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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. RAHALL).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 26, 2009.

I hereby appoint the Honorable NICK J. RAHALL II to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

H.R. 3202, THE WATER PROTECTION AND REINVESTMENT ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Thank you very much, Mr. Speaker.

The United States is facing a challenge today in terms of fraying infrastructure from coast to coast. The need to rebuild and renew America has never been more critical; not only to strengthen our economy, to protect our health, to reduce global warming, it's important for our national and international competitiveness.

Mr. Speaker, nowhere is this more important than dealing with long-neglected water infrastructure, because as bad as things are on the surface with problems with our electrical grid, crumbling roads and bridges in poor repair, what is under the surface is an even worse condition. We have 72,000 miles of sewer pipe and water main that are over 80 years of age. Every year there are almost a quarter million water main breaks which cause everything from traffic jams to supply disruptions. Who can forget a few months ago when a main broke on River Road here in metropolitan Washington and they had to send in a helicopter to rescue a stranded motorist?

Water infrastructure problems result in 1.3 million cases of waterborne disease each year, while sewer overflows during rainstorms send raw sewage into our oceans, our bays and our rivers, resulting in an estimated 1.8 to 3.5 million illnesses. The Environmental Protection Agency estimates that there is a $534 billion gap between our current water investment and the projected needs over the next 20 years, just for water and wastewater.

To deal with that, Mr. Speaker, I have introduced the Water Protection and Reinvestment Act, H.R. 3202. At a time of economic problems for our country, this bill will create between 200,000 and 267,000 new jobs in engineering, construction and related industries. The bill is deficit neutral, attaching small fees to those activities and industries that benefit from clean water or who complicate our need to purify water. It will raise $10 billion in a deficit neutral way.

Because of the need and because of the focused solution of this legislation, H.R. 3202 is supported by a broad cross-section of stakeholders. There are already 19 bipartisan Members of Congress who have signed on, but we have the Associated General Contractors, the American Society of Civil Engineers, the International Union of Operating Engineers, the National Utility Contractors Association as just some in the private sector. We have water utilities and government officials, from the National Association of Clean Water Agencies, the American Public Works Association, the Association of Floodplain Managers. And we have public interest groups, like American Rivers, the Rural Community Assistance Partnership, the Clean Water Network and the Alliance for Water Efficiency.

Mr. Speaker, by providing this funding through existing State revolving funds, money will be equitably distributed to all States. We have special provisions to ensure that small rural communities and large urban areas get funding specific to their needs. We can't afford to leave anyone or any community out.

I strongly urge my colleagues to reflect on what we have here in our community in Washington, D.C., and back home in our own districts. Too many of these systems rely on brick and water sewers that date back decades; in some cases centuries. The economy cannot stand it, the health of our communities cannot put up with this neglect, and frankly the pressure on local taxpayers and ratepayers is such that they need and deserve our help.

I strongly urge that my colleagues who haven't yet examined this legislation do so, and that they join the bipartisan support for H.R. 3202, the Water Protection and Reinvestment Act.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

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□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LARSEN of Washington) at 2 p.m.

PRAYER

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

O Lord our God, send forth Your light and Your truth. Let these be our guide. Lead this Congress and this Nation to the heights of Your holy mountain and to all the places You choose to dwell. We will come before You filled with joy and offer thanksgiving to You, our Redeemer.

So why do we seem downcast at times? Hope in God. Hope in God as our Savior. There is always a reason to praise the Lord. Again and again He will prove Himself our mighty God, both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Guam (Ms. BORDALLO) come forward and lead the House in the Pledge of Allegiance.

Ms. BORDALLO 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.

HEALTH CARE REFORM OR SMALL BUSINESS DISASTER?

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

Ms. FOXX. Mr. Speaker, it's going to be a rough time to be a small business owner if the Democrat health care reform plan becomes law. Their government takeover of health care hits taxpayers with more than $820 billion in tax hikes. This plan also includes a new $540 billion tax on the so-called ''rich'' to bankroll this health care scheme.

The problem? According to IRS data, more than half of those who will be hit with this new tax are small business owners. Small businesses are our economy's engine for job growth. In fact, in the past, they have created 72 percent of all new jobs. If you're like me, you would like to see more job growth right now, not less. But small businesses will be hit hard by the new taxes in this plan, severely hampering their ability to create jobs and help us emerge from this economic downturn.

This doesn't sound like health care reform. It sounds like a disaster.

RAISING THE STATUTORY LIMIT ON THE NATIONAL DEBT IS BAD POLICY

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

Mr. BOOZMAN. Mr. Speaker, I rise today to express my concern for raising the national debt limit.

Last week, the U.S. Department of the Treasury reported that 2009 was the worst fiscal year in our country's history. This shouldn't be a surprise considering the amount of hard-earned taxpayer dollars that Washington has been spending at a record-setting pace. The massive stimulus bill that I opposed in February increased the national debt by $925 billion to $12.1 trillion.

I am extremely troubled by the recent media reports that show leaders of the majority party saying that the national debt limit has to be raised again, and soon. Mr. Speaker, we cannot spend and borrow our way to prosperity.

I have heard the anger of the American people and my constituents, and they aren't supportive of any more debt increases. I voted against this earlier this year, and I remain opposed to increasing the debt limit. If anything, Washington needs to decrease the debt limit and practice fiscal responsibility now.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 23, 2009, at 1:21 p.m.:

That the Senate passed without amendment H.R. 1209.

That the Senate agreed to without amendment H.J. Res. 26.

With best wishes, I am,
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

NATIONAL LAND REMOTE SENSING OUTREACH ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2489) to authorize a comprehensive national cooperative geospatial imagery mapping program through the United States Geological Survey, to promote use of the program for education, workforce training and development, and applied research, and to support Federal, State, tribal, and local government programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2489

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 ''National Land Remote Sensing Outreach Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) PROGRAM.—The term ''Program'' means the National Land Remote Sensing Outreach Program established in section 3.

(2) EDUCATIONAL INSTITUTION.—The term ''educational institution'' means any public or private elementary or secondary school, or any institution of vocational, professional, or higher education (including a junior college or teachers' college).

(3) GEOSPATIAL IMAGERY.—The term ''geospatial imagery''—

(A) means satellite land remote sensing image data registered to map or other spatial coordinates derived from features on the ground; and

(B) includes a wide range of graphical products that convey information about natural phenomena and human activities occurring on Earth's surface.

(4) IMAGE DATA.—The term ''image data'' means the raw, unprocessed form of data captured from a sensing instrument.

(5) LAND REMOTE SENSING.—The term ''land remote sensing'' means image data of land, coastal areas, or islands and reefs acquired from above the surface of the Earth by instruments on satellite platforms.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) STATE.—The term ''State'' means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

(8) INDIAN TRIBE.—The term ''Indian tribe'' has the same meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

SEC. 3. NATIONAL LAND REMOTE SENSING OUTREACH PROGRAM.

(a) IN GENERAL.—The Secretary shall establish and maintain a national land remote sensing outreach program within the U.S. Geological Survey to advance the availability, timely distribution, and widespread use of geospatial imagery for education, research, assessment, and monitoring purposes in each State and the lands of an Indian tribe.

(b) PURPOSES.—The purposes of the program are—

(1) to increase accessibility to, and expand the use of, remote sensing data in a standard, easy-to-use format by Federal, State, local, and tribal governments, communities, educational institutions, and the commercial sector; and

(2) to assist each participating State and Indian tribe in establishing the cooperative infrastructure necessary to increase access to geospatial imagery for research and educational purposes.

(c) ACTIVITIES.—

(1) NATIONAL LAND REMOTE SENSING OUTREACH PROGRAM.—The Secretary shall—

(A) support geospatial imagery sharing, applied research, and educational programs of each participating State and Indian tribe;

(B) identify new geospatial imagery needs and infrastructure;

(C) share and cooperate in the development of geospatial imagery applications, education, and training infrastructure in each participating State and the lands of an Indian tribe;

(D) cooperate with participating States and Indian tribes to encourage the expansion of geospatial imagery mapping courses taught at appropriate educational institutions;

(E) encourage expansion of geospatial imagery research at appropriate educational institutions;

(F) encourage expansion of the knowledge and use of geospatial imagery products in the workforce through outreach programs, workshops, and other training opportunities;

(G) encourage participating States and Indian tribes to build partnerships with local governments to identify unique research and development needs and geospatial imagery application pilot programs;

(H) promote cooperation and sharing of expertise regarding geospatial imagery applications among participating States and Indian tribes; and

(I) provide a mechanism to enable the States and Indian tribes to transfer geospatial imagery and applications to the U.S. Geological Survey as appropriate.

(2) GRANTS.—

(A) IN GENERAL.—The Secretary is authorized to provide grants to qualified educational institutions, or to State, local, and tribal governments, or to consortia of these entities, on a competitive basis to—

(i) advance the interest of the Federal Government in promoting the use of imagery by educational institutions, States, localities, and Indian tribes; and

(ii) achieve the purposes of the Program described in section 3(b).

(B) MATCHING FUNDS.—

(i) IN GENERAL.—The Federal share of the cost of each program for which a grant is made under this Act may not exceed 75 percent of the total cost of the program.

(ii) NON-FEDERAL CONTRIBUTION.—In providing the non-Federal contribution required under this paragraph, a grantee—

(I) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, technology, or services; and

(II) may provide for such share through State sources or local sources, including private funds or donated services.

(iii) WAIVER.—The Secretary may waive the requirements of subparagraph (B), in whole or in part, with respect to any program if the Secretary determines that the grantee has made a good faith effort to obtain the non-Federal contribution at the local level but is unable to do so.

(3) FEDERAL PARTNER ADVISORY COMMITTEE.—

(A) IN GENERAL.—The Secretary shall establish and maintain a committee to advise the Director of the U.S. Geological Survey regarding the Program.

(B) MEMBERSHIP AND APPOINTMENT.—The advisory committee under subparagraph (A) shall be chaired by the U.S. Geological Survey and composed of such representatives of Federal and State agencies, tribal governments, and educational institutions as the Secretary may designate.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary $10,000,000 to carry out this Act for each of fiscal years 2010 through 2019.

SEC. 5. SUNSET DATE.

This Act is repealed on the date that is 10 years after the date of the enactment of this Act.

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

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 2489 would authorize a nationwide program sponsored by the U.S. Geological Survey to help States, communities, and universities use satellite imagery for research and education.

I would like to commend the sponsor of this legislation, Representative Stephanie Herseth Sandlin, for championing valuable uses of satellite imagery and for her work with the minority to improve the pending measure.

So I urge my colleagues to support H.R. 2489, which will facilitate remote sensing outreach partnerships in all 50 States and territories.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume on H.R. 2489.

The National Land Remote Sensing Outreach Act builds on a series of earmarks directed to the United States Geological Survey for nearly a decade. This program originally started out as ''Ohio View'' and has since expanded to more than 35 States, with hundreds of active member groups. This effort has been successful in increasing access to and uses of our Nation's Earth observation satellite assets for education, research, hazardous monitoring, and natural resource management.

This legislation will finally move this program from one funded through earmarks without any oversight from Congress to an authorized Federal program with increased accountability, oversight, and taxpayer protections.

The final version of this legislation the House will consider today includes a number of improvements over the original introduced text. Specifically, this bill places a cap on the annual authorization for this program. This bill also now has a sunset date and requires a cost share from the partners who will work with the U.S. Geological Survey.

These are responsible, necessary changes. Congress should at all times seek to ensure taxpayer protections and oversight of government spending.

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

Ms. BORDALLO. Mr. Speaker, I continue to reserve.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank my friend from Alaska for yielding.

I want to commend our good friend and colleague, Ms. HERSETH SANDLIN, from South Dakota, for her hard work in bringing this bill to the floor today. I understand she has been delayed by travel difficulties, but I am honored to be the lead Republican on this particular bill.

I am also pleased to indicate that the lead sponsor in the 110th Congress was Ralph Regula, Representative Ralph Regula. It was his vision that really started this program as ''Ohio View'' in 1998. It began as a pilot program through a partnership between the United States Geological Survey and several universities in the State of Ohio.

Originally called ''Ohio View,'' the program expanded nationwide beginning in 2000 and is currently active in 35 States across the country. The AmericaView program helps States and territories access the Federal Government's nonclassified satellite and airborne imagery. It provides remote sensing data to communities in order to manage resources, plan for natural disasters, and respond to security threats.

The National Land Remote Sensing Outreach Act will maintain a nationwide AmericaView program and advance the availability of distribution and use of remote sensing data in each State. This bill will also expand remote sensing education as well as award grants to educational institutions and State and local governments to develop these programs.

There is a growing need for geospatial technology professionals, and this funding will bring remote sensing into K–12 classrooms across the country, strengthening students' science skills.

The AmericaView program has been valuable to communities across the Nation. I believe it is an effective use of taxpayer money.

Again, I want to thank Congresswoman HERSETH SANDLIN for introducing the bill again this Congress, and I appreciate very much the work of the Natural Resources Committee in improving the legislation.

I urge my colleagues to support the bill.

Ms. HERSETH SANDLIN. Mr. Speaker, I rise today to urge support of H.R. 2489, the National Land Remote Sensing Outreach Act, bipartisan legislation that I introduced with my colleague STEVE LATOURETTE, that would authorize a program at the U.S. Geological Survey enhancing the use of satellite remote sensing data for research and education.

For almost a decade, the USGS has partnered with a nonprofit organization called AmericaView to help citizens, researchers, and public agencies solve real world problems using satellite imagery. Over these years, the USGS has provided satellite data and grants to AmericaView. AmericaView, in turn, has supported a network of university partners now in a total of 36 states: Alabama, Alaska, Arkansas, California, Colorado, Georgia, Hawaii, Idaho, Indiana, Iowa , Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Thanks to this outreach program, a great trove of satellite data and information, which is archived at the USGS Earth Resources Observation Data Center in Sioux Falls, South Dakota, is put to work throughout our country. Each state program tailors its efforts to each state's needs, applying the data for use in a range of useful activities, including science education projects, the calculation of drought effects, designing irrigation protocols, or planning flood response. In short, USGS is enabling an amazing and varied array of remote sensing data applications through these ongoing outreach efforts and partnerships.

