine. We were told it is different; it is more addictive. It is not. We were also told it was going to create conduct which was much more violent than those who were selling powder cocaine and their activities. It did not.

We have also learned that more than 2.3 million people are imprisoned in America today. That is the most prisoners and the highest per capita rate of prisoners of any country in the world, and it is largely due to the incarceration of nonviolent drug offenders in America. African Americans are incarcerated at nearly six times the rate of White Americans. These are issues of fundamental human rights and justice our country must face.

It is important to note that the crack/powder disparity disproportionately affects African Americans. While African Americans constitute less than 30 percent of crack users, they make up 82 percent of those convicted of Federal crack offenses.

At a hearing I held, we heard compelling testimony from Judge Reggie B. Walton, who was Associate Director of the Office of Drug Control Policy under President George H.W. Bush and was appointed by President George W. Bush to the Federal bench. Judge Walton is an African American, and he testified about ''the agony of having to enforce a law that one believes is fundamentally unfair and disproportionately impacts individuals who look like me.''

We also heard about the negative impact the crack/powder disparity has on the criminal justice system. Judge Walton further testified about ''jurors who would tell me that they refused to convict, that even though they thought the evidence was overwhelming, they were not prepared to put another young black man in prison knowing the sentencing disparity that existed between crack and powder cocaine.''

Asa Hutchinson, who was head of the Drug Enforcement Administration under President George W. Bush, testified: ''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, more than 60 percent of defendants 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 prison beds reduced 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 Assistant 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 has bred disrespect for our criminal justice system. It has made the job of those of us in law enforcement more difficult. . . . [I]t 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: Senator PATRICK LEAHY, the Chairman 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 RUSS 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 dialog 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, and 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 argued that fixing the crack-powder disparity ''would better reduce the [sentencing] gap [between African Americans and whites] than any other single policy change, and it would dramatically improve the fairness of the federal sentencing system.'' The Sentencing Commission has repeatedly 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, not just those guilty of simple possession and a first offense, 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 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 I 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 15.

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. 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 bit of crack, the government was 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 some ideas too. I look forward to working with him. 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 and prosecution of those who violate our laws, particularly criminals who really do a lot of damage beyond just dealing drugs. They foster crime and form gangs. People who use cocaine tend to be violent. Even more, in some ways, people who use crack cocaine, as opposed to powder cocaine, tend to be paranoid and violent. It is not a good thing.

We don't need to give up the progress that has been made, but at the same time we need to fix the sentencing. I oppose anything that represents a 50, 60, 70, or 80 percent reduction in penalties but a significant rebalancing of that would be justified.

Mr. LEAHY. Mr. President, today, I am proud to join Senators DURBIN, SPECTER, FEINGOLD, CARDIN, WHITEHOUSE, KAUFMAN, FRANKEN, 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, as well as to make 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 Drugs 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 do what we can to restore 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 one hundred times 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 typically receives 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 large 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 triggers at the same levels. 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 HATCH, who has 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 ''not justifiable'' 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 mere 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.

This legislation already has support from a broad coalition of groups, including the American Bar Association, the NAACP, the ACLU, Families Against Mandatory Minimums, the Sentencing Project, the United Methodist Church, and many more.

While serving in the Senate, in September 2007, then-Senator Obama said:

> If you are convicted of a crime involving drugs, of course you should be punished. But let's not make the punishment for crack cocaine that much more severe than the punishment for powder cocaine when the real difference is where the people are using them or who is using them.

I agree. And the Justice Department agrees as well, as Assistant 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 be smarter in our Federal 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 the unfair and unwarranted sentencing disparity between crack and powder cocaine. I am an original cosponsor of this bill.

Since the passage of the Anti-Drug Abuse Act of 1986, which established the basic 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 Judge representing 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 80.6 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—just in different forms—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 was intended to have a disparate impact on minorities but the reality is that it does.

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 introduced 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 high and misdiagnosis is rampant. 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 Rose Jetty, Russell Lente and Avis 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. 94–437. The National Steering Committee for Reauthorization, 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 too 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 around 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 and other meetings 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. This means that 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 extend beyond alcohol and substance abuse, in fact over ⅓ 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.

Modular 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 age of an 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 convenient care services, 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 improve the development 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–366 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_seyferth@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224–6224 or Allison Seyferth at (202) 224–4905.

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 Public Lands and Forests.

The hearing will be held on Thursday, October 29, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 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. 1328 and H.R. 689, to interchange 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 1993 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 service; and

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) 224–4905.

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 253 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 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.

PRIVILEGES OF THE FLOOR

Mr. BURRIS. Mr. President, I ask unanimous consent that Riley Roberts be granted the privileges of the floor for my presentation.

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

EXECUTIVE SESSION

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, the motions to reconsider be laid upon the table en bloc; 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 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.

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 UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE DAVID S. C. CHU, RESIGNED.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JESSIE HILL ROBERSON, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2013, VICE A. J. EGGENBERGER, RESIGNED.

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. (REAPPOINTMENT)

PETER STANLEY WINOKUR, OF MARYLAND, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2014. (REAPPOINTMENT)

FARM CREDIT ADMINISTRATION

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, VICE NANCY C. PELLETT, TERM EXPIRED.

DEPARTMENT OF COMMERCE

SCOTT BOYER QUEHL, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE OTTO WOLFF, RESIGNED.

SCOTT BOYER QUEHL, OF PENNSYLVANIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF COMMERCE, VICE OTTO WOLFF, RESIGNED.

FEDERAL HOSPITAL INSURANCE TRUST FUND

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, VICE THOMAS R. SAVING.

FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

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, VICE THOMAS R. SAVING.

FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE TRUST FUNDS

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, VICE THOMAS R. SAVING.

FEDERAL HOSPITAL INSURANCE TRUST FUND

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, VICE JOHN L. PALMER.

FEDERAL OLD-AGE, SUVIVORS AND DISABILITY INSURANCE TRUST FUNDS

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, VICE JOHN L. PALMER.

FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

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, VICE JOHN L. PALMER.

DEPARTMENT OF STATE

ANNE SLAUGHTER ANDREW, OF INDIANA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

DEPARTMENT OF EDUCATION

LYNNAE M. RUTTLEDGE, OF WASHINGTON, TO BE COMMISSIONER OF THE REHABILITATION SERVICES ADMINISTRATION, DEPARTMENT OF EDUCATION, VICE JOANNE M. WILSON, RESIGNED.

UNITED STATES POSTAL SERVICE

ALAN C. KESSLER, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2015. (REAPPOINTMENT)