Despite receiving appropriations in past fiscal years, the USGS geospatial imagery outreach program has never formally been authorized. Passing this legislation today will officially authorize the USGS' existing outreach activities, helping to boost the program's recognition, expand the program to additional states and territories, and provide for Congressional direction and oversight.

The legislation before us today was amended in Committee to reflect input from the Department of Interior and colleagues on both sides of the aisle, and I'd like to thank the Administration and my colleagues for their willingness to work together on this bill. I'd also like to recognize the contributions of our former colleague, Representative Ralph Regula of Ohio, who introduced this legislation in the previous Congress.

I urge my colleagues to support H.R. 2489, the National Land Remote Sensing Outreach Act.

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

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2489, 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.

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

JIMMY CARTER NATIONAL HISTORIC SITE BOUNDARY EXPANSION

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1471) to expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Park, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1471

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

SECTION 1. BOUNDARY EXPANSION.

Section 1 of Public Law 100–206 is amended—

(1) in subsection (a), by striking paragraph (3) and inserting:

''(3) preserve and interpret a southern agricultural-based rural community during the early to middle years of the 20th century.'';

(2) in subsection (b)(1), by striking ''map entitled 'Jimmy Carter National Historic Site and Preservation District Boundary Map', numbered NHS–JC–80000, and dated April 1987'' and inserting ''map titled 'Jimmy Carter National Historical Park and Preservation District, Proposed Boundary Map', numbered 330/80,019, and dated September 2009'';

(3) in subsection (b)(2)—

(A) by striking ''and described more particularly as follows—'' and inserting ''or is needed to enhance the visitor experience, and includes—'';

(B) in subparagraph (C), by striking ''15'' and inserting ''18'';

(C) in subparagraph (E), by striking ''and'' at the end;

(D) in subparagraph (F), by striking ''Carter.'' and inserting ''Carter, and properties in the vicinity of the residence along West Church Street that are needed for administrative and visitor uses and to protect scenic values, not to exceed 10 acres;''; and

(E) by adding at the end the following new subparagraphs:

''(G) the Billy Carter Service Station at 104 West Church Street, consisting of less than one acre;

''(H) the property at 147 Old Plains Highway, known locally as the 'Haunted House', where Jimmy and Rosalynn Carter resided from 1956 to 1961, consisting of approximately one acre;

''(I) the Georgia Welcome Center on State Route 280/27, consisting of approximately 18 acres; and

''(J) two corridors of land no wider than 50 feet each between the Georgia Welcome Center and the President Carter boyhood home for the purpose of establishing walking and biking trails while using, to the greatest extent practicable, the right-of-way for the Shoreline Excursion Train.'';

(4) in subsection (c)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) after subparagraph (B), insert the following:

''(C) by donation only, other lands and interests in lands in the environs of Plains containing natural, cultural, or historic resources consistent with the purposes of the national historical park which, upon acquisition, shall be included in and administered as part of the national historical park.''; and

(5) in subsection (c)(2), by inserting '', the Georgia Welcome Center (referred to in subsection (b)(2)(I)),'' after ''subsection (b)(2)(A))''.

SEC. 2. REDESIGNATION AS NATIONAL HISTORICAL PARK.

(a) REDESIGNATION.—Public Law 100–206 is amended—

(1) by striking ''National Historic Site'' each place it appears and inserting ''National Historical Park'';

(2) by striking ''historic site'' each place it appears and inserting ''national historical park'';

(3) in the section heading of section 1, by striking ''**NATIONAL HISTORIC SITE**'' and inserting ''**NATIONAL HISTORICAL PARK**'';

(4) in the subsection heading of section 1(b), by striking ''NATIONAL HISTORIC SITE'' and inserting ''NATIONAL HISTORICAL PARK''; and

(5) in the section heading of section 3, by striking ''**HISTORIC SITE**'' and inserting ''**NATIONAL HISTORICAL PARK**''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the ''Jimmy Carter National Historic Site'' shall be deemed a reference to the ''Jimmy Carter National Historical Park''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Public Law 100–206 is further amended by striking section 7.

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

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Jimmy Carter National Historic Site in Plains, Georgia, was established in 1987 to preserve the boyhood home and current residence of our 39th President. The former President and his wife have a lifetime tenancy in their home and are actively involved in the work of the park.

The pending measure would expand the current boyhood homesite from 15 acres to 18 acres and allow the National Park Service to acquire several additional properties. The bill would also redesignate the park from a national historic site to a national historic park.

Mr. Speaker, the sponsor of this legislation, Representative SANFORD BISHOP, is to be commended for his commitment to preserving this important piece of Presidential history. This is an excellent piece of legislation, and I urge Members to support it.

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

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

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, it is my understanding that President Carter is heavily involved in the land acquisition and park expansion authorized in this legislation. We have been made aware that one of the properties included in the expansion is a haunted house. This is no Halloween trick. The currently dilapidated structure will be rehabilitated by the National Park Service and eventually be made available to show the public where President Carter lived before his current estate was constructed.

I am also aware that President Carter is an avid hunter. He likes to stalk deer, dove, quail, turkey, and even the occasional squirrel. Fortunately, with the passage of an important Republican gun rights amendment to the Credit Card Reform Act last spring, President Carter will be able to legally transport his firearms to and from his home and clean and load his firearms on his compound within the national park without fear of violating Federal law when this provision goes into effect in February 2010.

□ 1415

Right now, other Americans and the other 391 National Park units would be subject to criminal penalties for these actions.

President Carter has an excellent relationship with the National Park Service, which should be preserved. After all, the agency has the duty to preserve the legacy of his 4 years as President through the conservation of his high school, boyhood home and even his current residence within the park. The National Park Service dutifully handles many important tasks, including the day-to-day maintenance of his property and even of mowing his lawn.

Finally, it has been said that these new acquisitions will complete the story of Mr. Carters life. This is a noble goal. I can only assume that is why the legislation also includes the Federal takeover of Billy Carter's gas station.

Mr. BISHOP of Georgia. Mr. Speaker, I rise in support of H.R. 1471, which will expand and revitalize the Jimmy Carter National Historic Site, which is located in Plains, Georgia.

My Congressional District in Southwest Georgia includes Plains. Therefore I am pleased to sponsor this bipartisan legislation in the U.S. House of Representatives which, if passed, will bolster the local economy, enhance tourism, and provide people from around the world with a new insight into the life and career of the 39th President of the United States.

H.R. 1471 will expand the national historic site's authorized boundaries from 15 acres to 18 acres and would allow the National Park Service to acquire several additional properties for the park, including a house that the Carter family lived in from 1956–1961. Additionally, the legislation will redesignate the park from a national historic site to a national historical park. It also would direct that the park service preserves, and interprets, a southern agricultural-based rural community during the early to middle years of the 20th century.

Last August, I took my whole staff on a visit to the Jimmy Carter National Historic Site, including his boyhood home and school, so they could get a better feel and understanding of the values that shaped this great Georgian. We listened to the messages recorded by the former President that tell visitors of his experiences as a child and young man and how they influenced his views and values. After touring the Depression-era farm, home and school where he grew into manhood, every one of my staff members, including a number from Georgia and several who are not, told me they were inspired by what they learned about the life of Jimmy Carter, just as I have been.

The eventual passage of this bill will ensure that the Jimmy Carter National Historic Site has the resources it needs to continue to inspire generation after generation of visitors. Additionally, the investments made in this property will positively impact the economic development of Plains and the surrounding Sumter County by providing increased opportunities for tourism.

The Jimmy Carter National Historic Site already does a remarkable job of helping people to understand the values that shaped this great Georgian. This bill will ensure that the site will continue to inspire generations of visitors, as well as grow and positively impact the economies of Plains. I urge my colleagues to support H.R. 1471.

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

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1471, as amended.

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

A motion to reconsider was laid on the table.

STEPHEN MATHER WILDERNESS AND NORTH CASCADES NATIONAL PARK BOUNDARY ADJUSTMENT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2806) to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2806

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

SECTION 1. FINDINGS.

Congress finds as follows:

(1) In 1988, 93 percent of the North Cascades National Park Complex was designated the Stephen Mather Wilderness.

(2) A road corridor was deliberately excluded from the wilderness designation to provide for the continued use and maintenance of the upper Stehekin Valley Road.

(3) The upper Stehekin Valley Road provides access to Stephen Mather Wilderness trailheads and North Cascades National Park from the Lake Chelan National Recreation Area.

(4) Record flooding in 1995 and again in 2003 caused severe damage to the upper Stehekin Valley Road and led to the closure of a 9.9-mile section of the road between Car Wash Falls and Cottonwood Camp.

(5) The National Park Service currently does not have the flexibility to rebuild the upper Stehekin Valley Road away from the Stehekin River due to the current location of the non-wilderness road corridor provided by Congress in 1988.

(6) It is a high priority that the people of the United States, including families, the disabled, and the elderly, have reasonable access to the National Parks system and their public lands.

(7) The 1995 Lake Chelan National Recreation Area General Management Plan calls for retaining vehicle access to Cottonwood Camp.

(8) Tourism associated with the North Cascades National Park Complex is an important part of the economy for rural communities in the area.

(9) Additional management flexibility would allow the National Park Service to consider retention of the upper Stehekin Valley Road in a manner that provides for no net loss of wilderness.

SEC. 2. AUTHORIZATION FOR BOUNDARY ADJUSTMENTS.

The Washington Park Wilderness Act of 1988 (Public Law 100–668) is amended by inserting after section 206 the following:

"SEC. 207. BOUNDARY ADJUSTMENTS FOR ROAD.

"(a) IN GENERAL.—The Secretary may adjust the boundaries of the North Cascades National Park and the Stephen Mather Wilderness in order to provide a corridor of not more than 100 feet in width along which the Stehekin Valley Road may be rebuilt—

"(1) outside of the floodplain between milepost 12.9 and milepost 22.8;

"(2) within one mile of the route, on the date of the enactment of this section, of the Stehekin Valley Road;

"(3) within the boundaries of the North Cascades National Park; and

"(4) outside of the boundaries of the Stephen Mather Wilderness.

"(b) NO NET LOSS OF LANDS.—

"(1) IN GENERAL.—The boundary adjustments made under this section shall be such that equal amounts of federally owned acreage are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.

"(2) STEHEKIN VALLEY ROAD LANDS.—The newly designated wilderness shall include the lands along the route of the Stehekin Valley Road that are replaced by the reconstruction.

"(3) EQUALIZATION OF LAND.—If the lands described in paragraph (2) contain fewer acres than the corridor described in subsection (a), the Secretary may designate additional Federal lands in the North Cascades National Park as wilderness, but such designation may not exceed the amount needed to equalize the exchange and these additional lands must be selected from lands that qualify as wilderness under section 2(c) of the Wilderness Act (16 U.S.C. 1131(c)).

"(c) NO SALE OR ACQUISITION AUTHORIZED.—Nothing in this Act authorizes the sale or acquisition of any land or interest in land.

''(d) NO PRIORITY REQUIRED.—Nothing in this Act shall be construed as requiring the Secretary to give this project precedence over the construction or repair of other similarly damaged roads in units of the National Park System.''.

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

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. I yield myself as much time as I may consume.

Mr. Speaker, H.R. 2806, sponsored by Natural Resources Committee Ranking Member DOC HASTINGS, would allow the National Park Service to adjust the boundary of the Stephen Mather Wilderness, inside North Cascades National Park, to provide for a new road corridor.

Flooding has repeatedly washed out significant portions of a road in the park. Today, the road is impassable for vehicles above what used to be the halfway point.

The pending measure would authorize the Secretary of the Interior to redraw the boundaries of the wilderness within prescribed parameters to provide a new corridor so that the road could be partially rerouted out of the floodplain and rebuilt to its original end. The bill would require that any boundary changes made to accommodate the road result in no overall loss of acreage to the wilderness area.

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

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, to ensure that a wilderness designation would not block public access to historic recreation sites, the 1988 law that established the Stephen Mather Wilderness area in the North Cascades National Park provided for a 100-foot-wide, non-wilderness corridor to the upper Stehekin Valley.

Unfortunately, flooding in 1995 and again in 2003 washed away parts of the road, and it remains impassable today.

Representative DOC HASTINGS' bill, H.R. 2806, restores the intent of Congress by allowing the relocation of the road to a less flood-prone site. This bill does not reduce the amount of wilderness in the park.

It is strongly supported by local officials and by former Senator Dan Evans, who sponsored the 1988 law. When the National Park Service solicited public comments on alternatives for the management of the area, over 90 percent of those comments favored keeping the road open.

I urge my colleagues to join ranking Republican DOC HASTINGS and Chairman NICK RAHALL in supporting this legislation.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I now would like to recognize for 1 minute the author of the bill, the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. I am not the author of the bill, but I have worked with Mr. HASTINGS. Thank you for that compliment.

Mr. Speaker, I want to speak in favor of this bill, and I thank Mr. HASTINGS for his working with us to perfect this bill in a couple of ways.

We have made the bill clear that we have constrained the Park Service's definition of where a potential road could be built. Mr. HASTINGS and I both felt that it was important for Congress to retain some authority over where the wilderness boundaries are so that we would not give unfettered control to the Executive branch. We also make clear in the bill that the passage of this bill is not intended, in any way shape or form, to instruct the Park Service to change their prioritization on what roads to build or not to build in the Park Service.

There are many needs in the Park Service. We know there is a constrained budget situation. We know there are many roads that have been washed out and that there are trails that have been washed out, and we do not intend in this bill to change any priority array as to what could be done to the Park Service.

Ms. BORDALLO. Mr. Speaker, again, I urge all Members to support this piece of legislation. I commend the author, Mr. HASTINGS from the State of Washington, for authoring this, and I ask that all Members support this legislation.

Mr. HASTINGS of Washington. Mr. Speaker, H.R. 2806 is a limited bill that allows for continued public access to the North Cascades National Park from the community of Stehekin, Washington.

Stehekin, located at the western end of Lake Chelan, is the gateway to the North Cascades National Park and is accessible only by boat, floatplane, or a multi-day hike. From the town of Stehekin, the Stehekin Valley Road has long allowed residents and visitors to access some of the most beautiful scenery in the North Cascades in what is now the Park's Stephen Mather Wilderness.

At the July 30, 2009 hearing before the Subcommittee on National Parks, Forests and Public Lands, the Subcommittee heard testimony from local officials on how flood damage to the upper Stehekin Valley Road has limited public recreational access to the North Cascades National Park Complex. This reduced access has been particularly painful for the small, tourist-dependent community of Stehekin which serves as the gateway to the Park.

During legislative consideration of the Park's creation in 1988, Congress determined that Stehekin Road would remain outside of the wilderness boundary to ensure continued public access. Otherwise, no cars, mountain bikes, or other mechanized vehicles would have been allowed to transport area residents or Park visitors into the wilderness areas in the center of the Park north of Stehekin.

As the Stehekin River has shifted and damaged the road, the Park Service has been unable to rebuild the road out of the path of the river because of the narrow road corridor in the original Park designation. H.R. 2806 would simply allow the Secretary limited authority to adjust the road corridor out of the path of the Stehekin River, with no net loss of land to either the Park or the Stephen Mather Wilderness. These changes and road rebuilding would still be subject to review and comment under the National Environmental Policy Act.

This is a limited bill that protects the public access into the Park Complex promised at the Park's creation, and I encourage my colleagues to give their support to H.R. 2806 and the Stehekin community.

Ms. BORDALLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2806, as amended.

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

A motion to reconsider was laid on the table.

CASCADIA MARINE TRAIL STUDY ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1641) to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1641

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

SECTION 1. DESIGNATION OF TRAIL FOR STUDY.

(a) SHORT TITLE.—This section may be cited as the ''Cascadia Marine Trail Study Act''.

(b) DESIGNATION OF TRAIL FOR STUDY.—Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

''(____) Cascadia Marine Trail, a series of water trail routes encompassing approximately 2,300 miles of shoreline in the State of Washington, extending from Point Roberts near the Canadian border to the southern reach of Puget Sound near Olympia. In conducting the study, the Secretary shall coordinate with appropriate Federal, State, local, tribal, and private entities, and may evaluate sites of recreational, scenic, or historic significance near the Cascadia Marine Trail for potential inclusion in the Trail. The Secretary shall also consider what activities may be limited by the designation, including existing activities, hunting, boating, or proposed infrastructure improvements.''.

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

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the Puget Sound region of Washington State combines tremendous scenic beauty with numerous historic sites. Boaters and kayakers traveling these waters are surrounded by spectacular mountains and abundant wildlife.

Through 15 years of diligent work by local advocates and volunteers, 54 campsites on a 150-mile route along the coast now constitute the Cascadia Marine Trail. The pending measure would authorize a study of this trail for its potential inclusion in the National Trails System. So, by all accounts, this trail is certainly worthy of this consideration.

Mr. Speaker, I commend our colleague, Representative JAY INSLEE, for his hard work and for his dedication to this legislation. I support the passage of H.R. 1641, and urge all Members to do so as well.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, H.R. 1641 has been adequately explained by the majority. As the current trail is being operated successfully at a local level, we are not aware of the need for this legislation.

Apparently, though, some believe there is a compelling need for Federal involvement where Americans paddle kayaks in the Puget Sound. As this bill provides for a study of the federalization of these water trails, possible objections will likely be held until the study is completed and until actual Federal control is to be proposed.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield as much time as he may consume to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Thank you.

Mr. Speaker, this bill simply provides for a study of feasibility of adding the Cascadia Marine Trail to the National Trails System.

This trail is entirely a water-based trail, extending from the Canadian border through the San Juan Islands, Puget Sound and south to our State capital of Olympia. Significant portions of this trail run through the waters of my district. It includes 2,300 miles of shoreline and 55 safe pullouts right now for camping areas of non-motorized, beachable watercraft.

Thousands of people have the potential of enjoying this trail. It was added as a national recreation trail in '94, and the Canoe Association designated the trail as an ACA-recommended water trail in 2005.

We know it's a beautiful spot. I've been there. I encourage everyone to give it a go. It gives users unique opportunities to see eagles, orca, otters, porpoises, and whales. It's quite a place to be, but we do think it's an appropriate study to consider its inclusion in our National Trails System given the national notoriety and publicity that this will entail, and it will allow people to really know about the trail.

I want to thank Chairman RAHALL and Subcommittee Chairman GRIJALVA for their work to move this forward. I would like to also acknowledge the National Park Service office in Seattle for their technical assistance. I want to thank my constituents who have been working on this now for at least two decades, particularly the Washington Water Trails Association, especially Don Crook, Reed Waite and Julie Anderson for their efforts, and John Kuntz, with the Olympic Outdoor Centers, and the Kitsap Paddle Club for their leadership.

It is supported by the Washington Water Trails Association, the National Parks Conservation Association, the Washington Wildlife and Recreation Coalition, and the Washington State Parks.

I want to thank the Speaker, Mr. LARSEN, for cosponsoring this bill, and I can guarantee anyone who will enjoy this national water trail that it never rains in Puget Sound.

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

Ms. BORDALLO. Mr. Speaker, I, again, urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1641, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING 120TH ANNIVERSARY OF WEBER STATE UNIVERSITY

Mr. PIERLUISI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 854) recognizing Weber State University for the 120th anniversary of its founding as an institution of higher education.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 854

Whereas Weber State University (WSU) was founded in 1889 as Weber State Academy;

Whereas WSU celebrates its 120th anniversary this year;

Whereas WSU is a public university that offers associate's, bachelor's, and master's degrees, as well as professional, liberal arts, and technical certificates;

Whereas WSU is located in Ogden, Utah, and has an additional campus in Layton, Utah;

Whereas WSU serves more than 23,000 full-time and part-time students;

Whereas the WSU Wildcats have 14 intercollegiate programs that participate in the National Collegiate Athletic Association Division I athletics;

Whereas Weber State University promotes community involvement and community-based learning experiences for its students; and

Whereas Weber State University prides itself in its excellent teaching, commitment to meeting the needs of students, and ongoing service to the community: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Weber State University on the 120th anniversary of its founding as an institution of higher education; and

(2) recognizes the contributions of Weber State University to its students and community.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. PIERLUISI) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico.

GENERAL LEAVE

Mr. PIERLUISI. Mr. Speaker, I ask for 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Resolution 854 into the RECORD.

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

There was no objection.

Mr. PIERLUISI. I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 854, which celebrates the 120th anniversary of Weber State University.

Founded in 1889, Weber State Academy eventually became what is now known as Weber State University. From its humble beginnings, Weber State has grown into a 400-acre campus in Ogden, Utah and a 105-acre campus in Layton, Utah.

The university takes great pride in serving the needs of its students while preparing them for life-long service to their community. Offering more than 200 undergraduate majors, WSU is home to the largest and most comprehensive undergraduate program in the State of Utah.

□ 1430

U.S. News & World Report cites WSU as one of the top 10 public master's institutions in the West. The campus features more than 100 student clubs and organizations, in addition to 14 athletic programs which compete in the NCAA Division I. While most of its students are drawn from Utah, the campus is enriched by students hailing from the 50 States and 35 foreign countries.

The student body of WSU is an accomplished one, with a variety of campus programs achieving national recognition. For example, Wildcat athletes have qualified for the Olympic

trials in track and captured the Big Sky Conference championship. The WSU Wind Ensemble was invited to the Los Angeles International Band and Orchestra Festival, and WSU theater students were selected to perform at the renowned Kennedy Center right here in Washington, D.C.

In addition to its esteemed academic and cultural reputation, Weber State University is known for its commitment to civic engagement and community service. The campus' Community Involvement Center seeks to engage students by providing opportunities of academic learning and community service. The center coordinates with community agencies and runs the AmeriCorps Education Award Program.

I congratulate Weber State University on 120 years of service and leadership and look forward to what the coming years have for this accomplished institution.

I thank the gentleman from Utah (Mr. BISHOP) for bringing forth this resolution to this floor and ask my colleagues to join Mr. BISHOP and me in supporting this resolution.

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

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

I also thank the gentleman from Puerto Rico for the kind words he said about one of the premier institutions in the top of Utah, which is Weber State University.

Today I rise in support of House Resolution 854, recognizing Weber State University on the 120th anniversary of the founding of that institution. It started, obviously, as a religious stake academy, the Weber Academy, in 1889. Then it has had several changes, going into, first of all, a 2-year college as Weber College, then a 4-year institution, Weber State College, and then eventually as Weber State University.

The first president or principal of that Weber Academy was Louis Moench, who was a German immigrant, a great educator as well as administrator and truly a Renaissance man, because he is also the author of one of my favorite religious hymns.

The second principal was David O. McKay, who went on to become the president of The Church of Jesus Christ of Latter-day Saints and one of the most revered religious figures in the Nation in his time.

The present president, President Milner, is the first female president of a 4-year college or university in the State of Utah, and she does a magnificent job in leading the 23,000 students that comprise the campus in Ogden, as well as 3,500 students in the satellite campus in Davis County, as well as outreach programs that take place in Box Elder, Morgan, Davis and other counties throughout the State of Utah.

This is an institution which has set its goal on education excellence—does this well—as well as competitive excellence. It is a member of the Big Sky Conference, where last year it won the titles in the conference in both football, basketball and, I believe, women's soccer. At the same time, it is still ranked number 14 in its division in football this particular year.

It also has one of the State's largest nursing programs, the State's only dental hygiene program, the State's only police academy. Its proximity to Hill Air Force Base makes it a premier educational institution, not only for those continuing its education, for those who are working at Hill Air Force Base, but also for the servicemen who attend there and participate in part of their program.

Indeed, the theatrical production that the gentleman from Puerto Rico mentioned that was held here at the Kennedy Center was a student production of Macbeth, which I had the opportunity of watching—one of those lighthearted musical comedies coming at the end of a long day—but it was a spectacular production of which those students at Weber State University should be proud.

Like every institution that takes place, it is a community asset. It provides educational excellence for the people in that area, provides economic incentives for the people of that particular area, it is a source of community enlightenment and activities through its academic and art programs. With all of us, there is always some kind of interface that goes along with it.

One time, the president of Weber State University—at that time it was Weber State College—was Joseph Bishop, who I wish I could claim was a relative because he was intelligent, but I can't. During its great growth spurt, right after World War II, Weber State was led by Dr. Miller, an excellent president who I feel very close to because I was able to mow his mother's lawn because she was a neighbor of mine in Kaysville.

At the same time, my father-in-law played football at Weber State. My wife graduated from Weber State. Perhaps one of our greatest acknowledged alumna from Weber State is a Member of the House of Representatives today. Representative LYNN JENKINS from Kansas is a graduate of Weber State, which I didn't know until today. Now I know who to hit up for in the future.

I have a daughter that wants to attend the dental program at Weber State, a daughter-in-law that wants to go to the nursing program at Weber State. We have very close ties to this particular institution. It's an institution that has received many honors. It is the recipient of the President's Higher Education Community Service Honor Roll for the third consecutive year, was listed in Forbes magazine, ranked 43rd among public colleges, selected to host the Council on Undergraduate Research in 2010 and the National Conferences on Undergraduate Research in 2012, numerous faculty teaching excellence awards.

In the Big Sky Conference in 2009 it won the Presidents' Cup, which recognizes not only accomplishments on the field of athletic endeavor but also in the field of classroom work. This was the fourth time in 7 years it received that particular honor.

I am very proud of Weber State University, in the top of Utah. I am proud what it does for students that I used to teach, what it does for the community, the standards that it sets as a standard of excellence in education, as well as what it does to add to community life for all of us who actually live in northern Utah.

I am appreciative of having this resolution here. I am appreciative of the recognition that the gentleman from Puerto Rico has given to this particular institution.

Mr. Speaker, if I could inquire if the gentleman from Puerto Rico has any other speakers.

Mr. PIERLUISI. I don't, Mr. Speaker.

Mr. BISHOP of Utah. I don't have any other speakers.

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

Mr. PIERLUISI. I ask that my colleagues support the resolution celebrating the 120th anniversary of Weber State University.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 854.

The question was taken.