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

To be lieutenant commander

JENNIFER L. ADAMS
RODERICK D. ADAMS
MARCUS E. ALDEN
JASON C. ALEKSAK
JOHN G. ALLEN
KIMBERLY B. ANDERSEN
JONATHAN A. ANDRECHIK
SHAMEEN E. ANTHANIO-WILLIAMS
LAHCEN I. ARMSTRONG
JOHN H. AXTELL
RENE BAEZ
FLAVIO B. BALTAZAR
TIMOTHY G. BALUNIS
KEVIN M. BARKLAGE
JASON P. BARRETT
BRYAN M. BEGIN
CHRIS J. BELMONT
ANDREW R. BENDER
KENNETH E. BETHEA
JULIE Y. BETHKE
BRIAN R. BETZ
IAN G. BIRD
VANESSA BLACKMORE
MARK A. BLAESI
JOHN D. BLOCK
MICHAEL A. BLOCK
STEVEN M. BONN
CHRISTOPHER L. BONNER
JOHN C. BOURCET
JASON T. BOYLE
JASON P. BRAND
BRIAN P. BREGUET
DANIEL L. BREHM
STEPHANIE E. BRENNELL
WILLIAM C. BRENT
SHANE D. BRIDGES
JOHN W. BRIGGS
PEGGY M. BRITTON
DANIEL J. BROADHURST
DARKEIM L. BROWN
DANIEL G. BUCHSBAUM
VINCENT J. BUKOWSKI
CHRISTOPHER G. BURRUS
ROBERT S. BUTTS
JERRY D. BUTWID
JEFFREY P. CABELL
MARCUS A. CANADY
RONALD J. CAPUTO
CATHERINE T. CARABINE
KEVIN R. CARLSON
MARIE M. CASTILLO—BLETSO
GEORGE B. CATHEY
MATTHEW M. CHONG
JOHN J. CHRISTENSEN
MICHAEL A. CINTRON
AUSTIN H. COHOON
ANGELA A. COOK
JOHN M. CORBETT
NATHAN E. COWALL
JEFFREY L. CRAIG
KEVIN A. CRECY
JOHN A. CURREN
HAI X. DANG
MICHAEL V. DANISH
WILLIAM L. DAVIS
RULA F. DEISHER
CHRISTOPHER J. DELAMERE
ETIENNE DELARIVA
AARON W. DEMO
MATTHEW C. DERRENBACHER
JOYCE M. DIETRICH
KELLY L. DIETRICH
PATRICK C. DILL
SARA E. DILUNA
DAVID D. DIXON
RICHARD H. DIXON
ROBERT J. DONNELL
TAD F. DROZDOWSKI
JEFFERY A. DRZEWIECKI
SHAUN L. EDWARDS
JOHN T. EGAN
KENNETH W. ELLER
SHAWN G. ESSERT
BRIAN M. FARMER
DAVID T. FEENEY
KRISTOPHER S. FEGLER
MATHEW S. FINE
JOHN M. FIORENTINE
MICHAEL R. FRANKLIN
WILLIAM A. FRIDAY
HSINGYEN J. FU
JOSHUA M. FULCHER
MICHAEL P. GARVEY
DAVID R. GATES
MARCUS G. GHERARDI
MEREDITH S. GILLMAN
ZACHARY N. GLASS
TROY P. GLENDYE
CARY G. GODWIN
HAYDEN J. GOLDMAN
EVANGELINE R. GORMLEY
HARRY L. GREENE
WILLIAM M. GROSSMAN
KENT D. HALEY
STEVEN J. HALPIN
RYAN C. HAMEL
LUSHAN A. HANNAH
AMANDA D. HARDGRAVE
DAVID W. HATCHETT
DERRICK F. HENDRICKSON
MICHAEL P. HENNESSY
ANGELINA HIDALGO
KATE F. HIGGINS
KEVIN S. HILL
BRENDAN J. HILLEARY
JESSE C. HOLSTON
TIMOTHY C. HOLT
DEAN E. HORTON
JASON D. INGRAM
JEFFREY S. JACKSON
JUSTIN W. JACOBS
STEVEN F. JENSEN
ERIC D. JOHNSON
KAREN S. JONES
KAREN L. JORDAN
MICHAEL P. KAHLE
NICHOLAS A. KALIN
BENJAMIN G. KARPINSKI
CHRISTOPHER M. KEENE
NATHAN P. KENDRICK
DANIEL J. KENNEDY
MAEVE K. KEOGH
DAVID M. KESSLER
TERRI J. KINDNESS
MATTHEW D. KING
ROBERT J. KINSEY
SEAN D. KRUEGER
PAUL M. LALICATA
DANIEL P. LANIGAN
JOHN M. LEACH
JOHNDAVID A. LENTINE
EDDIE LESANE
JUNE E. LESHNOVER
RACHEL L. LEWIS
PATRICK M. LINEBERRY
SCOTT E. LUGO
MICHAEL C. LUNASIN
PATRICK J. LYSAGHT
SCOTT M. MACCUMBEE
GREGORY J. MADALENA
BRIAN J. MAGGI
JILLIAN C. MALZONE
MATTHEW C. MANOFSKY
CARYN A. MARGITA
TIMOTHY J. MARGITA
BRYAN A. MARKLAND
DAVID J. MARRAMA
ELIZABETH L. MASSIMI
ZACHARY S. MATHEWS
ERIC S. MAY
STEVEN J. MCCULLOUGH
MARK A. MCDONNELL
BONNIE C. MCMILLAN
SHAWN C. MCMILLAN
BRIAN K. MCNAMARA
ADAM C. MERRILL
MATTHEW A. MICHAELIS
BARRY J. MILES
CAROLYN L. MOBERLEY
ROBERT S. MOHR
YOUNGMEE MOON
PETER M. MORISSEAU
CHARLOTTE MUNDY
BRIAN J. MURPHY
CRAIG E. MURRAY
NICHOLAS E. NEELY
DAVID NEGRON-ALICEA
MARK C. NELSON
MARSHALL E. NEWBERRY
FRANK G. NOLAN
NEIL ORLICH
AARON J. ORTENZIO
BRANDY N. PARKER
MARK B. PATTON
ELIZABETH T. PLATT
BRIAN A. POTTER
STEPHEN C. PRIEBE
LIBBY J. PRUITT
ANTHONY J. QUIRINO
MARC A. RANDOLPH
TOBIAS C. REID
RODNEY RIOS
DUANE B. RIPLEY
NELSON Y. RIVERA
ROBERTO RIVERA
NICOLE D. RODRIGUEZ
AARON J. ROE
DANIEL P. ROGERS
SCOTT P. ROOKE
MORGAN H. ROPER
JESSICA A. ROZZI-OCHS
MICHAEL D. RUSSELL
MATTHEW G. SANFORD
MICHELE L. SCHALLIP
SHADRACK L. SCHEIRMAN
STEVEN A. SCHULTZ
TYSON J. SCOFIELD
GARY R. SCOTT
KRISTEN L. SERUMGARD
THOMAS A. SHULER
EMMA E. SILCOX
JAMES H. SILCOX
NICHOLAS R. SIMMONS
MARTIN C. SIMPSON
STEVEN A. SKAGGS
ERIK D. SKOW
KEVIN M. SLIGH
BRIAN A. SMICKLAS
DAVID G. SMITH
JAMES J. SMITH
MARC H. SMITH
TIMOTHY C. SOMMELLA
BRYSON T. SPANGLER
WILLIAM R. SPORTSMAN
NICOLE A. STARR
JONATHAN K. STEHN
RICHARD W. STICKLEY
MICHAEL R. STONE
HEATHER E. STRATTON
MICHAEL R. STRUTHERS
CHRISTOPHER W. SWEENEY
KRIS J. SZCZECHOWICZ
MICHAEL A. TEIXEIRA
DONALD M. TERKANIAN
BRIAN J. TESSON
KELLY A. THORKILSON
LEE D. TITUS
CHRISTOPHER A. TREIB
CHARTER B. TSCHIRGI
ROBERT C. TUCKER
PATRICIA J. TUTALO
ANDREW J. VANSKIKE
JOSE L. VARGAS
NICOLETTE A. VAUGHAN
XAIMARA VICENCIO-ROLDAN
JERAMY J. WAHRMUND
WILLIAM C. WALSH
MARC D. WARREN
ROBERT D. WEBB
BRIAN R. WILLSON
WINSTON D. WOOD
JESSICA S. WORST
ANDREW W. WRIGHT
BRENT C. YEZEFSKI
YAMASHEKA Z. YOUNG
BRADFORD W. YOUNGKIN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KEITH M. HUBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL JOSEPH J. ANDERSON
BRIGADIER GENERAL MARK S. BOWMAN
BRIGADIER GENERAL ROBERT B. BROWN
BRIGADIER GENERAL ROBERT M. BROWN
BRIGADIER GENERAL EDWARD C. CARDON
BRIGADIER GENERAL WALTER L. DAVIS
BRIGADIER GENERAL GENARO J. DELLAROCCO
BRIGADIER GENERAL WILLIAM F. GRIMSLEY
BRIGADIER GENERAL MICHAEL T. HARRISON, SR.
BRIGADIER GENERAL DAVID R. HOGG
BRIGADIER GENERAL KARL R. HORST
BRIGADIER GENERAL REUBEN D. JONES
BRIGADIER GENERAL BRIAN A. KELLER
BRIGADIER GENERAL STEPHEN R. LANZA
BRIGADIER GENERAL MICHAEL S. LINNINGTON
BRIGADIER GENERAL FRANCIS G. MAHON
BRIGADIER GENERAL JOSEPH E. MARTZ
BRIGADIER GENERAL WILLIAM C. MAYVILLE, JR.
BRIGADIER GENERAL JAMES C. MCCONVILLE

BRIGADIER GENERAL JAMES M. MCDONALD
BRIGADIER GENERAL PHILLIP E. MCGHEE
BRIGADIER GENERAL PATRICIA E. MCQUISTION
BRIGADIER GENERAL WILLIAM N. PHILLIPS
BRIGADIER GENERAL DANA J. H. PITTARD
BRIGADIER GENERAL DAVID E. QUANTOCK
BRIGADIER GENERAL MICHAEL S. REPASS
BRIGADIER GENERAL TODD T. SEMONITE
BRIGADIER GENERAL THOMAS W. SPOEHR
BRIGADIER GENERAL KURT J. STEIN
BRIGADIER GENERAL MICHAEL J. TERRY
BRIGADIER GENERAL SIMEON G. TROMBITAS
BRIGADIER GENERAL KEITH C. WALKER
BRIGADIER GENERAL MICHAEL J. WALSH
BRIGADIER GENERAL PERRY L. WIGGINS

IN THE NAVY

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 OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

CHRISTOPHER J. OGRADY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

MICHAEL R. SPENCER

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

SCOTT A. PAFFENROTH
EDWARD D. SOMMERS

To be major

PATRICK B. OATES
ROBERT M. TAYLOR

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

MISAEL C. ALONSO
SHARON M. DAY
ROBYN T. KARMER
DERRICK B. WILLSEY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

DANA J. ALBALATE
JOSEPH H. BOYLE
JAMES D. COLLINS
PATRICK L. LANAGHAN
ROBERT R. LIU
LUZ E. RODRIGUEZ

IN THE ARMY

THE FOLLOWING NAMED 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

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LAWRENCE C. DENNIS
ROBERT L. GUY
WILLIAM C. HENSEN
RONALD E. MARTINMINNICH
JOHN H. TATUM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BARRY R. BARON
ROBERT M. EPPERLY
EDWARD M. GRICE
DOUGLAS B. JONES
RICHARD I. MAESTAS
PATRICK J. MORGAN
JAMES C. ODELL
MARK F. PLAUSHIN
WILLIAM H. RALSTON
GEORGE D. ROBERTS
PETER E. SOUSA
JEREMY N. STEINBERG
ISTVAN SZASZ, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RAUL L. BARRIENTOS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

RICARDO B. EUSEBIO
DAVID G. MALONE
DAVID W. TERHUNE
DAVID L. WILKEY

CONFIRMATIONS

Executive nominations confirmed by the Senate, Thursday, October 15, 2009:

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 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.

EXTENSIONS OF REMARKS

JUNIOR DUCK STAMP CONSERVATION AND DESIGN PROGRAM REAUTHORIZATION ACT OF 2009

SPEECH 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

SPEECH 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 has continued 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 joyous 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

Humanitarian Award from the Shrewsbury Democratic Town Committee.

Raised in a family devoted to the ideals President Franklin Delano Roosevelt and Eleanor Roosevelt espoused, John Keeton grew up with and advocated for such beliefs throughout his career as an attorney and political activist. Mr. Keeton, along with his wife Patricia, has been involved in campaigns for prominent figures such as Governor Deval Patrick and Hillary Clinton. I will be forever grateful for his friendship over the years.

Throughout his distinguished career, John Keeton has been involved in both the Westborough and Shrewsbury Democratic Town Committees. Having distinguished himself as the Chair of the Shrewsbury Town Committee, Mr. Keeton not only presided over a period of great success for the committee, but became widely recognized as a loyal and committed Democrat in Worcester County.

John Keeton's dedication to the principles of justice and Democratic ideals has worked to positively enhance Worcester County. His tireless efforts and activism is admired by many, including those who Mr. Keeton has campaigned for. In tribute to his outstanding efforts for the Democratic Committees throughout the Commonwealth of Massachusetts, I congratulate Mr. Keeton on receiving this award. I know my colleagues will join me in paying tribute to him today.