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

CONGRATULATING THE IOWA HAWKEYES WRESTLING TEAM

Mr. PIERLUISI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 368) congratulating the University of Iowa Hawkeyes wrestling team on winning the 2009 NCAA Division I National Wrestling Championships, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 368

Whereas the University of Iowa Hawkeyes wrestling team Head Coach Tom Brands was

named the Big Ten Coach of the Year and led the team to its 22nd national title and his 2nd national title, and also led the team to its 33rd Big Ten Conference title and his 2nd conference title;

Whereas the Hawkeyes wrestling team was represented proudly by 9 NCAA Division I National Wrestling Championship qualifiers, including Chad Beatty, Jay Borschel, Daniel Dennis, Dan Erekson, Charlie Falck, Phillip Keddy, Brent Metcalf, Ryan Morningstar, and Alex Tsirtsis;

Whereas the Hawkeyes wrestling team was also represented proudly by NCAA Division I National Wrestling Championship finalist Brent Metcalf, who also won his second straight Big Ten title and earned Outstanding Wrestler honors at the Big Ten Championships;

Whereas the Hawkeyes wrestling team was also represented proudly by Dan Erekson, who won his first Big Ten title at the Big Ten Championships;

Whereas the Hawkeyes wrestling team was honored by having 5 All-Americans with Daniel Dennis, Dan Erekson, Phillip Keddy, Brent Metcalf, and Ryan Morningstar being named;

Whereas the Hawkeyes wrestling team had a final team score of 96.5 to place them 1st in the NCAA Division I standings;

Whereas the hard work and dedication of the Hawkeyes wrestling team's Brodie Ambrose, Mark Ballweg, Matt Ballweg, Chad Beatty, Jay Borschel, Jeret Chiri, Derek Coorough, Colby Covington, Daniel Dennis, Dan Erekson, Michael Fahrer, Charlie Falck, Grant Gambrall, Stew Gillmor, Tyler Halverson, Aaron Janssen, Jordan Johnson, Phillip Keddy, Jake Kerr, Nick Kolegraff, Brooks Kopsa, J.J. Krutsinger, Ryan Kurovski, Dan LeClere, Nick LeClere, T.H. Leet, Rick Loera, Luke Lofthouse, Montell Marion, Weston Marling, Matt McDonough, Brent Metcalf, Joe Moore, Nate Moore, Ryan Morningstar, Blake Rasing, Ethan Sebert, Joe Slaton, Alex Tsirtsis, Head Coach Tom Brands, Assistant Coach Terry Brands, Assistant Coach Doug Schwab, Strength and Conditioning Coach Jared Frayer, Volunteer Assistant Coach Mike Zadick, and Administrative Assistant Luke Eustice all contributed to an outstanding season culminating in the 2009 national title;

Whereas the current Hawkeyes wrestling team has continued the team's winning history, which includes 33 Big Ten Conference Championships and 22 NCAA Division I National Wrestling Championships;

Whereas the Hawkeyes wrestling team set the national collegiate dual meet attendance record of 15,955 when it hosted Iowa State December 6, 2008, at Carver-Hawkeye Arena and led the Nation with an average home dual meet attendance figure of 8,008 for the 2008–09 season;

Whereas the Hawkeyes wrestling team has a rich tradition and history of producing champions and outstanding collegiate athletes and coaches since the program began in 1911;

Whereas former Hawkeyes wrestling Head Coach and Olympic Gold Medalist, Dan Gable, helped establish one of the most successful wrestling programs in the Nation and is commended for his past leadership and guidance; and

Whereas the Hawkeyes wrestling team has brought honor to the team, the University of Iowa, the City of Iowa City, and the State of Iowa: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the University of Iowa Hawkeyes wrestling team for winning the 2009 NCAA Division I National Wrestling Championship; and

(2) congratulates the team on winning its 22nd national title since 1975 and finishing the season with a perfect 24–0 overall record and a perfect 8–0 conference record, ending the season on a 38-match winning streak.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. PIERLUISI) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico.

GENERAL LEAVE

Mr. PIERLUISI. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 368 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today to congratulate the University of Iowa Hawkeyes wrestling team for their victory in the 2009 NCAA Division I National Wrestling Championship tournament.

On March 21, the college wrestling fans were treated to an exceptional wrestling match as the University of Iowa won its 22nd national team title with a final team score of 96.5 points, edging runner-up Ohio State University by only 4.5 points.

That was the closest margin of victory since Iowa won the 1999 team title by 2 points and only the second time in school history that the Hawkeyes won the NCAA title without an individual champion.

The Iowa Hawkeyes put together a remarkable season. The wrestling team was represented proudly at the NCAA national championship match with nine championship qualifiers. Brent Metcalf, a junior, won his second straight Big Ten title and earned Outstanding Wrestler honors. Dan Erekson, a junior, won his first Big Ten title of the Big Ten championships. In total, the 2009 team produced 15 All-Americans and 19 All-Academic Big Ten athletes.

The Hawkeyes wrestling team is a premier program. The extraordinary achievement of this season is a tribute to the skill and dedication of the many wrestlers, coaches, students, alumni, families and fans that have helped to make the University of Iowa a wrestling powerhouse.

I want to extend my congratulations to Coach Tom Brands, who returned to his alma mater and led the team to a perfect 24–0 overall record, an 8–0 record in Big Ten dual matches, and a national championship in just his third season as a head coach. Impressive feats such as these are why Coach Brands was named the 2009 Coach of the Year by the Big Ten conference.

Congratulations are also in order for assistant coaches Terry Brands, Doug Schwab and Mike Zadick; strength and conditioning coach, Jared Frayer; and administrative assistant, Luke Eustice. They all played a vital part in the success of this talented team.

Last season's victory adds to a robust history. The University of Iowa Hawkeyes wrestling program began in 1911 and has produced a rich history of champions with 33 Big Ten conference championships and 22 NCAA Division I national championships.

Winning the national championship, finishing the season with a 24–0 overall record and winning the Big Ten Conference championship for the 33rd time has brought national acclaim to the University of Iowa. I know the fans of the university will revel in this accomplishment as they look forward to the 2010 season.

Mr. Speaker, I want to thank Congressman LOEBSACK for bringing this resolution forward. Once again, I congratulate the University of Iowa for their success.

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

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

Once again, the gentleman from Puerto Rico, I appreciate you bringing this resolution to the floor and rise today to support House Resolution 368 to congratulate the University of Iowa Hawkeyes on winning the 2009 NCAA Division I National Wrestling Championship. This is, indeed, an honor for all those who are working in that system, for all those who are associated with the University of Iowa, as well as the residents of the State of Iowa.

The University of Iowa was founded in 1847 as Iowa's first public institution of higher learning and, since that time, has gained international recognition for its academic, artistic and scientific accomplishments as a public university. It established the first law school and was the first U.S. public university to admit men and women on an equal basis. The University of Iowa's academic and athletic accomplishments have earned the University of Iowa Hawkeyes an international reputation for excellence.

This last school year, in 2009, the university's reputation was furthered by the accomplishments of this wrestling team. The University of Iowa wrestling team began in 1911 and has recently been named one of the top sports dynasties of the 20th century by Sports Illustrated.

Since its founding, the Hawkeye wrestling team has won 22 national championships, as was mentioned by the gentleman from Puerto Rico. The Hawkeyes competed in the first Big Ten meet clear back in 1926, won their first NCAA title in 1975. They won a streak of nine consecutive NCAA team championships from 1978 to 1986. In the 23 wrestling seasons since that time, the Hawkeyes have claimed 11 national championships. The University of Iowa Hawkeye wrestling team undoubtedly has a long and rich history of excellence.

At the head of the outstanding team sits Head Coach Tom Brands, who was

named the Big Ten Coach of the Year and the National Wrestling Coaches Association's Coach of the Year in 2008. Coach Brands is a former gold medalist and made four straight U.S. World or Olympic teams.

□ 1445

He started as head coach with the University of Iowa's wrestling team in 2006 and has been leading the team to excellence since then. The 2009 wrestling season marked the Hawkeye wrestling team's most recent series of achievements. After a successful season, the Hawkeye team was proud to have nine of their athletes qualify for the Division I championships, and with a final score of 96.5, the Hawkeyes were in first place as the national champions.

I am honored to stand in this House today to congratulate and recognize the significant achievements of the players, coaches, and students whose dedication and hard work have led to the success of the University of Iowa Hawkeye wrestling program, as well as the 2009 Division I National Wrestling Championship.

As usual, there is always some kind of personal tie that comes to these types of resolutions. Again, I have people I have known from Utah who have specifically gone to this school, to this program, not just for the quality of the wrestling program it has, but for the quality of the education the institution provides. The State of Iowa should indeed be very proud of this particular institution.

I ask my colleagues to support this resolution.

Mr. Speaker, I have no other speakers for this particular resolution, and I yield back the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I ask my colleagues to support the resolution congratulating the University of Iowa Hawkeye's wrestling team for their victory in the 2009 NCAA Division I National Wrestling Championship tournament.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 368, 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.

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

The yeas and nays were ordered.

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

CONGRATULATING SYRACUSE UNIVERSITY MEN'S LACROSSE TEAM

Mr. PIERLUISI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 562) congratulating Syracuse University for winning the National Collegiate Athletic Association Division I Men's Lacrosse Tournament.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 562

Whereas, on May 25, 2009, the Syracuse University Orange defeated the Cornell Big Red 10–9 in overtime, in the finals of the National Collegiate Athletic Association (NCAA) Division I Men's Lacrosse Tournament in Foxboro, Massachusetts;

Whereas the Orange now hold 11 men's lacrosse national titles, the most in NCAA History;

Whereas Orange head coach John Desko won his fifth NCAA title;

Whereas the Orange players, coaches, and staff are excellent representatives of Syracuse University;

Whereas the Orange showed tremendous spirit in the championship game, coming back from what appeared to be an insurmountable three-goal deficit with less than four minutes to go, only to win the game in overtime; and

Whereas the residents of Syracuse and fans are to be congratulated for their support, dedication, and pride in the team: Now, therefore, be it

Resolved, That the House of Representatives congratulates Syracuse University for winning the National Collegiate Athletic Association Division I Men's Lacrosse Tournament.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. PIERLUISI) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico.

GENERAL LEAVE

Mr. PIERLUISI. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 562 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today to congratulate the Syracuse University men's lacrosse team for their victory in the 2009 National Collegiate Athletic Association Division I Men's Lacrosse Tournament.

On May 25, 2009, the Syracuse Orange men's lacrosse team celebrated their NCAA Division I championship title after a close 10–9 victory over the Cornell Big Red. This victory marks the 11th national championship for the Orange in lacrosse, the most in NCAA history. This is the second consecutive year that the Syracuse men's lacrosse team has successfully won this title. In addition, this win capped a season for the Orange that saw the team tie the NCAA record for the best 1-year win-loss improvement.

The game that secured the Orange's victory was especially exciting. Down three goals with four minutes to play and the ball in Cornell's possession, Syracuse staged an unlikely comeback. Scoring the definitive goal in sudden death overtime made for an exhilarating and especially exciting win for the team, showcasing their focus under pressure and excellent teamwork.

I congratulate John Desko on his fourth national title as coach of the Orange. In his 11 years as head coach at Syracuse, he has led the Orange to seven NCAA final appearances and nine Final Fours. Coach Desko serves as a wonderful mentor to his players both on and off the field.

I want to recognize the Syracuse Orange for their incredible season, characterized by tenacity, talent, and leadership. I am certain that this team will carry this momentum into next season.

Mr. Speaker, once again, I congratulate Syracuse University men's lacrosse team on their 2009 Division I NCAA championship title.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of House Resolution 562, congratulating Syracuse University for winning the National Collegiate Athletic Association Division I Men's Lacrosse Tournament.

It is estimated that lacrosse may have developed as early as the 12th century. It originated among Native American tribes in North America. In 1637, the game was first named lacrosse. The game underwent many modernizations during the 19th century, and the first intercollegiate lacrosse game was played in 1877. By the early 1900s, students across North America were participating in the sport in high schools, colleges, and universities.

Syracuse University was founded in 1870. Today, the university serves over 19,000 full- and part-time undergraduate and graduate students. Syracuse University offers degrees in over 20 majors from 10 different schools and colleges. Syracuse Orange has 12 women's intercollegiate athletic teams and 8 men's intercollegiate athletic teams.

SU has 27 team national championships, including 11 men's lacrosse NCAA national championships. Syracuse University's men's lacrosse team added an 11th NCAA championship to their record this year. That is the most NCAA national lacrosse championships ever won by a single team.

Syracuse's team was coached by John Desko. In the final championship game, SU won against Cornell University in overtime in a thrilling game that ended 10–9. Junior Cody Jamieson scored the winning point 1 minute 20 seconds into the extra session.

It is truly an honor to stand before the House today to congratulate Syracuse University for winning the National Collegiate Athletic Association Division I Men's Lacrosse Tournament. I extend my congratulations to Syracuse University, the players, the coaches, and the students. I wish all involved

continued success and ask my colleagues to support this resolution.

I yield back the balance of my time.

Mr. PIERLUISI. I ask my colleagues to support the resolution congratulating the Syracuse University men's lacrosse team for their victory in the 2009 National Collegiate Athletic Association Division I Men's Lacrosse Tournament.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 562.

The question was taken.

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

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

The yeas and nays were ordered.

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

CONGRATULATING NORTHWESTERN UNIVERSITY WOMEN'S LACROSSE TEAM

Mr. PIERLUISI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 824) congratulating the Northwestern University Wildcats on winning the 2009 NCAA women's lacrosse championship, and to commend Northwestern University for its pursuit of athletic and academic excellence.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 824

Whereas the Northwestern women's lacrosse team serves as important role models to young athletes, demonstrating excellence on the athletic field and in the classroom;

Whereas Northwestern defeated North Carolina 21–7 to win the national championship on May 24, 2009;

Whereas Northwestern finished the season with a 23–0 record to win their fifth straight national championship; and

Whereas senior Hannah Nielsen won the Tewaaraton Trophy, given to the Nation's top player, and played a vital role in helping Northwestern to a 23–0 record in 2009, finishing her distinguished career as the Wildcats' all-time leader in points (398) after becoming the NCAA Division I all-time assist leader with 224: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Northwestern University and its athletes, coaches, faculty, students, administration, and alumni on the winning of the 2009 NCAA women's lacrosse championship;

(2) recognizes and commends Northwestern University for its pursuit of athletic as well as academic excellence; and

(3) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to Northwestern University President Henry S. Bienen, Athletic Director James Phillips, and Head Coach Kelly Amonte Hiller for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. PIERLUISI) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico.

GENERAL LEAVE

Mr. PIERLUISI. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 824 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 824, which recognizes and congratulates the Northwestern University Wildcats for winning the 2009 NCAA Women's Lacrosse Championship and for pursuing athletic and academic excellence.

The Wildcats posted a 23–0 regular season record and broke NCAA records both for total points and total goals in a season. The team applied the lessons learned during their undefeated year and displayed their outstanding athletic skills and cohesive team strategy in post-season play, trailing only once during the entire tournament.

On May 24, 2009, the University of North Carolina Tar Heels cut the Northwestern Wildcat's lead to two goals midway through the first half of the championship game. Northwestern responded with 10 consecutive goals to win its fifth straight NCAA championship in women's Division I lacrosse. The team's 21–7 victory over the Tar Heels set the record for goals scored in the title game.

Special congratulations are due to Coach Kelly Amonte Hiller, who now boasts a 20–1 record in the NCAA tournament. Amonte Hiller took over a program that had club status, and not only brought the team to official collegiate standings, but amassed five national championships and six conference titles in just eight seasons. The seniors on this team had one of the most successful collegiate athletic careers.

Recognition also should be given to senior Hannah Nielsen, who won the Tewaaraton Trophy for the second year in a row. This award is given to the Nation's top lacrosse player by the Tewaaraton Foundation.

Northwestern University succeeds not only on lacrosse fields, but in its classrooms as well. It ranks 12th in the 2010 national university rankings issued by U.S. News & World Report and boasts a 92.5 percent graduation rate, an amazing statistic for any university.

In addition to over 70 established majors, Northwestern University empowers students to choose or design nontraditional concentrations and offers a wide range of field experiences and internships. It is an institute of higher learning from which its graduates, including its athletes, go on to accomplish great things and make important contributions to our Nation.

Mr. Speaker, once again I congratulate the Northwestern University women's lacrosse team on its 2009 Division I NCAA championship title. I wish the program much success in the 2010 season.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of House Resolution 824, congratulating the Northwestern University Wildcats on winning the 2009 NCAA Women's Lacrosse Championship and to commend Northwestern University for its pursuit of athletic and academic excellence. As a graduate of Northwestern University School of Law myself, I am especially proud to join in honoring these talented women and the school they represent.

On May 24, 2009, the Northwestern University women's lacrosse team, the Wildcats, capped a perfect 2009 season by routing third ranked North Carolina 21–7 to capture its fifth straight national championship, finishing the year 23–0.

The Wildcats continued to etch its place as one of the top programs in the history of the sport, becoming just the second team to win five consecutive national titles. They are just two shy of Maryland's seven straight wins from 1995 to 2001, and the victory over the Tar Heels, 16–5, was Head Coach Kelly Amonte Hiller's 20th consecutive tournament victory.

At Northwestern University, these dynamic women demonstrate excellence on the athletic field as well as in the classroom. Founded in 1854, Northwestern University combines innovative teaching and pioneering research in a highly collaborative environment that transcends traditional academic boundaries. It provides students and faculty exceptional opportunities for intellectual, personal, and professional growth.

Northwestern is recognized both nationally and internationally for the quality of its educational programs at all levels. U.S. News & World Report consistently ranks the university's undergraduate and graduate programs among the best in the country. The Northwestern women's lacrosse team serves as an important role model to young athletes.

Congratulations to Northwestern University's president, Morton Schapiro; athletic director, James Phillips; head coach, Kelly Amonte Hiller; senior, Hannah Nielsen, who won the Tewaaraton Trophy given to the Nation's top player; the entire Wildcat team; the faculty, staff, and Northwestern students on this victory.

Today, we recognize and commend Northwestern University for its pursuit of athletic as well as academic excellence. I urge my colleagues to support House Resolution 824.

Mr. QUIGLEY. Mr. Speaker, I rise today in recognition of the Northwestern University Wildcats women's lacrosse team as the 2009 NCAA champion. This season marks the team's fifth straight national championship win and solidifies Northwestern University as a national leader both in academic and athletic excellence.

The Northwestern University women's lacrosse team is looked upon as a role model by young athletes in the Chicagoland area, maintaining the highest standard of excellence both in the classroom and on the field. Most noted, is senior Hannah Nielson. Hannah has been honored as the nation's top lacrosse player with the Tewaaraton Trophy due to her exemplary performance as the Wildcat's all-time leader in points and by helping to lead her team to 23–0 victory in 2009.

Furthermore, I would like to extend my congratulations to the 10 Wildcat seniors Hilary Bowen, Mary Kate Casey, Laura Clemente, Casey Donohoe, Meredith Franks, Caitlin Jackson, Ali Jacobs, Morgan Lathrop, Hannah Nielson and Meghan Plunkett who have finished their amazing collegiate careers with an 85–3 record including four American Lacrosse Conference titles and four NCAA national titles.

□ 1500

Mrs. BIGGERT. I yield back the balance of my time.

Mr. PIERLUISI. Having no additional speakers, Mr. Speaker, I ask that my colleagues support the resolution, congratulating the Northwestern University Wildcats for winning the 2009 NCAA Women's Lacrosse Championship.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 824.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mr. PIERLUISI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 817) supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 817

Whereas domestic violence affects people of all ages as well as racial, ethnic, gender, economic, and religious backgrounds;

Whereas females are disproportionately victims and one in four women will experience domestic violence at some point in her life;

Whereas on average, more than three women are murdered by their husbands or boyfriends in the United States every day;

Whereas in 2005, 1,181 women were murdered by an intimate partner constituting 78 percent of all intimate partner homicides that year;

Whereas women ages 16 to 24 experience the highest rates, per capita, of intimate partner violence;

Whereas 1 out of 3 Native American women will be raped and 6 out of 10 will be physically assaulted in their lifetimes;

Whereas the cost of intimate partner violence exceeds $5,800,000,000 each year, $4,100,000 of which is for direct medical and mental health care services;

Whereas one-quarter to one-half of domestic violence victims report that they have lost a job due, at least in part, to domestic violence;

Whereas the annual cost of lost productivity due to domestic violence is estimated at $727,800,000 with over 7,900,000 paid workdays lost per year;

Whereas some landlords deny housing to victims of domestic violence who have protection orders or evict victims of domestic violence for seeking help after a domestic violence incident, such as by calling 911, or who have other indications that they are domestic violence victims;

Whereas 92 percent of homeless women experience severe physical or sexual abuse at some point in their lifetimes;

Whereas approximately 40 to 60 percent of men who abuse women also abuse children;

Whereas approximately 15,500,000 children are exposed to domestic violence every year;

Whereas children exposed to domestic violence are more likely to attempt suicide, abuse drugs and alcohol, run away from home, and engage in teenage prostitution;

Whereas one large study found that men exposed to physical abuse, sexual abuse, and adult domestic violence as children were almost four times more likely than other men to have perpetrated domestic violence as adults;

Whereas nearly 1,500,000 high school students nationwide experienced physical abuse from a dating partner in 2003;

Whereas 13 percent of teenage girls who have been in a relationship report being hit or hurt by their partners and one in four teenage girls has been in a relationship in which she was pressured by her partner into performing sexual acts;

Whereas adolescent girls who reported dating violence were 60 percent more likely to report one or more suicide attempts in the past year;

Whereas there is a need for middle schools, secondary schools, and post-secondary schools to educate students about the issues of domestic violence, sexual assault, dating violence, and stalking;

Whereas 88 percent of men in a national poll reported that they think that our society should do more to respect women and girls;

Whereas a recently released multi-State study shows that the Nation's domestic violence shelters are addressing victims' urgent and long-term needs and are helping victims protect themselves and their children;

Whereas a 2008 National Census Survey reported that 60,799 adults and children were served by domestic violence shelters and programs around the Nation in a single day;

Whereas an additional 8,927 people requested help that day, but due to lack of resources, they were unable to be served;

Whereas there is a need to increase funding for programs aimed at intervening and preventing domestic violence in the United States; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Domestic Violence Awareness Month; and

(2) expresses the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. PIERLUISI) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico.

GENERAL LEAVE

Mr. PIERLUISI. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 817 into the RECORD.

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

There was no objection.

Mr. PIERLUISI. I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 817, supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States. I would also like to thank Congressman AL GREEN for bringing this resolution forward. It is an important bill and deserves much attention.

National Domestic Violence Awareness Month is recognized in the month of October. As such, communities and many groups hold events to educate the public about the violence that affects millions of women, men and children every single day. Domestic violence advocacy increases awareness and helps battered people seek the help they desperately need.

Domestic violence is the willful intimidation, assault, battery, sexual assault or other abusive behavior perpetrated by an intimate partner against another. It is an epidemic that affects men, women and children in every community regardless of age, sex, economic status, nationality or educational background.

One in every four women will experience domestic violence in her lifetime, and those who report domestic violence are more likely to commit suicide. In addition, the costs of domestic violence exceed $5.8 billion each year. As evidenced by these staggering statistics, domestic violence has far-reaching effects on society.

When we think of domestic violence, we often think of women being the victims, yet men suffer from domestic violence as well. Male victims are less likely than women to report violence and to seek services due to the stigma associated with being a male victim or concerns about not being believed. Both men and women respond to interpersonal violence with feelings of disbelief, ridicule and shame that only enhance their silence.

Our attention to domestic violence has grown, but we need to do more to raise awareness of this problem because it can serve as a dangerous, never-ending cycle. Whether domestic violence is present in couples or in marriages, children who witness violent behavior are more likely to carry domestic violence into their adult relationships.

Research shows that children witnessing domestic violence and living in an environment where violence occurs may experience some of the same trauma as abused children. They may become fearful, aggressive or withdrawn. Adolescents may exhibit risk-taking behaviors, such as abusing drugs and alcohol, running away, engaging in sexual promiscuity and participating in criminal activity. All of these behaviors have an effect on society as a whole, and we can break the chain of domestic violence through ongoing education and comprehensive universal support.

We must remember that domestic violence victims are our mothers, fathers, sisters and brothers. Congress must continue to lead in making our Nation aware of domestic violence and its impact on our society. We can galvanize public awareness for victims of domestic violence. Therefore, I urge my colleagues to support House Resolution 817.

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

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I might consume.

I rise today in support of House Resolution 817, supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the House of Representatives that Congress should raise awareness of domestic violence in the United States and its devastating effects on families and communities and support programs designed to end domestic violence.

As the gentleman from Puerto Rico just mentioned, one in every four women will experience domestic violence in her lifetime. Boys who witness domestic violence are twice as likely to abuse their partners and children when they become adults. The cost of intimate partner violence exceeds $5.8 billion each year. As evident by these staggering statistics, domestic violence has a far-reaching effect on society.

Let me repeat the definition that the gentleman from Puerto Rico stated: domestic violence is the willful intimidation, assault, battery, sexual assault and/or other abusive behavior perpetrated by an intimate partner against another. It is an epidemic that affects individuals in every community regardless of age, economic status, religion, nationality, educational background or gender.

When we think of domestic violence, we often think of women being victims. However, men are victimized as well, and children are also affected. We think of violence as just violence, not domestic violence. But violence really begins at the home, and it really begins at the back of someone's hand, or whatever, rather than a stranger, and it goes throughout the community. Male victims are less likely to report the violence and seek services due to the stigma associated with being a male victim or not being believed or being denied the status of a victim. But both men and women experience the same dynamics of interpersonal violence, including experiences of disbelief, ridicule and shame that only enhance their silence.

Unfortunately, the youngest victims are the children who witness the abuse. Research has shown that children witnessing domestic violence and living in that environment may experience some of the same trauma as abused children. They may become fearful, aggressive or withdrawn. Adolescents may act out or exhibit risk-taking behaviors. Domestic violence harms the victim, the children, the abuser and the entire health of American families and communities. So we must raise awareness about this issue. The health of our country depends on it.

Therefore, I urge my colleagues to support House Resolution 817, and I would reserve the balance of my time.

Mr. PIERLUISI. I do have one additional speaker.

I would like to say that the victims of domestic violence in America—women, men, children—are looking up to us to take the lead, to make sure that this epidemic does not continue. They're particularly vulnerable, and they want us to relate to them; they want us to support them, and the best way we can do that is by being aware and by taking the lead and making sure that there are Federal programs as well as State initiatives that make sense and make a difference.

Without adding anything else, I now yield 5 minutes to the sponsor of this resolution, the gentleman from Texas, Congressman AL GREEN.

Mr. AL GREEN of Texas. Thank you very much.

Mr. Speaker, I am honored that leadership has brought this resolution, H. Res. 817, to the floor today. I believe that this resolution is important, and this likewise seems to be the case with my colleagues because this resolution has received the support of 57 Democratic and Republican cosponsors. This resolution has been a bipartisan effort. And for fear that I will forget, let me mention now that my colleague, the Honorable TED POE, will not be with us today, but he is here in spirit. He suffered the same fate as I; his plane is late in Houston, Texas. I was on the runway for 2 hours. I barely made it, but thank God that I did. I want the Members to know that he is solidly behind this resolution. This resolution, with reference to domestic violence, transcends party affiliation; it transcends ethnicity; it transcends gender; and it transcends the boundaries of human decency.

Many thank you's are in order. I want to thank the President, President Barack Obama, for declaring October National Domestic Violence Awareness Month. I would like to thank Speaker PELOSI because she has entered a statement recognizing this as Domestic Violence Awareness Month. The Congressional Women's Caucus deserves a sound round of thank you's because they have been involved in helping us to raise awareness year-round. I would like to thank Chairman GEORGE MILLER of the Education and Labor Committee for the outstanding work that he has done in helping us to get this resolution to the floor. His staff has done a stellar job. They have worked with my staff to make sure that the resolution arrived here timely. I would like to thank the ranking member, JOHN KLINE, for his work with the Honorable TED POE in helping us to get this resolution to the floor.

All of my colleagues are honorable, but I am mentioning TED in such a way simply because he is not here, and I know his heart is with us. I would like to thank the ranking member who is here today, Representative JUDY BIGGERT, for her help and for her kind words with reference to this resolution and Representative PIERLUISI from Puerto Rico for his efforts to help us get this resolution to the floor and for managing this resolution today.

At this time I want to call our attention to some history associated with this issue of domestic violence. Domestic Violence Awareness Month was first observed 22 years ago, and since that time, we've had additional legislation that has come into being that has made a difference with reference to helping us to end domestic violence. The Family Violence Prevention and Services Act of 1984 is an important piece of legislation. This piece of legislation helped us to acquire more emergency shelters, crisis prevention programs and community education efforts. It truly has made a difference.

There also has been another piece of important legislation, the Violence Against Women Act of 1994, which created a new culture for the police officers who work these cases and the

judges who hear these cases. These cases at one time were thought to be, unfortunately, family business, and there were too many persons who were involved in the business of law enforcement who did not make it their business. I'm honored that the Violence Against Women Act of 1994 has helped change this culture. I would also mention that the American Recovery and Reinvestment Act of 2009 was important because it contained $225 million for violence against women programs. These programs are going to be of great benefit to a good many women.