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 nonprofit 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

SPEECH 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 purport 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 and economic 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 unveiling 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 Husein) Smadi 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 INTRACOASTAL WATERWAY ASSOCIATION

SPEECH 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 Intracoastal 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 McMORRIS 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 weather conditions. 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 of Texas. Mr. 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 roughly 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 damages and make preparations to rush in supplies.

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 Credit 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 54,000 credit unions provide financial services to more than 186 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 services include the provision of small 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 farmers to sell 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 nations' 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 investment and finance 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 Partnerships 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.''

COMMEMORATING 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 also taught as one of the core subject areas. 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. Jude Children's Research Hospital as well as a school in the greater Richmond area that was facing the possibility of closing.

Madam Speaker, I ask you to join me in recognizing Saint Benedict Parochial School as it celebrates its anniversary and wishing the students and staff the best in their future endeavors.

HONORING HENRY J. ''CHIP'' SCHIRESON

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. GERLACH. Madam Speaker, I rise today to recognize the Honorable Henry J. ''Chip'' Schireson who is completing his 25th year of dedicated public service as a Magisterial District Judge in Lower Merion, Montgomery County, Pennsylvania.

While efficiently administering a court that averages 1,000 filings each month, Judge Schireson has made a tremendous commitment to positively impacting the youth in the community. His efforts include establishing an innovative and award-winning public service program at Bryn Mawr Hospital, which allows juvenile offenders to serve others to avoid a criminal record. That is just one example of how Judge Schireson utilizes creative sanctions to change the attitudes of offenders and, in some cases, help turn around lives.

Madam Speaker, I ask that my colleagues join me today in recognizing the Honorable Henry J. ''Chip'' Schireson as he celebrates this memorable milestone and honor his extraordinary dedication to making Lower Merion a great place to live, work and raise a family.

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, Jackson 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 Loushin Miller, Dan Kreuzer and Larry Raffo, 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 a few roads and rail lines into a rail and transportation center and a promising location for heavy industry close to Downtown Los Angeles. During the following decades, Goodyear Tire and Rubber Company, B.F. Goodrich, U.S. Rubber, the East Los Angeles Rail Station, Chrysler Corporation, Ford and U.S. Steel located manufacturing plants in Commerce and solidified the city's reputation as an industrial center.

Commerce remained both a rural and industrial area until the late 1950s when the construction of the Long Beach and Santa Ana freeways ushered 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 was granted a 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.

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 4th 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 this 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 in over five thousand women a year and kills

over one thousand, but according to the American Cancer Society, these numbers have been falling since the 1990s.

However, there is always more to be done and we can all get involved in promoting breast cancer awareness.

This Sunday is the 16th Annual Komen Lowcountry Race for the Cure in Charleston, and I congratulate our local affiliate staff, Lindsay Wiltshire, Michelle Temple, Lucy Spears, Taffy Tamblyn and Patricia Simon for their hard work organizing this event.

Their efforts bring us all closer to the ultimate goal of a world without breast cancer and we are very proud of them and all of their efforts in the First District.

A TRIBUTE TO GREEN COUNTY HIGH SCHOOL LADY DRAGONS GOLF TEAM

HON. BRETT 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 to mariners 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 to a field critical to the success of our national economy.

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 THELMA 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 those that knew them, dedicating their service to the advancement of the local community. In acknowledgement of their devotion and commitment to the Shrewsbury Democratic Town Committee, the annual Eleanor Roosevelt Humanitarian Awards are being dedicated in their memory.

Tom and Thelma 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. and Mrs. Zekos were inspiring and impassioned Democrats. They believed their family would be best served by supporting candidates who espoused Democratic principles. Throughout their 50 years of marriage, they worked tirelessly for an array of Democratic candidates. They always went the extra mile. I will be forever grateful to them for their support and friendship over the years.

Tom and Thelma Zekos's dedication and commitment to a strong work ethic and moral values made an impact on our community. In tribute to their outstanding service to the community of Shrewsbury and to the Democratic Party, I am proud to honor the memory of Tom and Thelma with the dedication of the Eleanor Roosevelt Humanitarian Awards to them. I know all my colleagues will join me in paying tribute to them both today.

RECOGNIZING 100 YEARS OF MILITARY AVIATION

SPEECH OF

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

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 who have defended our homeland and 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, local families, sports enthusiasts and nature lovers celebrated what has been accomplished in one century: 100 parks, 2,500 acres of open space, 26 recreation and community centers, and the innumerable rewarding activities Oakland residents enjoy because of them.

In 1909 both the Playground and Park Commissions were formed. During the Playground Commission's first meeting, they allocated $600 for a vacation program at two school grounds and established a Playground Division under the Department of Public Works. One year later, the first municipal playgrounds opened at the deFremery, Bushrod and Bayview sites. The City also issued a million-dollar bond to purchase lands around Lake Merritt.

Today, we recognize the true worth of those initial investments. In addition to offering recreation services in athletics, science, art, aquatics, boating, gardening, music, and culture, Oakland's parks help foster a sense of community ownership. One OPR motto, ''Play with a Purpose,'' illustrates an important point. It reminds us that healthy, outdoor play is an essential part of our wellbeing and personal growth.

Over the last 100 years, Oakland Parks have transformed, mirroring the rich culture and history of the surrounding community: In 1932, Oakland's first Municipal Rose Garden opened its doors; the deFremery recreation center housed servicemen in December of 1941, nine days after the Pearl Harbor attacks; a camp for children with disabilities and a Senior Citizen program were created in 1948, and ten years later, the award-winning Arroyo Viejo Children's Theater opened, but succumbed to fire in 1970.

There have been Japanese Gardens, golf courses, children's folk dance festivals and choruses. Children's Fairyland, visited by Walt Disney while he developed his Disneyland concept, was the first theme park in the nation designed for small children. But, during inevitable change, one constant has remained: Oakland Parks' steadfast accessibility to people of all ages, abilities and interests.

The variety and scope of Oakland Parks' community participation is vast. For example, OPR recreation centers host Radical Roving Recreation programs that provide social, health and life skills development for underserved young people. The Golden State Warriors basketball team Makin' Hoops Program helps to renovate basketball courts and provides athletic services. On a national scale, the U.S. Olympic Trials for canoe and kayak flatwater sprint were held at Lake Merritt in 2004.

This year, Lakeside Gardens also celebrates its 50th anniversary and OPC intends to return the gardens to their original splendor. Oakland has much to look forward to as the Office of Parks and Recreation continues its commitment to beautify the city and engage park visitors in a shared civic pride.

I am confident that exciting partnerships and programs such as these will continue to thrive under the guidance of OPR's excellent leadership. In the next 100 years, the City of Oakland, partnering with the Office of Parks and Recreation, will continue to encourage community values, 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 Daviess 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 circuit 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.

Garland Howard will forever 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. Army 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 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 I believed in 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 must 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 memory lingers, 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 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 the cold fear of violent death and the prospects of killing another human being heighten the senses and sear these experiences deeply and irrevocably into our souls and linger in the back recesses of our minds.

After Vietnam we may have gone on to thrilling lives or dull; we might have found love or loneliness, 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 sharper, hear more clearly and develop a sixth sense about everything around us.

Remember the sights? I recall sitting in the jungle one bright moonlit night marveling on the beauty of Vietnam. How lush and green it was; how attractive and gentle the people, how stoic and unmoved they were amid the chaos that surrounded them.

Do you remember the sounds? Where else could you stand outside a bunker and listen to the cacophonous mix of Jimi Hendrix, Merle Haggard and Jefferson Airplane? Or how about the sounds of incoming? Remember it wasn't a boom like in the movies but a horrifying noise like a passing train followed by a crack and the whistle 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 realizing that his pain was caused by my inattention and my lack of experience.

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 sergeant had sufficient gravitas 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 caused our M–16s to jam. I'm OK with helicopters that arrived late. I'm over artillery landing too close and the occasional canceled air strike. But I will never forgive the Pentagon bureaucrat who in an incredibly 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 case of C Rations, you never know what you're going to get.'' Because for every box of ham and lima beans there was that rapturous moment when you would turn over the box and discover the bacchanalian 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 believe that anyone can 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 many of our fellow veterans physically, psychologically and morally. But recent research on Post Traumatic Stress Disorder by behavioral scientists has unearthed a phenomenon familiar to most veterans: that the trauma of war strengthens rather than weakens us (They call it Post Traumatic Growth). We know that a near death experience makes us better leaders by increasing our self reliance, resilience, self image, confidence and ability to deal with adversity. Combat veterans tend to approach 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 scientists now agree.

I'm proud that our service left a legacy that has made today's military better. Sadly Americans too often prefer to fight wars with technology. Our experience in Vietnam taught the nation the lesson that war is inherently a human not a technological endeavor. Our experience is a distant whisper in the ear of today's technology wizards that firepower is not sufficient to win, that the enemy has a vote, that the object of war should not be to kill the enemy but to win the trust and allegiance of the people and that the ultimate weapon in this kind or war is a superbly trained, motivated, and equipped soldier who is tightly bonded to his buddies and who trusts his leaders.

I've visited our young men and women in Iraq and Afghanistan several times. On each visit I've seen first hand the strong connection between our war and theirs. These are worthy warriors who operate in a manner remarkably reminiscent of the way we fought so many years ago.

The similarities are surreal. Close your eyes for a moment and it all comes rushing back . . . In Afghanistan I watched soldiers from my old unit, the 101st Airborne Division, as they conducted daily patrols from firebases constructed and manned in a manner virtually the same as those we occupied and fought from so many years ago. Every day these sky soldiers trudge outside the wire and climb across impossible terrain with the purpose as one sergeant put it ''to kill the bad guys, protect the good guys and bring home as many of my soldiers as I can.'' Your legacy is alive and well. You should be proud.

The timeless connection between our generation and theirs can be seen in the unity and fighting spirit of our soldiers in Iraq and Afghanistan. Again and again, I get asked the same old question from folks who watch soldiers in action on television: why is their morale so high? Don't they know the American people are getting fed up with these wars? Don't they know Afghanistan is going badly? Often they come to me incredulous about what they perceive as a misspent sense of patriotism and loyalty.