Domestic violence awareness is growing, but it has not reached a point wherein we can rest on our efforts. At one time it was one of the most underreported crimes in this country. As I indicated, too many police officers, too many judges, too many persons associated with enforcement did not make it their business. And although we have sought to do the business of helping women and men who are victims of domestic violence, there is still much work to be done. One survey indicates that in 1 day, more than 60,000 people received help. However, at the same time, on that same day, 9,000 requests went unanswered. There is still much work to be done. In my State of Texas, the Houston Area Women's Center has indicated that in the year 2008, 136 women were killed by their intimate partners, 11 children were killed, and 96 children lost their parents to domestic violence.

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

Mr. PIERLUISI. I yield the gentleman an additional 2 minutes.

□ 1515

Mr. AL GREEN of Texas. I thank the gentleman for yielding the additional time.

Ninety-six children were killed by domestic violence.

The national data on this is equally as appalling. More than three women are murdered by their husbands or boyfriends in the United States every day. One of every four women will experience domestic violence at some point in her lifetime. In 2005, 1,181 women were murdered by an intimate partner. Women from ages 16 to 24 experience the highest rates of domestic violence on a per capita basis. Six of 10 Native American women will be physically assaulted in their lifetimes. Ninety-two percent of homeless women will experience physical or sexual abuse at some point in their lifetimes. Forty to sixty percent of men who abuse women also abuse children.

Millions of children witness every year domestic violence. By at least one estimate, 15.5 million children witness domestic violence.

So we now come to a call to action. We should not allow anyone to have to live in fear within his or her home. We believe that this is an offense that can be eliminated. It will take much effort from us. We here in Congress will have to fund the programs that can make a difference. And without question, programs have been developed that can make a difference. Training is necessary to teach people how to live with each other without abusing each other. The police must enforce the laws, the judges must enforce the laws, and in the end we can live in a world where people can live safely in their homes without fear of being harmed by people that they have great affinity and affection for.

The National Network to End Domestic Violence (NNEDV), the National Coalition Against Domestic Violence (NCADV) along with 9 other national organizations is heralding the arrival of Domestic Violence Awareness Month and urging Congress, members of the media and the public to take a stand against domestic abuse.

The economic downturn is exacerbating domestic violence, and victims of domestic abuse urgently need everyone's help. Although the economy does not cause domestic violence, but in abusive relationships, factors associated with a bad economy can increase the frequency and severity of abuse. Job losses, the lack of affordable health care, the housing crisis and a host of other conditions are increasing abuse and leaving survivors with fewer options to escape. The demand for services is going up, but funding for services is going down.

Governmental entities, corporations and individuals are tightening their budgets and are funding life-saving programs at reduced levels across the nation.

In a national census survey conducted by the National Network to End Domestic Violence, in just one day in 2008 more than 60,000 victims sought services, yet nearly 9,000 requests for services went unmet due to lack of funding.

The most extreme example is California, where the governor completely eliminated state funding for domestic violence services. Other states have seen funding reductions, but California represents the most shocking of these reckless cuts.

This year, Domestic Violence Awareness Month is particularly meaningful. The movement against domestic abuse is celebrating the 15th anniversary of the Violence Against Women Act, originally authored by then-Senator Joe Biden. This year is also the 25th anniversary of the Family Violence Prevention & Services Act. Both are critical federal laws that provide funding for services and the justice system's responses to intimate partner abuse.

These laws have made an amazing difference in our ability to address domestic violence. Across the country, federal, state and local laws are working to serve countless survivors and saving lives, but we need to do more. Still, an average of three women are murdered daily by someone who says love you.' This is unacceptable and preventable. Domestic violence affects us all, and it tears at the fabric of our communities. Every day, men, women and children experience the tragic effects of domestic violence.''

In recognition of Domestic Violence Awareness Month, let us renew efforts to invest in lifesaving shelters and other critical domestic violence services like counseling and emergency hotlines.

Members of Congress and the public can take a stand for survivors of abuse by supporting the Domestic Violence Awareness Month Resolution sponsored by Representative Al Green (D–TX) and Representative Ted Poe (R–TX), which has received bipartisan support of nearly 60 members of the House of Representatives.

Sincerely,

SUE ELSE,
President, National Network to End Domestic Violence.

RITA SMITH,
President, National Coalition Against Domestic Violence.

Additional National Organizations Endorsing the Domestic Violence Awareness Month Resolution: Break the Cycle, Casa De Esperanza, Congress of American Indians Task Force on Violence Against Women, Family Violence Prevention Fund, Legal Momentum, National Alliance to End Sexual Violence, National Organization of Sisters of Color Ending Sexual Assault, National Resource Center on Domestic Violence, Pennsylvania Coalition Against Domestic Violence.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume to close.

I really appreciate the gentleman from Texas (Mr. GREEN) being down here and speaking about his bill and about the background of domestic violence because it's been obviously going on for a long time. We have made great strides. As I have witnessed, we reauthorized the Violence Against Women Act, VAWA, several times. But it's been a long time coming and a long time to be recognized. And that's why this awareness month is so important so that we can really take a look and see how can we really end this and how can we do it to help the police, the families. But we have got to have the education, I think, that will help to stave that off. And the more we can do to recognize the causes of it and how to deal with it, the better.

I thank the author and I thank the gentleman from Puerto Rico for managing this bill, and I urge my colleagues to vote for it.

Mr. POE of Texas. Mr. Speaker, this resolution is to remind all of us that domestic violence here in the United States is as prevalent now as it has ever been. Millions of men, women and children across the country are affected by domestic violence each year.

In a day last year more than 60,000 victims sought and received help from domestic violence programs, and due to lack of funding and resources, 8,927 requests were left unmet. Some may even die because of the lack of services counties across the country are unable to provide for families affected by family violence. In Harris county Texas alone, filings for domestic violence are 18 percent above last year and 40 percent more than 2007. These numbers are not only staggering but they are unacceptable.

On October 10th, 2005 in Baltimore, Maryland Yvette Cade's estranged husband, Roger Hargrave, carried a soda bottle filled with gasoline to her work and poured it over her body. As she ran outside, she tripped in the parking lot and he set her on fire. Ms. Cade was attacked three weeks after; Prince George's County District Court Judge Richard Palumbo lifted a protective order against Hargrave. Judge Palumbo is being charged with misconduct, claiming he violated judicial standards when he dismissed the protective order against Hargrave despite Cade's protests. Ms. Cade has third-degree burns over 60 percent of her body and has had over 15 surgeries due to this horrific crime.

On January 29th, 2009 in Houston, Texas a man was accused of killing his estranged girlfriend's mother and then shooting himself. He had been charged with domestic violence days earlier, after he beat his 17-month-old daughter. Elaine Walker was shot trying to protect her daughter when Roydrick Jiles burst into the daughter's home. Auriel Walker had refused to see or talk to Jiles, after he beat her and their child several days before. She tried to stop him from breaking into their home and he then shot Elaine Walker, Auriel's mother. He then abducted his estranged girlfriend and their child until he shot himself.

Both of these stories prove that sometimes there are preliminary warning signs of domestic violence which, if not handled correctly, can often times lead to severe abuse and even death. Approximately 1.3 million women and 835,000 men are physically assaulted by an intimate partner annually in the United States. One in every four women will experience domestic violence in her lifetime.

Witnessing violence between one's parents or caretakers is the strongest risk factor of transmitting violent behavior from one generation to the next. Boys who witness domestic violence are twice as likely to abuse their own partners and children when they become adults.

We must continue to raise awareness in this country of how common domestic violence is, and without funding and proper resources local governments cannot combat this problem alone. It takes all of us, and informing people of this nationwide problem is the first step. And that's just the way it is.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Resolution 817 to support the goals and ideals of National Domestic Violence Awareness Month and to raise awareness of domestic violence in the United States.

When we discuss domestic violence, we are often surprised to discover that domestic violence happens to people of every socioeconomic background in the United States. Everyday, countless individuals become victims of acts perpetuated by intimate partners that seek to establish, maintain, or regain power and control in a relationship. These acts can be as basic as mental and verbal abuse and range to the more obvious physical and sexual abuse. Many times, the victims of these acts are the least likely people one would suspect to suffer from abusive situations, and for this reason domestic violence awareness month is so important.

It is also crucial to note that women are the most frequent victims of domestic violence, and it is estimated that one in every four women will experience domestic violence at some point in their life. Additionally, more than three women are murdered by their husbands or boyfriends in the United States every day, and in 2005 alone, 1,181 women were murdered by an intimate partner. These staggering numbers remind us that we must do all we can to end domestic violence, and particularly domestic violence against women.

Mr. Speaker, I encourage my colleagues to join me in supporting House Resolution 817 so that we can raise awareness about domestic violence and help to end it.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in support of the resolution to declare October 2009 the twenty-second Domestic Violence Awareness Month.

The first Domestic Violence Awareness Month was observed in 1987. Over these last 22 years, we have made major strides in making Americans safer and more secure and ensuring the victims of violence receive the services they need.

With the support of federal and state funds, the number of domestic violence shelters, rape crisis centers and service programs has increased significantly. These shelters offer victims a place to turn for help: for emergency shelter and crisis services, and also for legal assistance, transitional housing, and services for their children.

Not only have we strengthened our laws and justice system, we have also brought together victims advocates. law enforcement, and health care professionals to ensure more effective treatment for victims of domestic violence.

This month is an occasion to recognize dedicated law enforcement officers, special prosecutors, counselors, and shelter programs that understand that ending violence requires the efforts of an entire community. It is also a time to reiterate that domestic violence in any form is a crime. It does not matter whether the abuser is a family member; a current or past spouse, boyfriend, or girlfriend; an acquaintance; or a stranger. It is a crime, and it is wrong.

Today, I also commend those who have found the courage to leave an abusive relationship. When individuals get the resources they need, they become strong, and so do their families.

Despite all the gains we have made in reducing domestic violence, we must recognize that the work is not complete; too many are still victims, and too many live in fear on a daily basis. It will take all of us to fulfill the promise to end domestic violence and assault.

Ms. WOOLSEY. Mr. Speaker, domestic violence is a widespread problem. Over two million people a year are physically assaulted by an intimate partner, and an additional 1.3 million are the victims of stalking. H. Res. 817 is an important reminder that October is National Domestic Violence Awareness Month, and that we need to raise awareness of the problem and its serious consequences for victims and their families.

We know that the majority of these domestic violence victims are women, and they often need leave from work to address the effects of this violence. While the Family and Medical Leave Act (FMLA, P.L. 103–3) allows employees to take unpaid leave from work for other situations (e.g. for birth, adoption or to care for a spouse, child under age 18, or parent who has a serious health condition), there is no leave for workers who are recovering from domestic abuse, sexual assault, or stalking, and who need medical attention, legal assistance, counseling, or to participate in other activities that take place during working hours.

H.R. 2515, the Domestic Violence Leave Act, which I have introduced, expands the FMLA to allow workers to take leave to address the consequences of domestic violence, sexual assault, or stalking. It also provides leave to workers so that they can care for a family member—spouse, parent or child, including an adult child—who is a victim of abuse. In addition, the bill extends all of the protections of the FMLA to "domestic partners," and "children of a domestic partner."

Our primary goal must be to stamp out domestic violence altogether. But until then, we need to help those victims who need time off to deal with its effects.

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

Mr. PIERLUISI. Mr. Speaker, I ask my colleagues to vote for the resolution supporting the goals and ideals of National Domestic Violence Awareness Month, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 817, as amended.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 19 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETERS) at 5 o'clock and 30 minutes p.m.

DECLARATION OF A NATIONAL EMERGENCY WITH RESPECT TO THE 2009 H1N1 INFLUENZA PANDEMIC—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111–73)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce and the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare a national emergency in order to be prepared in the event of a rapid increase in illness across the Nation that may overburden health care resources. This declaration will allow the Secretary of Health and Human Services, if necessary, to temporarily waive certain standard Federal requirements in order to enable U.S. health care facilities to implement emergency operations plans to deal with the 2009 H1N1 influenza pandemic in the United States. A copy of my proclamation is attached.

Further, I have authorized the Secretary of Health and Human Services to exercise the authority under section

1135 of the Social Security Act to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule as necessary to respond to the pandemic throughout the duration of the public health emergency declared in response to the 2009 H1N1 influenza pandemic.

BARACK OBAMA.

THE WHITE HOUSE, *October 23, 2009*.

MOTION TO INSTRUCT CONFEREES ON H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. DICKS. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. SIMPSON. Mr. Speaker, I have a motion to instruct at the desk.

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

The Clerk read as follows:

Mr. Simpson moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2996 be instructed as follows:

(1) Insist on section 425 of the House bill (regarding a prohibition on funds to implement any rule requiring mandatory reporting of greenhouse gas emissions from manure management systems).

(2) That they shall not record their approval of the final conference agreement (as such term is used in clause 12(a)(4) of rule XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

Mr. DICKS. Mr. Speaker, I reserve a point of order against the instruction.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to clause 7 of rule XXII, the gentleman from Idaho (Mr. SIMPSON) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho.

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

Mr. Speaker, before I get into the substance of this motion to instruct, I want to thank Chairman DICKS and his staff for listening to the views of the minority during our preconference deliberations. While we may not agree on everything in this Interior Appropriations conference agreement, our staff discussions have been very productive.

The motion I am offering today is very straightforward and does two things. First, it would insist on section 425 of the House bill regarding a prohibition on funds to implement any rule requiring mandatory reporting of greenhouse gas emissions from manure management systems. Secondly, it would require that the Interior Appropriations conference report be available 72 hours prior to House consideration for the public and Members to read.

This motion to instruct simply insists upon the House-passed bill's position relating to the Latham amendment. The Latham amendment simply says that the EPA cannot implement a rule that requires mandatory reporting of greenhouse gas emissions from cow, pig, or chicken manure.

The Latham amendment was offered in full committee and was one of the very few amendments passed this year with strong bipartisan support. Every Democrat on the Appropriations Committee with agricultural interests in his district supported it, and no one made an effort to strike the language on the House floor. Now, of course anyone could have done that—excuse me, I was wrong. We didn't consider this bill under an open rule, so they would have had to go to the Rules Committee, but no one did go to the Rules Committee to get an amendment approved so that they could offer it on the floor. It was part of the House-passed Interior Appropriations bill and should be a part of the Interior Appropriations conference agreement.

According to the EPA, livestock manure management systems account for less than 1 percent of all human-induced greenhouse gas emissions in the United States. Over 85 percent—that's 85 percent—of greenhouse gas emissions from agriculture in total come from sources other than manure management systems, and these sources are not subject to the reporting rule. By the EPA's own admission, regulating these sources would be overly expensive and burdensome.

Members of the Agriculture Committee have been warning us for years of the danger of climate change rulemaking outside of the legislative process. This EPA rule is clear evidence that the chickens have finally come home to roost, as have the cows and pigs.

If you have livestock or a family farm in your congressional district, you will want to support this motion to instruct. The simple truth is that the livestock industry is being hammered by the downturn in our national economy. If you are raising animals for food, you are either losing your shirt or you are going out of business. That's the truth. It's not an exaggeration. Frozen credit markets have left farmers and ranchers without the credit they need to run their day-to-day operations, and many have been forced to sell their land or declare bankruptcy.

It was only a few weeks ago that we added $350 million to the Ag Appropriations conference report to bail out the dairy industry, which is collapsing under the strain of the credit crisis and low milk prices. And in the Interior conference report, we're not only making it more difficult for farmers to succeed, we are setting them up to fail.

There is another irony here worth noting. The Interior Appropriations conference agreement is likely to include an exemption to a clean air rule affecting ships on the Great Lakes. Chairman OBEY recognized that the excesses of the EPA would place additional hardships upon an economy already devastated by the recession, so the chairman has done what anyone in his position would do to help his constituents—he took action. I happen to agree with him. That's no different from what TOM LATHAM is trying to do to help farmers, ranchers, and livestock producers in Iowa and across the country. The only difference is that Mr. LATHAM's amendment was in the original House bill and Chairman OBEY's rider was airdropped in at the last minute. So we are going to protect the Great Lakes on the one hand while we regulate farmers out of business on the other hand.

If the EPA had existed in Biblical times, there is no question in my mind that it would have regulated gas emissions from Noah's Ark. Poor Noah and his livestock; they could withstand a 40-day flood, but they would never have survived the EPA.

I encourage Members on both sides to take a step back and think about this. Let's use a little common sense here. I urge Members, especially if you support agriculture, farming, and the livestock industry, to support this motion.

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

Mr. DICKS. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Washington is recognized for 30 minutes.

Mr. DICKS. I want my colleagues to know that these are two important issues. We are going to work on them, and we are going to do the very best we can.

EPA has come out with a ruling on this issue that wants to make sure that the largest people who have the biggest farms with the most cows, cattle, and pigs have to report, but we are working on this. We're going to do the best we can to come out with a credible position for the House of Representatives.

And we will do the best we can on the 72 hours, but we have to keep the government running. We have a responsibility to do that.

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

Mr. SIMPSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from Idaho, and I thank the Speaker for the recognition.

Mr. Speaker, the Senate included a one-sentence provision in the 2008 omnibus spending bill requiring the EPA

to develop and publish a rule that mandates the reporting of greenhouse gas emissions for all sectors of the U.S. economy. That one sentence reads, ''Of the funds provided in the Environmental Programs and Management Account, not less than $3,500,000 shall be provided for activities to develop and publish a draft rule not later than 9 months after the date of enactment of this act, and a final rule not later than 18 months after the date of enactment of this act, to require mandatory reporting of greenhouse gas emissions above appropriate thresholds in all sectors of the economy of the United States.''

Mr. Speaker, this one sentence, incidentally, I will say—and I will say again later—never had a hearing. It was snuck in in this bill. That one sentence resulted in 1,302 pages, 42 volumes of regulations, and I hold here the 1,300 pages. The preamble of this regulation is 500 pages long. This is what this is, another 500 pages. So we've got 1,800 pages, and the Regulatory Impact Analysis of more than 200 pages. Mr. Speaker, here is another 200 pages. So, in total, this one sentence that was snuck in this bill has resulted in over 2,000 pages of new regulations for our country at a time that we're in a recession and people are hurting out there. This is the cost of more government.

The proposed rule generated about 17,000 comments. According to the EPA, this rule will cost employers $115 million for the first year, and estimates about $70 million each year after that just to comply with the new 2,000 pages here. Mr. Speaker, as a former small business owner and farmer, I would suggest these numbers are exceedingly low. And there is no estimate as to how much has already been spent by businesses trying to figure out whether or not they fall under the regulation, and if they do, how they're going to follow these new rules.

Congress tucked this sentence into an appropriations bill, again, without holding a single hearing. Let me reemphasize, not a single hearing goes into these 2,000 pages of regulations that are now being put on top of our economy. Consequently, the language provided no limitation or guidelines for the EPA and gave the agency unlimited authority to draft the new rule.

The EPA did its job; 1,300 pages in regulations are a testament to the Congress using the Appropriations Committee to shortcut the authorizing committee process.

The language we are debating today impacts the livestock industry. Within these 1,300 pages, the regulation requires a reporting of greenhouse gases from animal agriculture, which, on the surface, seems harmless enough. However, I want to stress that this regulation has a cost and, more importantly, it will do nothing to improve the environmental health of rural America. It doesn't make manure lagoons smell any better. It doesn't protect water wells or native species. It doesn't do one thing to improve the standard of living in rural Iowa or any part of this country. It has, however, improved the standard of living of people in metropolitan Washington, D.C., because this one sentence has kept a bunch of bureaucrats at EPA busy for the last year and a half.

Farmers work very hard day to day to try to preserve their environment, from learning how to keep their topsoil from washing away, to improving the quality of our water, to eliminating odor and turning waste products into energy. The health of the environment is critically important to the success of a farming operation.

□ 1745

American farmers have done a great job in finding ways to protect the environment without sacrificing their families' farms' incomes; but at a time when our Nation's farmers are facing some of the most difficult economic times in the last decade, we are introducing a new and costly Federal mandate. This regulation will generate additional input costs for an industry that can ill afford it.

Dairy has lost about $12 billion in milk receipts from 2008–2009, about a 33 percent loss; pork, a loss of about $2 billion, or 10 percent in receipts for hogs, and the industry is expected to lose another $800 million this year; cattle, a loss of about $5 billion, or 10 percent of its receipts; and poultry producers are going bankrupt.

If you're in livestock today, you are losing money. The EPA estimates the cost of reporting will be $900 per facility. However, one instrument used to measure methane can cost about $15,000, and it requires trained personnel to maintain, which adds further costs. So these farmers are going to have to hire an expert to sit there and monitor the machines. To me, that adds up to a little more than $900 per facility.

To add further costs to production is simply foolish and irresponsible on the part of this Congress. This language should never have been added to a spending bill. That's why we have an authorizing committee and why Members representing agriculture are concerned about this climate change legislation.

You think about it. One sentence tucked into an appropriations bill generated 1,300 pages of regulations, 500 pages of preamble and 200 pages of regulatory impact analysis, and it regulates all sectors of the economy, agriculture just being a small slice.

We have cap-and-trade bills that have thousands of pages of legislative language alone that Members of Congress want signed into law. This Congress intends to give the EPA a huge increase in spending this year, and I guess they're going to need it. Why? Because the EPA is going to have to hire a heck of a lot of new people to write those regulations, and regulations with equations like these have real costs to our economy.

Let me just show you what this regulation looks like. This is true. This is why farmers love Washington—when you have a paragraph that puts one of the formulas in these regulations that farmers have to comply with. Let me just read.

It says, ''For all manure management system components listed in 98.360(b), except digesters, estimate the annual CH4 emissions and sum for all the components to obtain total emissions from the manure management system for all animal types using equation JJ–1.''

Well, this is equation JJ–1. You figure it out. We're going to have to have a bunch of mathematicians on the farm along with the EPA, apparently.

The regulation, as written, is onerous. The cost and scope is in serious question, and agriculture cannot afford another Federal mandate on this economy. Manure management is a serious issue. I know. I grew up and I live in Iowa, but this rule does nothing—and I emphasize again nothing—to improve the way farmers manage their manure.

Ladies and gentlemen, we stand up here every day, and we talk about the economic problems outside the beltway and about how much we want to work to provide assistance. When will it dawn on us that here in Washington we are part of that problem? Washington mandates costs on a daily basis, whether on farmers who feed us or on our constituents in low-income areas who have to pay more of their hard-earned dollars each month to cover the costs of our well-intentioned handiwork. We need to think about the impacts—$200 here, $1,000 here, $200 million over there. Pretty soon, our employers are struggling to keep up with the government-generated cost-of-living increases.

I ask my colleagues to please support this motion to instruct. It is absolutely critical, not only in agriculture but for our constituents back home.

Mr. DICKS. Mr. Speaker, I just want to give a little background on this. I think the gentleman has a perspective, but I want to make sure that everyone understands what actually happened here.

The EPA administrator signed the proposed rule for the mandatory reporting of greenhouse gases from large emission sources in the United States on March 10, 2009. It was published in the Federal Register on April 10, 2009. The EPA received almost 17,000 written comments on the proposal, and it heard from approximately 60 people at the two public hearings. The final rule reflects changes the EPA made as it carefully considered and responded to significant comments.

Now what has happened here is that thousands of small farmers would be exempted, and only the 90 largest manure management systems in the country would be required to report their emissions, those who annually emit as

much in greenhouse gases as 58,000 barrels of oil. It is important for the EPA to receive information from these systems because the EPA needs reliable data on the greenhouse gas emissions from major facilities in all industries if we are going to be able to base our climate policy on a solid and thorough understanding of the problem.

So I think this rule, which is very close to where, I think, the conferees are going to come out, does the right thing. It exempts thousands of small farmers; but for the ones who have enormous operations, where large amounts of greenhouse gases are emitted, they have to report.

I think that's reasonable, and I think the process is reasonable. Congress directed that this be done. It was our committee that required a greenhouse gas registry so that we could make these decisions based on science, not on just political machinations. We did it on science. The EPA did it on science. I think it's a reasonable compromise.

I reserve the balance of my time.

Mr. SIMPSON. I would just remind the chairman that what we have is an authorizing committee that ought to be doing this and not the Appropriations Committee that ought to be doing this. This is the result of language put in an appropriations bill. We have authorizing committees like the Ag Committee which ought to be looking at this and overseeing it, not the Appropriations Committee.

Mr. Speaker, I yield such time as he may consume to the ranking member of the full committee, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I want to commend my friends, Chairman NORMAN DICKS and MIKE SIMPSON, for nearing the completion of their work on the Interior appropriations report as we speak. I look forward to discussing their work in greater detail over the next couple of days.

With regard to the motion to instruct, I would like to remind Members how important it is to you if this vote happens to reflect your constituency concerns—those constituents who have farms, ranches, livestock, et cetera in their districts. Without your support, the EPA will place an extraordinary and expensive burden on your constituents by regulating the emissions from cow, pig and chicken manure.

Now, I do know how intently my chairman, over the years, has opposed any kind of minor exemption in a process like this, but the language that we are considering, which was presented by Mr. LATHAM in the committee, was adopted with bipartisan support by the full committee, and it passed the House with overwhelming support. As Mr. SIMPSON pointed out, no one even tried to remove this during the House proceedings.

However, today, as we discuss this commonsense motion to instruct, I can't help but wonder about the greater plan to finish our appropriations work. I remind Members that the clock is ticking. We are now 1 month into the 2010 fiscal year, and we still have a great deal of work to do if we plan to complete our appropriations business this year.

By my account, the House and Senate have now sent to the President 4 of the 12 appropriations conference reports. Presuming it gets there soon, the Interior conference report will be the fifth. That means that there are 7 spending bills left to complete before the end of the year.

For weeks and months now, the House has had very little substantive work to do. Week after week, the legislative calendar is fashioned to appear that the House is busy with the Nation's business, but Members and those portions of the public who watch carefully know better. Members on both sides of the aisle are frustrated with the House leadership for loading up the calendar with suspension bills, which are relatively insignificant, as the rest of our spending bills languish.

For example, the Defense spending bill has now cleared both the House and the Senate, and there aren't any obstacles to prevent this conference report from moving forward.

I care a great deal about our public lands and environment, but moving the Interior bill before the Defense bill makes no sense. In fact, it borders on the irresponsible. Rather than moving the Defense bill, one of the most important spending bills, that bill is lying on the shelf while our men and women are defending our freedom in places like Afghanistan and Iraq. It is unfortunate that Democrat leaders have prevented the Defense bill from moving forward while we have troops deployed overseas.

Even more disconcerting is the fact that Democrat leaders are talking about using the troop funding bill as a mechanism for increasing the debt limit to the tune of over $13 trillion. There is no way, certainly, that that can be a reflection of our desire to honor the commitment of our military that is fighting overseas.

In addition, the Transportation-Housing spending bill cleared the House and Senate months ago, and that conference agreement should also be completed in short order. Instead, many of the best and brightest staffers on the Hill are left sitting on their hands, with nothing to do, while they await direction on how this year's work will be wrapped up.

The way we are proceeding, one would presume we are headed for yet another massive take-it-or-leave-it omnibus package. It is my understanding that the Interior bill will also carry the next continuing resolution, which could last until the week of Christmas or maybe even until the end of the year.

For all of the bluster about passing appropriations bills by the August break, albeit by changing the rules to avoid tough amendment votes, the majority has very little to show for it now. So far, the only bill completed on time is that which contains the budget for the Congress, itself. We certainly wouldn't want to have our being unemployed while the people out there are struggling to pay their bills and their taxes and while the men and women who are fighting for us overseas are left languishing, awaiting this Defense appropriations bill.

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

Mr. SIMPSON. May I inquire of the Speaker as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman has 10 minutes and 30 seconds remaining.