I tell them time and again what every one of you sitting here today, those of you who have seen the face of war, understand: it's not really about loyalty. It's not about a belief in some abstract notion concerning war aims or national strategy. It's not even about winning or losing. On those lonely firebases as we dug through C ration boxes and drank hot beer we didn't argue the righteousness of our cause or ponder the latest pronouncements from McNamara or Nixon or Ho Chi Minh for that matter. Some of us might have trusted our leaders or maybe not. We might have been well informed and passionate about the protests at home or maybe not. We might have groused about the rich and privileged who found a way to avoid service but we probably didn't. We might have volunteered for the war to stop the spread of global communism or maybe we just had a failing semester and got swept up in the draft.

In war young soldiers think about their buddies. They talk about families, wives and girlfriends and relate to each other through very personal confessions. For the most part the military we served with in Vietnam did not come from the social elite. We didn't have Harvard degrees or the pedigree of political bluebloods. We were in large measure volunteers and draftees from middle and lower class America. Just as in Iraq today we came from every corner of our country to meet in a beautiful yet harsh and forbidding place, a place that we've seen and experienced but can never explain adequately to those who were never there.

Soldiers suffer, fight and occasionally die for each other. It's as simple as that. What brought us to fight in the jungle was no different than the motive force 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 huddling with a child in her arms or a fanatic insurgent yearning to buy his ticket to eternity by killing the infidel. No difference. Patriotism and a paycheck may get a soldier into the military but fear of letting his buddies 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 assembled 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 who they are willing to die for or who is willing to die for them. William Manchester served as a Marine in the Pacific during World War II and put the sentiment precisely right when he wrote: ''Any man in 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 hundred years ago the English king, Henry V, waited on a cold and muddy battlefield to face a French army many times his size. Shakespeare captured the ethos of that moment in his play Henry V. To be sure Shakespeare wasn't there but he was there in spirit because he understood the emotions that gripped and the bonds that brought together both king and soldier. Henry didn't talk about national strategy. He didn't try to justify faulty intelligence or ill formed command decisions that put his soldiers at such a terrible disadvantage. Instead, he talked about what made English soldiers fight and what in all probably would allow them to prevail the next day against terrible odds. Remember this is a monarch talking 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 whiles any speaks
That fought with us upon Saint 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 whom you protect, those in America now abed, will never know. You have lived a life of self awareness and personal satisfaction that those who watched you from afar in this country who ''hold their manhood cheap'' can only envy.

I don't care whether America honors or even remembers the good service we performed in Vietnam. It doesn't bother me that war is an image that America would rather ignore. It's enough for me to have the privilege to be among you. It's sufficient to

talk to each of you about things we have seen and kinships we have shared in the tough and heartless crucible of war.

Some day we will all join those who are serving so gallantly now and have preceded us on battlefields from Gettysburg to Wanat. We will gather inside a firebase to open a case of C rations with every box peaches and pound cake. We will join with a band of brothers to recount the experience of serving something greater than ourselves. I believe in my very soul that the almightily reserves a corner of heaven, probably around a perpetual lager where some day we can meet and embrace . . . all of the band of brothers throughout the ages to tell our stories while envious standers-by watch and wonder how horrific and incendiary the crucible of violence must have been to bring such a disparate assemblage so close to the hand of God.

Until we meet there thank you for your service, thank you for your sacrifice, God bless you all and God bless this great nation. . . .

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

SPEECH 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 bill and urge my colleagues to vote in favor of this important resolution. Tropical Storm Katsana caused horrible suffering to the people of the Philippines and wreaked havoc on their communities. Just six days later, Typhoon Parma brought additional death and destruction to the region.

I extend my deepest sympathies to those who have lost friends and loved ones in these natural disasters. My thoughts and prayers are with them.

On October 2nd I sent a letter to President Obama regarding the devastation in the Philippines caused by Katsana. I urged swift action to provide aid to the already devastated region especially in light of the proximity of Typhoon Parma.

I would like to submit this letter for the record, as well as a letter from the UN General Assembly in response to my request.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October, 2, 2009.

Hon. BARACK OBAMA,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT: I write to request your immediate assistance and intervention in speeding humanitarian aid to the people of the Philippines who are suffering from the effects of Tropical Storm Katsana. As you know, Tropical Storm Katsana hit Manila and rest of the Philippines on September 26, 2009, causing a disaster.

I have just spoken by teleconference with an Akron, Ohio businessman, Mathew Freeman, who is currently in Manila. Mr. Freeman, through the cooperation of Channel 5 in Cleveland, has shared with me a gripping personal account of the situation on the ground in Manila: there is no evidence of any aid reaching the people. Survivors are without shelter, food and water as another series of storms are quickly approaching.

I understand that the Department of Defense is providing assistance with logistics in the region and that today a relief flight delivered aid for 20,000 affected individuals. I further understand that the U.S. has committed an additional $1 million of aid money to the region, which I applaud. Nevertheless, first hand accounts indicate that additional efforts to expedite humanitarian aid must be made and made immediately. The situation is desperate and countless lives are at risk. As such, I urge you to accelerate delivery of additional humanitarian aid to the region.

I appreciate your attention to this urgent matter and look forward to your timely response.

Sincerely,

DENNIS J. KUCINICH,
Member of Congress.

THE PRESIDENT OF THE
GENERAL ASSEMBLY,
October 12, 2009.

Hon. DENNIS J. KUCINICH,
Member of Congress of the United States, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE KUCINICH: I am writing to thank you for showing urgent concern for the victims of the tropical storm Katsana in the Philippines. I value your efforts to alleviate the suffering of the two and a half million people affected by the storm and to raise awareness of the situation in the Philippines.

As you know, the United Nations has launched a flash appeal to support the Government of the Philippines in responding to the effects of the storm. The flash appeal is seeking $74,021,809 and involves the international humanitarian community, including NGOs, the International Organization for Migration (IOM) and United Nations agencies. So far the flash appeal has received $11 million in funding and an additional $433,119 in pledges.

I am pleased to note that the United States have contributed $650,000 to the United Nations flash appeal, in addition to other funding for relief operations. I am convinced that your valuable efforts on behalf of the victims of Katsana, have contributed to the timely and generous support from the United States.

Sincerely,

ALI ABDUSSALAM TREKI.

A TRIBUTE TO BERNHEIM FOREST

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 remanufactured 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.

TRIBUTE TO BRIAN BURKE

HON. JOHN CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

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 Gracie.

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 2010 U.S. Olympic 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.

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 VonBehren 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 VonBehren 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 VonBehren 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 unfaltering commitment to fairness and justice and his dedication to public service greatly benefitted our community. In tribute to his outstanding service to the community of Shrewsbury, I am proud to honor the memory of Michael Louis VonBehren with the dedication of the Eleanor Roosevelt Humanitarian Youth Award to him. I know all my colleagues will join me 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 to honor Colonel Charles E. Williams, Jr., who has virtuously 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 to Mr. McCarthy's daughters: Marge and Kelly; his sons, William J. Jr. and Kevin; his ten grandchildren; his great-granddaughter; and his sister, Noreen.

A TRIBUTE TO JACQUES GUILLAUME

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 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

the 1870s on the heels of political turmoil in Poland.

According to the Texas State Historical Association Houston there were 55,000 people of Polish descent in Houston in 2000. Aspects of the Polish culture are important to Houston's heritage and are celebrated in our annual Polish Festival and Polish Film Festival. Houston is also the home to a Polish consulate. I am proud to support this resolution as an acknowledgement of Houston's enduring ties with Poland.

The relationship between the United States and Poland was first formally established in the wake of World War I. In 1919, the U.S. and the newly-formed Polish Republic established diplomatic ties creating a formal relationship between governments that also served to symbolize the shared cultural heritage. Twenty years ago, communism fell in Poland and was replaced with a democratic government and market economy. While the relationship between the U.S. and Poland was at times difficult under communism, the spirit of mutualism and desire for cultural exchange endured. The Fulbright Educational Exchange Program began in Poland in 1959 allowing students from both sides of the Iron Curtain to maintain and grow our shared heritage.

In the 20 years since the fall of communism, Poland has also developed into a strong ally for our country. In 1999, Poland joined the North Atlantic Treaty Organization, NATO, cementing our shared military interest. Poland has been a strong diplomatic and military ally in our struggle against terrorism across the globe by contributing troops to U.S.-led coalitions. Poland has also demonstrated its close ideological relationship with the United States through joint efforts on democratization, nuclear proliferation, human rights, Eastern European affairs, and reforming the United Nations. The United States and Poland have a strong relationship and I am proud to support this resolution celebrating the 90 years of diplomatic relations.

''FRIENDS OF THE FISHING INDUSTRY''

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

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 preserve that industry and protect it against adversity.

He recently wrote an eloquent introduction to the announcement of the Friend of the Fishing Industry Award, which was presented to two men to whom the Greater New Bedford Area is greatly indebted: Raymond and Richard Canastra.

These two brothers have, as Jim Kendall's statement points out, been extremely creative in providing support for this industry. The work they have done for the open display auction confounded many skeptics who thought that it would never work, but their success in New Bedford has in fact been so widely hailed that it's led to the recent opening of a similar facility in Boston, helping revive a fishing port that had been declining to some extent.

Madam Speaker, I join Jim Kendall and others in the fishing industry and subsidies in Massachusetts in thanking Ray and Richie Canastra for their work and I ask that Jim Kendall's statement be printed here as an example of the kind of economic leadership individuals can provide to their community.

OFFSHORE MARINERS
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, and who have returned so much to 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. It hasn't stop there either, their fortitude and determination now has extended to the ports of Gloucester and Boston.

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 years before. The sale of a trip was as hard and as uncertain, as was the fishing trip itself.

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 trying to convince people that there is a better way to do their business, business that they had been doing in basically the same way for 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 Boston, that 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 desperate need to show the American consumer the value of New Bedford seafood, and the efforts that the New Bedford and New England fishermen have taken in order to provide them with healthy seafood. There is also a need to inform the consumer how we are striving to provide them their healthy seafood in a safe and sustainable manner. The American consumer and public also needs to know what the fishermen and their industry has gone through in order to bring this to them. I encourage you to visit the website at www.savingseafood.org.

Richie lives in North Dartmouth, with his wife Roberta, and their two lovely daughters, Sophia, and Noella. Raymond lives in Rochester with his wife Debbie and their two children Cassie and Kyler.

It gives me great pleasure to present ''The Friend of the Fishing Industry Award'' to two men whom I'm proud to have worked with over the years, my friends; Raymond and Richard Canastra.

A TRIBUTE TO JACK LEFKOWITZ

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 Jack Lefkowitz for his record of extraordinary service to New York's Tenth Congressional District.

Jack Lefkowitz is the President and Chief Executive Officer of New York MedScan, providing high quality diagnostic imaging services in a comfortable hospital outpatient environment. He greatly contributes to the quality of life for Brooklyn's neediest patients, working through the organization Yad Ephraim to prepare and deliver home-cooked meals tailored to the needs of each patient. Mr. Lefkowitz chairs Maskil El Dat, providing financial aid, meals, transportation, babysitting, and emotional support for impoverished Jewish families. I applaud Jack Lefkowitz's philanthropic activities, contributing both professionally and privately in our communities.

Madam Speaker, I urge my colleagues to join me in recognizing Jack Lefkowitz.

CELEBRATING THE LIFE OF HARLEM'S BELOVED THORNTON J. MEACHAM, JR., ESQ. A TRAILBLAZER FOR AFRICAN-AMERICANS, LAWYERS AND LEGAL PROFESSIONALS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. RANGEL. Madam Speaker, I rise with great pride as I pay tribute to my dear friend

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 professional accomplishments of this remarkable man. 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 undisputedly one of Harlem's greatest lawyers, largely responsible for blacks being admitted to the New York Bar Association. This strong-willed and exciting man represented 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 to Dr. Thornton J. Meacham and Lila 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 University and the first to graduate from its 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 jurists succeed.

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 Buchanan, Mile 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 Assemblyman William 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, liveliness, 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 his example as a personal inspiration. 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

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 Mrs. Mildred Bean of Walnut Creek, California. A proud wife, 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 tells it, Millie's long love story with Air Force officer Richard "Dick" Bean began 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 her sister Laura Brown, 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, the couple built their dream home in Walnut Creek. 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

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. CONYERS. Madam Speaker, on October 14, 2009, I was unable to cast votes, due to personal reasons. I was not present for roll-call votes 775 through 779. Had I been present, I would have casted a "yea" vote for final passage of H. Res. 768, Expressing support for the designation of the month of October as "National Work and Family Month"; H.R. 1327, Iran Sanctions Enabling Act of 2009; 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; H.R. 3371, Airline Safety and Pilot Training Improvement Act of 2009 and H. Res. 786, Commemorating the canonization of Father Damien de Veuster, SS.CC. to sainthood.

A TRIBUTE TO EDOUARD GUILLAUME

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 Edouard Guillaume, MD, for his record of extraordinary service to New York's Tenth Congressional District.

Dr. Edouard Guillaume was born in Gonaives, Haiti, studied medicine at the University Hospital of Haiti, and completed his formal training in Internal Medicine at Mount Sinai Hospital in Chicago, Illinois and Tulane University in New Orleans, Louisiana. He currently focuses on hematology and oncology. Dr. Guillaume today heads Interfaith's acclaimed Comprehensive Sickle Cell Program, where he is well known as a "pain specialist". He was honored by the Sickle Cell Thalassemia Patients Network (SCTPN) in 2005 for his dedicated and distinguished service to patients affected with the disease.

Madam Speaker, I urge my colleagues to join me in recognizing Dr. Edouard Guillaume.

GIRL SCOUTS USA COMMEMORATIVE COIN ACT

SPEECH OF

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. GINGREY of Georgia. Madam Speaker, I rise today to express my support for H.R. 621, the Girl Scouts USA Centennial Commemorative Coin Act. The Girl Scouts of the USA is an outstanding organization dedicated to nurturing young women in the leadership skills they will undoubtedly utilize in their futures.

Founded in 1912 in Savannah, GA by Juliette Gordon, Girl Scouts of the USA has magnanimously carried out its mission to "build girls of courage, confidence, and character, who make the world a better place." In fact, this organization has grown very large over its 97 year history to include 3.7 million Girl Scouts, 2.7 million girl members, and 928,000 adult members who serve as volunteers. Further, Girl Scouts has become a global organization including 236,000 troops and groups in over 90 countries.

Girl Scouts are known nationwide for their delicious cookies; however, this organization does much more than baking for the lives of young women. While various activities and youth groups teach basic skills and promote teamwork, Girl Scouting goes beyond that and encourages youth to achieve a deeper appreciation for service to others in their communities. Finally, and perhaps most importantly, Girl Scouting promotes activities that lead to personal responsibility and high self-esteem. As a result, when hard decisions must be made, peer pressure can be resisted and the right choices can be made.

Madam Speaker, from the beginning of the Girl Scout program as a Daisy to the eventual completion of the program and attainment of the rank of Ambassador, Girl Scouts of the USA has long trained young women in the necessary skills that will enable them to be the future leaders of the United States. The young women in this organization complete "journeys" that enlighten them on social issues, promote community service, and instill in them the necessary confidence and courage to have a bright and successful future. I applaud the efforts and the accomplishments of all of our nation's Girl Scouts, and specifically those of the 11th District of Georgia, which is my privilege to represent in Congress. I urge all of my colleagues to continue to support this honorable organization and the excellent young women that it continues to produce.

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 Computer Operator in the HIR Communications Services group. 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 networking and unified communications infrastructure environment.

Jeff has played an integral role in the revamping 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 with 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.

A BIRTHDAY TRIBUTE TO DR. MELVIN E. BANKS, FOUNDER OF URBAN MINISTRIES, INC.

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 in the segregated South, 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 that Dr. Melvin Banks has 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. He 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. And 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 1958, 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 consummate 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 Vacation Bible School curricula, books, movies 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, teaching materials, 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 as 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 they will see in his 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 25 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, Lily Blackwell was a volunteer delivering meals to seniors who were confined to their homes due to disabilities. Her call to action began with the observation that a number of seniors along her delivery route could no longer perform necessary home repairs. Basic home repair and some structural improvements were needed to ensure that these disabled seniors remained safe and independent. Ms. Blackwell partnered with Toni Clemons-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.

WEST PAPUA'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 Papua Presidium Council, in response to the massive tsunami that struck American Samoa on Tuesday, September 29, 2009.

PRESIDIUM DEWAN PAPUA, JAYAPURA,
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 and sufferings of 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.
THAHA MOHAMMAD 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 parishioners, 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 FAMILY READINESS VOLUNTEERS PLAY IN SUPPORTING SERVICEMEMBERS 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 battlegrounds 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 commanding officers 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, often leveraging donations and resources for military families, as well as provide their services on a voluntary basis, with little public recognition and financial assistance, and often contribute 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 RIJI 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 area of 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 erode over time. This 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 improvised explosives recognition training to TSA Transportation Security 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 bill because I do not believe that additional economic sanctions at this time 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 engagement.

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. We must support 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, counsel 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 personal and 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 in1998, when then-UAW 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-suited 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 learned basic life-saving 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 social justice, which he demonstrated 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 scourges 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 in countless ways. We extend our deepest condolences to Dr. Stampp's family and to all who were dear to him. May his soul rest in peace.

HONORING MR. FRANK G. MILLS, SR.

HON. BILL SHUSTER

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.

Frank Mills proudly served our country in the United States Navy as an Engineman 2nd Class on the USS *Tang* SS 563 submarine during the Vietnam war. His service medals include: National Defense Service Medal, Good Conduct Medal, Vietnam Service Medal with three bronze stars, and the Republic of Vietnam Campaign Ribbon.

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 celebrate 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 sisters 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 renowned, 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.

In Texas, women such as former 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.

American 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 force 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 throughout history.

HONORING 2010 CENSUS COMMUNITY PARTNERS: ALPHA KAPPA ALPHA, NORTHERN VIRGINIA URBAN LEAGUE AND NORTHERN VIRGINIA COALITION

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 commend Alpha Kappa Alpha Sorority, Inc., the Northern Virginia Urban League and the Northern Virginia Coalition for partnering with the U.S. Census Bureau to educate our community on the importance of a complete and accurate count in the 2010 Census.

These organizations kicked off their education initiative with a forum on October 1, 2009 at Alexandria City Hall. Their efforts will be directed toward participation from Northern Virginia's African American community. They will discuss the logistics and strategy behind a successful Census and call on community leaders to take up this historic cause.

A Census is conducted once every 10 years and is mandated by the U.S. Constitution. It counts everyone living in the U.S. to determine the distribution of Congressional seats and the fair allocation of more than $400 billion in federal funding to state, local and tribal governments. Widespread participation is essential to accurate representation in Congress and the correct apportionment of federal funds. An accurate Census helps to ensure fair representation for all, which is an ideal that lies at the heart of American democracy.

Madam Speaker, I ask that my colleagues join me in commending Alpha Kappa Alpha Sorority, Inc., the Northern Virginia Urban League and the Northern Virginia Coalition as responsible community partners for the 2010 Census. I appreciate their call to action as such partnerships will be vital to the success of the Census.

HONORING BILL AND BETTY KICK

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. HINCHEY. 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 Teaneck, 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. The 22nd District is 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. 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 Ambassador Don Pramudwinai on behalf of Minister of Foreign Affairs Kasit Piromya of the Kingdom of Thailand in response to the massive tsunami that struck American Samoa on Tuesday, September 29, 2009.

ROYAL THAI EMBASSY,
Washington, DC, October 7, 2009.

Hon. ENI F. H. FALEOMAVAEGA,
House of Representatives,
Washington, DC.

THE HONORABLE ENI F. H. FALEOMAVAEGA, I have the honor to transmit herewith a condolence message on the earthquakes and tsunami incident in American Samoa from His Excellency Mr. Kasit Piromya, Minister of Foreign Affairs of Thailand to the Honorable as follows:

THE HONORABLE FALEOMAVAEGA, It is with profound sorrow that I learned of the intense magnitude of the undersea earthquakes and tsunami that hit the United States territory of American Samoa on 29 September 2009, causing a terrible loss of lives, widespread property damage and left so many people homeless.

I would like to extend my sincere condolences and heartfelt sympathy to you and, through you, to those families 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 PIROMYA,
Minister of Foreign Affairs of the Kingdom of Thailand.

Please accept, the Honorable, the assurances of my highest consideration.

DON PRAMUDWINAI,
Ambassador.

MOURNING THE LOSS OF LIFE ON AMERICAN SAMOA AND SAMOA AFTER THE EARTHQUAKES AND TSUNAMIS ON SEPTEMBER 29, 2009

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. 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 Somoa 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 sympathies for their loss.

I urge my fellow colleagues to join me in supporting H. Res. 816 to remember those that died in Samoa and American Samoa on September 29, 2009.

GOOD SHEPHERD HOUSING FOUNDATION OF PRINCE WILLIAM COUNTY, VIRGINIA, CELEBRATES 20 YEARS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize the 20th anniversary of the Good Shepherd Housing Foundation. For the past two decades, the Foundation has provided low-cost housing to the homeless and those on the brink of homelessness in 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 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 18 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 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.

CELEBRATION OF THE FESTIVAL OF DIWALI

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. HONDA. Madam Speaker, I rise today in recognition of the Festival of Diwali.

Over one billion individuals celebrate the cultural and religious holiday of Diwali each year. Diwali is one of the most joyous festivals celebrated on the South Asian subcontinent. The festival is celebrated in the Hindu, Sikh, and Jain traditions, and has cultural significance for South Asians. Within the United States there are over 2 million celebrating Diwali making it a significant holiday in our country.

Diwali literally means ''The Festival of Lights,'' translated from Hindi. Celebrations of Diwali usually involve the lighting of lamps to symbolize hope and joy. I joined Asian Americans and Pacific Islanders in the White House yesterday, as President Obama lit a lamp in the White House in the observance of the festival, after signing an executive order restoring the White House Initiative on Asian Americans and Pacific Islanders.

In the Hindu faith Diwali is often linked to Rama's triumphant return following his victory over Ravana as told in the epic The Ramayana. Following Rama's victory his people lighted lamps along the capital city to celebrate as their King returned. The clay lamps which the people lit, were called Deepavalis which Diwali is a shortened version of. In many Hindu calendars Diwali corresponds with the start of a new year. Diwali is one of the most significant holidays within Hinduism.

In Jainism, Diwali marks the date upon which Lord Mahavira achieved the state of absolute bliss or Nirvana. It is said that King Chetaka, upon Lord Mahavira achieving Nirvana, light a multitude of lamps to create a material light to replace the light of intelligence that had been lost.

In the Sikh tradition, the foundation of the Golden Temple is said to have been laid on Diwali. In this tradition, the 6th Sikh guru Hargobind was released from prison on the festival of Diwali.

There is great diversity among the faiths that celebrate this joyful holiday. Across all these traditions, Diwali holds significance across the South-Asian community as a time of hope, happiness and the renewal of life. I am very proud to have been a co-sponsor of House Resolution 798, conveying the best wishes of the House of Representatives to those celebrating Diwali. The resolution recognizes the importance of Diwali and extends the House of Representatives' deepest respects to all those celebrating Diwali. I would like to join with all those celebrating this joyous time and wish Shubh Diwali to all.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Ms. WASSERMAN SCHULTZ. Madam Speaker, I was absent on Wednesday, October 14, 2009, due to a previously scheduled event. Had I been present I would have voted ''yes'' during the recorded votes for the following five bills:

1. H. Res. 768—Expressing support for the designation of the month of October as ''National Work and Family Month'';

2. H.R. 1327—Iran Sanctions Enabling Act of 2009;

3. 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;

4. H. Res. 786—Commemorating the canonization of Father Damien de Veuster, SS.CC., to sainthood; and

5. H.R. 3371—Airline Safety and Pilot Training Improvement Act of 2009.

IN RECOGNITION OF ESTRELLA CLEMENT IN HONOR OF HISPANIC HERITAGE MONTH

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Ms. CASTOR of Florida. Madam Speaker, in recognition of Hispanic Heritage Month, I rise today to honor Estrella Clement, who dedicates her life to help identify and treat women who have breast and cervical cancer.

Ms. Clement was born in Cuba, moved to New Jersey as a child and has been living in Tampa for 25 years. Ms. Clement always knew she wanted to be a nurse and help improve the health of her community. She obtained a master's degree in nursing from the University of South Florida and has been a nurse for more than 32 years. Ms. Clement works with Meditech Medical Center clinics where free mammogram tests, breast examination, and Pap smears are offered to women who might not be able to afford these services otherwise.

Tirelessly dedicated, Ms. Clement worries that women are unaware of the free screening and treatment options in her neighborhood. Transportation is a major obstacle for many low-income women. Ms. Clement's goal is to have a mobile unit so she can go directly to the community. Unfortunately, too few people know about the free service. Ms. Clement is making it her duty to reach as many women as possible.

Ms. Clement also has been a co-chair of Prime Time Sister Circles, a group that helps African-American women improve their health, and she has served on the Moffitt Cancer Center's Hispanic Advisory Council.

Madam Speaker, Estrella Clement is acutely aware of the toll, both financial and emotional, that breast and cervical cancer can have on women. She devotes her life to improving the health of the Tampa community. I applaud her dedication to the prevention and treatment of breast and cervical cancer.

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 rejoiced 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.

Ironically, on September 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 committed to working with the Polish people to sustain our mutual partnership.

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 day's 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 to his meeting with President Taft at the Chamber of Commerce.

After the meeting, President Taft journeyed across the border to visit Ciudad Juarez, Mexico. Arriving at the border of the Chamizal zone, which was then disputed territory between the U.S. and Mexico, President Taft drove through the International Bridge and was saluted by the Mexican artillery with twenty-one guns. Upon arriving in Mexico, he entered the state carriage of President Diaz and was driven to the Custom House, which served as the temporary capital of the Mexican Republic. After a brief meeting, President Taft returned to El Paso, where he participated in a parade and addressed the cheering crowds. He ended the day by attending a reception in Ciudad Juarez where the two Presidents toasted each other and their respective countries.

This marked the first international trip of any sitting U.S. President and remains a rich part of the storied history of the great city of El Paso, 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 CONDEMNING THE ILLEGAL EXTRACTION 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 comdemn 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

1991. Education and personal growth were immensely important values to Reverend Jackson. He truly used a lifetime of learning to inspire and teach others.

In his early pastoral career, Reverend Jackson acted as Interim Pastor to rebuild and develop transitioning churches in the Los Angeles area. He focused his passion for providing youth leadership and family services as Associate Pastor for Menlo Park Presbyterian Church from 1979 to 1983. Later that year, he joined Faith Presbyterian Church in Oakland, thus beginning 26 years of service to our community as Pastor and spiritual guide.

Along with wife Jimmye Jackson, with whom he celebrated 41 years of marriage this month, and daughter Rachel Jackson, Reverend Jackson maintained a dynamic presence in Bay Area community organizing. He was instrumental in organizing numerous collaborations and events including Support for the Families of Homicide Victims, a Community Health Fair Event, Embrace Oakland Day and Faith Network of the East Bay.

Reverend Jackson was passionate about encouraging collaboration between diverse groups. He utilized the clarity of his vision and the strength of his faith to unite people to work for shared goals. In 1992, Reverend Jackson was a founding pastor of the African American & Korean American Fellowship of Churches, a coalition that sought to build better racial relationships between communities of color. He also established the Themus Spencer Learning Center at Faith Presbyterian Church in partnership with Emerson Elementary School to guide at-risk students to academic success.

Deeply moved by the challenges of Katrina Relief in 2006, Reverend Jackson also helped organize a team of Oakland Pastors to raise relief funds during a citywide gathering at the Oakland Coliseum. Whether working with an interfaith coalition to rebuild burned black churches in Boligee, Alabama, or simply lending an ear to a friend in need—Reverend Jackson always made time to help others.

Additionally, he was a great lover of sports, earning his Black Belt in Korean Judo and serving as Chaplain for the Golden State Warriors Basketball Team and other pro- and college teams. In his later years, Reverend Jackson stayed active as trustee, co-chair or committee member for myriad organizations, even earning a Doctor of Ministry from McCormick Theological Seminary just last year.

Pastor Jackson was a personal friend and source of inspiration to me. Often times he would leave a prayer on my voicemail and his words of encouragement always came, ''right on time.'' I will always remember the joy and excitement Reverend Jackson felt at the National Prayer Breakfast this year in Washington D.C., when along with Mrs. Jackson and Pastor and Mrs. Pinkard, he witnessed our President Barack Obama and First Lady participate in their first national prayer breakfast. This week, as I looked at the photos once again after learning of Reverend Jackson's untimely death, I was reminded of his kind and gentle spirit. His life was one lived in service to God.

Today, California's 9th Congressional District salutes and honors Reverend Frank Jackson. The contributions Reverend Jackson made to his community throughout his life 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 congratulate the Daughters of Penelope on their 80th anniversary. I want to thank Representative MALONEY, my Hellenic Caucus co-chair for introducing this meaningful measure of which I am a proud original cosponsor.The Daughters of Penelope is a premier international women'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 Francisco, 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 ideals of ancient Greece, education, philanthropy, civic responsibility, family, and individual 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 society, sheltered the elderly and the abused, educated our youth, promoted Hellenic heritage, 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 Orthodox 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 furnishing 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 outdated 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 respective professions, from government to business to the arts. I am honored to have a longtime member of the Daughters working in my district office. My dear friend, Sonja Stefanadis, has been a member of the Daughters of Penelope 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. It has been a vehicle through which this advancement has occurred in our society.

Congratulations to the Daughters of Penelope. 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 his country and community.

Colonel Blade started his 40-year military career in 1954, when he joined the Illinois National Guard in Monmouth, Illinois. His first job in the Army was as a radio operator and Jeep driver for the Battery Commander. As his military career advanced, Colonel Blade served in numerous other positions, including Fire Support Officer and eventually Battery Commander. In fact, Colonel Blade held every key staff position in the infantry and artillery battalions, including Infantry Battalion Commander of the 1st Regiment, 123rd Infantry Battalion.

Colonel Blade continued to perform his duties even when no one expected him to do so. In one specific instance, Gene was hospitalized with pneumonia, but a group of top military personnel were scheduled to visit his post to view a demonstration of a nuclear spotter round. The weapons used for this exercise required very specific calculations, and Gene's expertise was needed for the test. Even with pneumonia, Colonel Blade decided to take part in the test and was transported via ambulance to the testing area so he could commence the demonstration. The event occurred without any problems, in fact, it was performed quicker than any previous test. After the demonstration, Gene was transported via ambulance back to the hospital. Gene's commitment 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. as a special consultant, working 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, Indiana, Florida, and Missouri National Guards.

Additionally, Colonel Blade has served on the U.S. Department of Defense's Base Closure and Realignment Commission (BRAC) for military bases in Illinois, and he continues to serve on the Governor's post-BRAC commission for future economic development efforts. He is also an active member and an employer outreach representative for the Employer Support of the Guard and Reserve program.

Throughout his life and career, Gene's dedication and achievements have made a positive impact on the U.S. military, the State of Illinois, and our great Nation. Today, at 75 years of age, Colonel Blade will celebrate his retirement from Hanson. I'm told he looks forward to spending time golfing, traveling, woodworking, and also writing a book of his memoirs. I thank him for his service, and wish him the very best.

RECOGNIZING PRINCE WILLIAM CLEAN COMMUNITY COUNCIL AND ITS 2009 VOLUNTEER OF THE YEAR CONNIE MOSER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize the Prince William Clean Community Council and its 2009 Volunteer of the Year, Connie Moser. With the help of dedicated volunteers like Ms. Moser, the Council works to eliminate litter and graffiti in Prince William neighborhoods and commercial centers.

The Council was conceived in 1982 during a spring cleanup effort led by a group of concerned Prince William County residents. These volunteers, who later became the founding members of the Council, immediately recognized the importance of litter prevention education as a way to long-term environmental protection and preservation. In 1986, the Prince William County Litter Control Council was born. The organization later changed its name to the Clean Community Council, and it became an affiliate of Keep America Beautiful, a nationwide non-profit that uses education and hands-on stewardship to advocate litter control, waste reduction, and community beautification.

The Council's litter prevention and graffiti abatement efforts have not gone unnoticed. The Council's accolades include a 1994 Governors Award for Volunteering Excellence. The Council was a 2000 Virginia Stewardship Award Winner in the Communication/Education Category, and it received the Prince William County 2001 Partners for the Potomac Environmental Patron Award, 2000 and 2002 Keep America Beautiful National Awards and a 2008 Keep America Beautiful President's Circle Recognition Award.

The Council's volunteers always have been essential to its success and the 1st Volunteer of the Year Award is a way to recognize their invaluable support. The recipient, Connie Moser, is a resident of Dale City, Va., and sits on the Council's board of directors. She teaches the Council's principles and goals to a number of other organizations that benefit from her involvement. She is acting Secretary for the Dale City Civic Association, a volunteer for the Prince William County Habitat for Humanity, maintains two ''Adopt-A-Spots'' for the Prince William Clean Community Council, serves on the Prince William County Neighborhood Leader's Group and is the founder of the Lindendale Community Group. Remarkably, she found time this year to coordinate a clean-up effort for the Dale City Fourth of July parade route, a large scale community beautification effort that inspired others to take up the Council's mission. Ms. Moser is truly devoted to her community's quality of life and does not shy away from a long, hard day of work to make Prince William County a pleasant place to live.

Madam Speaker, we create safer, cleaner neighborhoods when residents take ownership over their communities. The Clean Community Council asks Prince William residents to take pride in their county and work to eliminate not just litter and graffiti but the carelessness that allows these community plagues to proliferate. 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 undergo 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 immeasurable 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 VISION 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, in 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 award-winning tutoring 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 that we, as American citizens, give back to those in need. National Service becomes ever more important when people are hurting. I am proud of my fellow citizens who have heeded the calls to service, and have dedicated their time to helping others. In 2008, 61.8 million Americans volunteered, dedicating more than 8 billion hours of service worth an estimated $162 billion.

The Points of Light Institute and its 250 Hands On Action Centers reach 80 percent of our nation's communities have been at the forefront of this remarkable growth. I am so pleased to be able to recognize this organization's first 20 years of harnessing the energy and enthusiasm of our people to be a part of a better world and their ongoing contributions as a part of President Obama's United We Serve initiative.

INTRODUCING THE EVERY CHILD DESERVES A FAMILY ACT

HON. FORTNEY 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 enact 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 Alliance of State and Territorial 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 compromise 15.3 percent of the U.S. population, they account for 24.3 percent of new HIV infections. Additionally, stigma within the community, lack of access to health care, 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 excess watershed land 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 District's Park Express Bus 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 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 Rollcall Votes due to a longstanding commitment away from Washington:

1. Rollcall vote No. 775, H. Res. 768, Expressing support for the designation of the Month of October as "National Work and Family Month".
2. Rollcall vote No. 776, H.R. 1327, the Iran Sanctions Enabling Act.
3. Rollcall Vote 777, H. Res. 816, Mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009.
4. Rollcall Vote 778, H.R. 3371, Airline Safety and Pilot Training Improvement Act of 2009.
5. Rollcall 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 youngster 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.

Through times both flourishing and faltering 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 Michgan'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 my salute today to Art Van Elslander on 50 years of vision, perseverance and "giving back" to our community; and to Art Van Furniture and each of its thousands of employees over the years, on 50 years of business growth and success.

RECOGNIZING THE 40TH ANNIVERSARY OF THE GEORGE BUSH INTERCONTINENTAL AIRPORT IN HOUSTON, TEXAS

SPEECH OF

HON. GENE GREEN

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 and time-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 travel and shipping, and this 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, the Senior Outreach Ministry and provided additional support to three 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.

Mrs. Sembly is very active in the Women's Missionary Society 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.

Church. She has served for more than 8 years as the Recording Secretary and the Treasurer of the Matilda Monroe Area. She was also the Editor of the ''Bridge,'' the Second Episcopal District WMS Newsletter, and was elected a Delegate to the 15th and 16th Quadrennial Conventions.

Married for 35 years, Pastor Sembly and First Lady Mrs. Pamela J. Sembly have three loving children and six grandchildren.

Madam Speaker, I ask that you join with me today to honor Reverend Charles T. Sembly and First Lady Pamela J. Sembly for their outstanding service to the Union Bethel A.M.E. Church and their continued commitment to enhancing lives in their community.

HONORING DEBORAH PEEPLES

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 Deborah Peeples of Shrewsbury, Massachusetts. Through Mrs. Peeples' 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. Peeples 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 Peeples is dedicated to improving the community of Shrewsbury.

Deborah Peeples 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 Nonviolent 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 Peeples on receiving this award. I know all my colleagues will join me in paying tribute to her.

HONORING MRS. DEBRA JOHNSON

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 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 MetLife/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.

RECOGNIZING HOLLAND CITY COUNCILMAN CRAIG RICH FOR HIS YEARS OF SERVICE ON 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 congratulate Councilman Craig Rich on many years serving on the Holland City Council.

Craig Rich grew up in Holland where his family has lived since 1910. He is a 1972 graduate of Holland High School and holds a business degree from Davenport College. He and his father operated radio station WZND in Zeeland from 1971 through 1986. Since then he has been with the Grand Rapids Business Journal, a weekly business-to-business newspaper in Grand Rapids, as advertising sales consultant and sales manager.

Craig was first appointed to the Holland City Council in 1982 at 28 years old and has since been elected in 1983 and re-elected in 1985, 1989, 1993, 1997, 2001 and 2005. Craig also served as Holland's Mayor ProTem from 1987 to 2007. His ward represents the true center of the city—bordered by 14th and 15th streets and Lake Macatawa on the north, 24th street on the south, River, Michigan and Central avenues on the east and Graafschap Road on the west.

Craig is the Council's liaison to the Zoning Board of Appeals and the Board of Public Works. He is most proud of having decreased or maintained the general fund tax rate 17 times since being elected to office while, at the same time, maintaining or increasing the level of essential city services.

In addition to his service on the City Council, Craig is active at Christ Memorial Reformed Church. He is a founding member of Michigan Shipwreck Research Associates and a ''master'' level SCUBA diver.

He combines his love of local history and genealogy with scuba diving to research and document local area shipwrecks. He is the author of ''For Those in Peril: Shipwrecks of Ottawa County'' due to be published in 2009.

Craig and his wife Vickie have been married since 1975 and have two daughters; Allison, an English teacher in Florida, and Catherine, a student at Northern Michigan University.

PERSONAL EXPLANATION

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. BOREN. Madam Speaker, on rollcall No. 776 for the Iran Sanctions Enabling Act of 2009, if I had been present, I would have voted ''aye.''

PERSONAL EXPLANATION

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. HOLT. Madam Speaker, On Wednesday October 14, 2009 I was unavoidably detained and missed one vote.

Had I been present I would have voted ''yea'' on H. Res. 768, a resolution expressing support for the designation of the month of October as ''National Work and Family Month (Rollcall 775).

CONGRATULATIONS TO THE CITADEL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 2009

Mr. WILSON of South Carolina. Madam Speaker, The U.S. News and World Report, in their publication titled ''America's Best Colleges 2010'', recently named The Citadel as the No. 1 best value among master's degree-granting colleges in the South. This is a tremendous recognition for the cadets, students, faculty, and administration of this esteemed South Carolina institution. In addition to being the best value, The Citadel was also named the No. 2 best public institution that offers a master's degree in the South and the No. 5 among all master's degree-granting colleges and universities in the South that offers a master's degree.

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 nephews who are 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 Holbrook.

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 his time as a D.A.R.E. officer, he 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 recess and school family fun nights. Most importantly, Marhefka gives students the opportunity to get to know him, increasing their comfort with local authorities and their trust in the police.

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 RHODE 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 hard 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 KINGSTON and I rise today to honor 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 celebrated company he, his father and grandfather built over the past 125 years. Rosalie Harrison Mayer, his first wife of 56 years, passed away in 1998.

Starting with Oscar Mayer & Co. in Chicago in 1936 as a production trainee, Mr. Mayer devoted his entire business career to the company his grandfather started in 1883. After the deaths of his grandfather and father, 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,'' was Mr. Mayer's philosophy in business and he carried that into his personal life, donating time, money and services to various organizations and groups

throughout Wisconsin, especially those who shared his love for the outdoors and sought to protect it. Additionally, in 2007, he was the inspiration for the establishment of the Oscar and Rosalie Mayer fund for Pediatric Care at Memorial Health University Medical Center in Savannah, Georgia.

Oscar Mayer's work and charity were widely recognized by his community. He received Honorary Doctor of Laws degrees from the University of Wisconsin—Madison in 1977, Beloit College in 1978, and later from Edgewood College in Madison in 1991. In 1990, Mr. Mayer became one of the first inductees into the Wisconsin Business Hall of Fame.

Oscar Mayer's devotion to his family, company, its employees, the state of Wisconsin and specifically the city of Madison has left a lasting impression. I join Rep. KINGSTON and the greater Madison community in honoring his life's work and loving spirit.

MARY MORRIS LAWRENCE

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 Mary Morris Lawrence. As a premier photographer, trailblazer and free spirit, she helped shatter the glass ceiling for female professionals by becoming one of the first female photojournalists ever hired by New York's Associated Press in November of 1936. Mary was also a vibrant inspiration to her family and friends as wife, mother and mentor. She passed away in her Oakland, California home on August 12, 2009, at the age of 95.

Over the span of her globe-trotting career, Mary was columnist and Hollywood photographer for New York's progressive tabloid PM, photojournalist for Look Magazine, and creator of a variety of award-winning projects. Her photo of composer Louis Hart even became a U.S. postage stamp.

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.

Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act.

House agreed to the conference report to accompany H.R. 2892, Department of Homeland Security Appropriations Act, 2010.

Senate

Chamber Action

Routine Proceedings, pages S10443–S10497

Measures Introduced: Eight bills were introduced, as follows: S. 1788–1795. **Pages S10486–87**

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. **Page S10486**

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. **Page S10465**

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; provided further, that at 4:30 p.m., on Monday, October 19, 2009, there be 60 minutes of debate, equally divided and controlled between the two Leaders, or their designees, prior to the vote at 5:30 p.m. **Page S10465**

Subsequently, the motion to proceed was withdrawn. **Page S10465**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 4:30 p.m., on Monday, October 19, 2009. **Pages S10465, S10495**

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. **Pages S10462–64**

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. **Pages S10495, S10497**

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. **Pages S10495–97**

Messages from the House: **Page S10484**

Measures Referred: **Page S10484**

Enrolled Bills Presented: **Page S10484**

Executive Communications: **Pages S10484–86**

Executive Reports of Committees: **Page S10486**

Additional Cosponsors: **Pages S10487–88**

Statements on Introduced Bills/Resolutions: **Pages S10488–94**

Additional Statements: **Pages S10483–84**

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:

Subcommittee on Aviation Operations, Safety and Security: Senators Dorgan (Chair), Inouye, Kerry, Boxer, Nelson (FL), Cantwell, Lautenberg, Pryor, McCaskill, Klobuchar, Warner, Begich, Snowe, Ensign, DeMint, Thune, Wicker, LeMieux, Isakson, Vitter, Brownback, and Johanns.

The following is the correct subcommittee membership:

Subcommittee on Aviation Operations, Safety and Security: Senators Dorgan (Chair), Inouye, Kerry, Boxer, Nelson (FL), Cantwell, Lautenberg, Pryor, McCaskill, Klobuchar, Warner, Begich, DeMint, Snowe, Ensign, Thune, Wicker, LeMieux, Isakson, Vitter, Brownback, and Johanns.

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, Joaquin 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. **Pages H11456–58**

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). **Page H11456**

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker Pro Tempore for today. **Page H11385**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend David Ferrell, Calvary Tabernacle, Perth-Andover, New Brunswick. **Page H11385**

Department of Homeland Security Appropriations Act, 2010—Conference Report: The House agreed to the conference report to accompany H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, by a yea-and-nay vote of 307 yeas to 114 nays, Roll No. 784. **Pages H11389–H11410**

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. **Page H11409**

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. **Pages H11393–94**

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 **Pages H11394–95**

George P. Kazen Federal Building and United States Courthouse Designation Act: H.R. 2423, amended, 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", by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 785. **Pages H11410–11**

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'.". **Page H11411**

Committee Resignation: Read a letter from Representative Sherman, wherein he resigned from the Committee on the Judiciary, effective October 14, 2009. **Page H11395**

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. **Page H11395**

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. **Page H11419**

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. **Page H11419**

Bay Area Regional Water Recycling Program Expansion Act of 2009: The House passed H.R. 2442, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, by a yea-and-nay vote of 241 yeas to 173 nays, Roll No. 789. **Pages H11411–30**

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. **Pages H11428–29**

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.

Pages H11417–19

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

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 2994, amended, Satellite Home Viewer Reauthorization Act; H.R. 1147, Local Community Radio Act of 2009; H.R. 3633, Public Safety Interoperable Communications Grant Program Extension Act of 2009; and H.R. 3792, Ryan White HIV/AIDS Treatment Extension Act of 2009.

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 Insular 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, Officer 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

Committee on Energy and Commerce, Subcommittee on Energy and Environment, hearing on H.R. 515, Radioactive Import Deterrence Act, 9:30 a.m., 2123 Rayburn.

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 Dunloup 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 Redeploymenet 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 Afghanistan 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 20, Subcommittee on Crime, Terrorism and Homeland Security, hearing on Girls in the Juvenile Justice System: Strategies to Help Girls Achieve Their Full Potential, 2:30 p.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.

Committee on Natural Resources, October 20, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bill: H.R. 1672, Northwest Straits Marine Conservation Initiative Authorization Act of 2009; and H.R. 2548, Keep America's Waterfronts Working Act of 2009, 2 p.m., 1324 Longworth.

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 21, Subcommittee on Information Policy, Census, and National Archives, hearing entitled: ''The 2010 Census Master Address File: Issues and Concerns,'' 2 p.m., 2154 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.

Next Meeting of the SENATE

2 p.m., Monday, October 19

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 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.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Friday, October 16

House Chamber

Program for Friday: The House will meet in pro forma session at 11 a.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Baldwin, Tammy, Wisc., E2564
Bilirakis, Gus M., Fla., E2559
Bishop, Sanford D., Jr., Ga., E2553
Blumenauer, Earl, Ore., E2558
Boren, Dan, Okla., E2563
Brady, Robert A., Pa., E2551
Brown, Henry E., Jr., S.C., E2543
Campbell, John, Calif., E2547
Cantor, Eric, Va., E2542
Castor, Kathy, Fla., E2557
Connolly, Gerald E., Va., E2552, E2553, E2554, E2556, E2557, E2560
Conyers, John, Jr., Mich., E2550
Cuellar, Henry, Tex., E2540
Duncan, John J., Jr., Tenn., E2554
Faleomavaega, Eni F.H., American Samoa, E2552, E2556
Frank, Barney, Mass., E2549
Gerlach, Jim, Pa., E2543
Gingrey, Phil, Ga., E2544, E2551
Green, Gene, Tex., E2562
Guthrie, Brett, Ky., E2544, E2545, E2547, E2548
Herseth Sandlin, Stephanie, S.D., E2541, E2563
Hinchey, Maurice D., N.Y., E2556
Hirono, Mazie K., Hawaii, E2548
Hoekstra, Peter, Mich., E2539, E2541, E2563
Holt, Rush D., N.J., E2563
Honda, Michael M., Calif., E2540, E2557
Jackson-Lee, Sheila, Tex., E2544, E2548, E2553, E2555
Johnson, Eddie Bernice, Tex., E2541, E2556, E2561
Kind, Ron, Wisc., E2539
Kucinich, Dennis J., Ohio, E2540, E2547, E2548, E2554, E2560, E2564
Langevin, James R., R.I., E2564
Larson, John B., Conn., E2560
Lee, Barbara, Calif., E2545, E2550, E2555, E2558, E2561, E2565
Lewis, John, Ga., E2560
McGovern, James P., Mass., E2539, E2544, E2548, E2563
McIntyre, Mike, N.C., E2541
McMorris Rodgers, Cathy, Wash., E2541
Murtha, John P., Pa., E2564
Peters, Gary C., Mich., E2554, E2562
Pomeroy, Earl, N.D., E2539
Rangel, Charles B., N.Y., E2549
Reyes, Silvestre, Tex., E2558
Roybal-Allard, Lucille, Calif., E2543
Ruppersberger, C.A. Dutch, Md., E2551, E2562
Rush, Bobby L., Ill., E2552
Schock, Aaron, Ill., E2559
Sherman, Brad, Calif., E2542
Shimkus, John, Ill., E2539, E2540, E2541, E2542
Shuster, Bill, Pa., E2545, E2555
Skelton, Ike, Mo., E2545
Smith, Lamar, Tex., E2540, E2553
Speier, Jackie, Calif., E2543
Stark, Fortney Pete, Calif., E2561
Towns, Edolphus, N.Y., E2548, E2549, E2551, E2551
Turner, Michael R., Ohio, E2558
Wasserman Schultz, Debbie, Fla., E2557, E2562
Wilson, Joe, S.C., E2563

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