Mr. SIMPSON. I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I want to thank Ranking Member SIMPSON for yielding me time. I have to say that I think that he is much better equipped to be the ranking member of the Interior Committee than I was when I was ranking member.

I also want to commend Chairman DICKS. I think nobody has been better prepared to be chairman of the Interior Committee than he has, and he has done an excellent job.

Yet, Mr. Speaker, we have an honest concern and an honest difference on whether we should have these regulations imposed on the American economy and on American agricultural jobs.

There is an onslaught of regulations going on now, and we forget that, when we hire all of these government workers, they have to do something, so we're reminded when they submit these regulations which do nothing but slow our economy and force more unemployment.

We also forget that it takes five private-sector jobs to pay for each and every one government job, but we very seldom get the opportunity to talk about how we're going to grow our economy in a positive fashion. Instead, we have to play defense on how we're going to save the jobs we have today. Regulations like this do nothing but force more jobs overseas. They do nothing more than raise unemployment.

Is there any belief, when we impose additional regulations as high as this pile is next to me, that it will do nothing less than move agricultural jobs out of America to other countries like Mexico, Brazil and Argentina? Are you convinced that any of those countries will do a better job of regulating this type of production? I don't think they will.

Do you think they will do a better job in Mexico or in Brazil or in Argentina of managing animal diseases? We do a very fine job here. When there is a problem, we respond immediately, but I don't see that in those other countries.

□ 1800

What we are doing by writing these regulations is forcing production of

animals overseas where we will be more vulnerable as a world, where we will have less jobs as America. It's not the type of direction that I think our President wants to go. It's not the type of direction that I think Congress wants to go.

We see this not only in agriculture but we also have seen this in manufacturing, where as we grow the regulatory burden, the jobs move overseas. Today, 12 percent of the cost of making anything in America is consumed by just complying with the regulations. As a result we have seen jobs go offshore.

Now it's not because we have high wages; we want highly qualified workers. It's not because CEOs are greedy; they can only control so many costs. They cannot control the costs imposed upon their companies by the regulations that they are facing from the Federal Government today.

And we are doing this for what reason? So we can control greenhouse gases? I would defy anybody to show a measurable increase or decrease in greenhouse gases because of these regulations, and not only this year or next year, but in the next 50 or 100 years. This is not worth it. It doesn't meet the common sense. I would request that we keep the language that was passed in the Appropriations Committee by Mr. LATHAM and vote for this motion to instruct.

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

Mr. SIMPSON. Mr. Speaker, I thank the gentleman from Washington for entertaining this motion to instruct.

I said earlier that we had authorizing committees to do this. Some have suggested maybe they don't do their job and the Appropriations Committee has to do it for them. I don't think that's right.

But I will tell you that in the only comprehensive climate change bill that's passed the House, the Waxman-Markey bill, it exempted all animal agriculture sources from greenhouse gas emissions reporting. We have two bills now that have passed the House, and the House has stated they do not want to have to report animal emissions to the EPA, Waxman-Markey and the Interior appropriations bill that passed.

Now remember this legislation, or this amendment by Mr. LATHAM, was not in the original Interior bill as it came before the Appropriations Committee. It was added as an amendment. We affirmatively said we do not want the EPA to implement this rule on greenhouse gas emissions from animals. We affirmatively said it. It was not an oversight. That's what the committee said. When it came to the full House, no one offered an amendment to remove that language. I think that we ought to insist on the House language that is in this bill.

Now I am puzzled a little bit when the chairman says ''we'll do our best'' and then stands up and defends the rule. What is ''our best''? I don't know where we are headed with this.

Let me tell you how this process works just a little bit. Preconferencing goes on between the House and the Senate, generally between the staffs; they talk with the Members of Congress and so forth, but the preconferencing goes on. Apparently the Senate didn't like the Latham amendment, and we caved. And we said, No, we'll drop the Latham amendment.

I think we need to insist on the Latham amendment. It's been the only expression by either body of the direction we ought to go, that we are opposed to this mandatory reporting by the EPA that's going to cost us, I think the gentleman from Iowa said, $115 million a year. Remember, we just gave the dairy industry $350 million because of the hardships they are currently suffering. And now we are going to impose these kinds of costs on them.

We need to go to conference, and when we say we're going to do the best we can, if, when we go to conference, if the preconferenced conference report does not have the Latham language in it, that means we can offer an amendment to put it in the language, in the appropriation bill. But if the Senate doesn't have the votes to pass it there, then it's dropped and it's out.

If it goes to conference with the language in, they have to get an amendment both past the House and the Senate to drop it. It's to our advantage and to the will of this House that it have the language in the preconferenced report before we go to conference, and apparently we've dropped it. So when the chairman says we'll do the best we can, I don't know exactly what that means.

Mr. DICKS. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Washington.

Mr. DICKS. It means we got 99.9 percent of Latham. That's pretty good.

Mr. SIMPSON. Now I'm really confused. I'm really puzzled. I don't understand what the gentleman is saying.

Mr. DICKS. We all agree that for these small farmers, this makes no sense. The only people that are going to be under this rule are the people who are emitting the equivalent of 58,000 barrels of oil in these emissions. These are the biggest farmers in the country. They can afford to do this.

This is a compromise. The spirit of Latham has been adopted, but we regulate the small number of people, around 90 in the country, who have these very large emissions. I think it makes sense. I think it's a decent compromise.

Mr. SIMPSON. Reclaiming my time, I would yield to the gentleman from Iowa.

Mr. LATHAM. I thank the gentleman.

I don't know how you can say you have 99 percent when the amendment is eliminated. The fact of the matter is that we are going to be spending millions of dollars whether you are large producers or small producers to figure out who qualifies under this.

That's one of the major problems here is that nobody knows for sure who it is and who it isn't. You are going to have to spend as a large producer, small producer, whatever, a whole bunch of money to figure out whether or not you actually qualify.

The fact of the matter is, any of these costs are going to be passed down to the consumers. Now, I know, maybe another 30, 40 bucks a week out of a grocery bill isn't much for folks around here. But I tell you what, there are folks hurting at home, and that's a lot of money.

The idea that somehow this isn't going to affect the price of food, that it isn't going to affect the cost of agriculture; and to do nothing, just have no improvement as far as the environment, no improvement as far as waste management, as far as air emissions, it will do nothing except add cost to the end consumer. I'm sorry, but my producers out there know what this is going to cost them, each and every one of them, because they're going to have to go through a whole process to figure out what they can do and cannot do; it's going to add cost, and we're going to end up with the families today paying the bill at the grocery store because of onerous regulations exactly like this.

Mr. SIMPSON. Reclaiming my time, I will point out once again, this is the Appropriations Committee. The authorizing committee specifically exempts all animal agricultural source from greenhouse gas emission reporting. We got 100 percent of the legislation under the requirement the EPA can't oversee the emissions from the ships on the Great Lakes. We need to stand up strong, and we need to stand up for what the House voted for, not once but twice, what the committee voted for. We need to stand up in the conference committee with the Senate.

I encourage the chairman to do just that. I encourage my colleagues to vote for this motion to instruct.

I yield back the balance of my time.

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. DAHLKEMPER) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 368, by the yeas and nays;

House Resolution 562, de novo.

Proceedings on other postponed questions will resume later in the week.

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

CONGRATULATING THE IOWA HAWKEYES WRESTLING TEAM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 368, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 368, as amended.

The vote was taken by electronic device, and there were—yeas 367, nays 1, not voting 64, as follows:

[Roll No. 814]

YEAS—367

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
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)
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
Kingston
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Velázquez
Visclosky
Walden
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—1

Berry

NOT VOTING—64

Abercrombie
Barrett (SC)
Boyd
Brown, Corrine
Brown-Waite, Ginny
Cao
Capuano
Carter
Castor (FL)
Costa
Crenshaw
Culberson
Cummings
Davis (AL)
Davis (IL)
Deal (GA)
Delahunt
Diaz-Balart, L.
Dreier
Gerlach
Grayson
Grijalva
Gutierrez
Hinchey
Hoekstra
Holden
Johnson (IL)
Johnson, Sam
King (NY)
Kirk
Klein (FL)
Larsen (WA)
Lee (CA)
Lipinski
Maloney
Matsui
McCarthy (CA)
McCollum
Meek (FL)
Melancon
Miller, Gary
Moore (WI)
Neal (MA)
Ortiz
Paul
Payne
Putnam
Richardson
Roe (TN)
Rohrabacher
Roskam
Shadegg
Smith (WA)
Souder
Space
Stark
Teague
Thompson (CA)
Towns
Van Hollen
Wamp
Wasserman Schultz
Wexler
Young (FL)

□ 1903

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.

The title of the resolution was amended so as to read: ''Congratulating the University of Iowa Hawkeyes wrestling team on winning the 2009 NCAA Division I National Wrestling Championship.''.

A motion to reconsider was laid on the table.

CONGRATULATING SYRACUSE UNIVERSITY MEN'S LACROSSE TEAM

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 562.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 562.

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. HASTINGS of Florida. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 359, noes 1, not voting 72, as follows:

[Roll No. 815]

AYES—359

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
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)
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Chaffetz
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, M.
Dingell
Doggett
Donnelly (IN)
Doyle
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)
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
Kingston
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Velázquez
Visclosky
Walden
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Yarmuth
Young (AK)

NOES—1

Berry

NOT VOTING—72

Abercrombie
Barrett (SC)
Bilirakis
Boyd
Brown, Corrine
Brown-Waite, Ginny
Cao
Capuano
Carter
Castor (FL)
Clarke
Coffman (CO)
Cole
Costa
Crenshaw
Culberson
Cummings
Davis (AL)
Davis (IL)
Deal (GA)
Delahunt
Diaz-Balart, L.
Dicks
Dreier
Emerson
Gerlach
Grayson
Grijalva
Gutierrez
Hinchey
Hoekstra
Holden
Johnson (IL)
Johnson, Sam
King (NY)
Kirk
Klein (FL)
Larsen (WA)
Lee (CA)
Lipinski
Maloney
Matsui
McCarthy (CA)
McCollum
McKeon
Meek (FL)
Melancon
Miller, Gary
Moore (WI)
Neal (MA)
Ortiz
Paul
Payne
Putnam
Richardson
Roe (TN)
Rohrabacher
Roskam
Shadegg
Smith (WA)
Souder
Space
Stark
Teague
Thompson (CA)
Towns
Van Hollen
Wamp
Wasserman Schultz
Wexler
Wu
Young (FL)

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and 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:

Mr. COFFMAN of Colorado. Madam Speaker, on rollcall No. 815 I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Ms. LEE of California. Madam Speaker, today I missed rollcall vote No. 814 on H. Res. 368, congratulating the University of Iowa Hawkeyes wrestling team, and rollcall vote No. 815 on H. Res. 562, congratulating the Syracuse University lacrosse team. Had I been present, I would have voted "yea" on H. Res. 368 as amended, and "aye" on H. Res. 562.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested.

S. 1929. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ENERGY-EFFICIENCY RETROFITTING

(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, this May at a meeting of the Middle Class Task Force, Vice President BIDEN asked White House staff to develop a proposal that would grow clean-job opportunities and boost energy savings by retrofitting homes for energy efficiency.

In response, CEQ facilitated a broad interagency process to develop recommendations.

I commend those recently released recommendations and the leadership of our White House on energy policy. Through the Recovery Act's unprecedented investments in energy efficiency, we are making it easier for American families to retrofit their homes, helping them save money.

Existing techniques and technologies in energy-efficiency retrofitting can reduce energy use by up to 40 percent per home and lower total associated greenhouse gas emissions by up to 160 million metric tons annually. Retrofitting existing homes also has the potential to cut home energy bills by $21 billion annually.

We must continue to drill and mine energy efficiency as our fuel of choice, like we drill for oil and mine for coal.

□ 1915

TEENS AGAINST DOMESTIC ABUSE

(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. Madam Speaker, I rise in support of House Resolution 817, supporting the goals and ideals of National Domestic Violence Awareness Month.

Domestic abuse is a terrible and often hidden problem that plagues our Nation and affects millions of families every year. In my congressional district of south Florida, extraordinary groups such as Teens Against Domestic Abuse, or TADA, are working to raise awareness about domestic abuse.

TADA is Florida's first teen antidomestic violence advocacy group. Their commendable efforts, including working with the Women's Fund of Miami-Dade County, will be hosting an event called, ''Break the Silence; Break the Cycle'' on November 5 in Miami. This event will highlight the spreading frequency of domestic violence throughout the U.S. and how all socioeconomic and ethnic groups are impacted by this crisis.

TADA strives to educate children and teens about the prevalence of domestic abuse in all types of relationships. I encourage everyone in south Florida to show their support on Thursday, November 5.

UNITED AMERICAN FAMILIES ACT

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

Mr. QUIGLEY. Madam Speaker, as we begin to consider substantial comprehensive immigration proposals, I strongly urge my colleagues to remember what it means to achieve comprehensive reform.

We cannot forget a very important immigrant group in this country, binational GLBT couples. If we are to consider here on this floor a proposal deemed ''comprehensive,'' we must truly mean everyone. We must mean it when we say that you can be an American no matter the color of your skin, your religion, or who you love.

Congressman HONDA has been courageous enough to tackle the issue of amending the Nation's immigration laws to allow U.S. citizens and permanent residents to sponsor their same-sex partners for family-based immigration through the United American Families Act.

In this debate, we have talked about keeping families together, but we cannot turn a blind eye to the children who have been taken from a family because they have two moms or two dads and one doesn't live in this country.

We talk about doing what is right, what is fair, and what is just, but we neglect to imagine the pain and suffering these families are going through because we as a government think it's our right to tell the people who they can love.

FIVE REASONS THE PRESIDENT'S APPROVAL HAS PLUMMETED

(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, the President's approval by the American people has dropped faster than any other President in over 50 years, according to Gallup. Let me offer five reasons why:

One, the President said he would cut the deficit in half; instead, it has tripled.

Two, the White House claimed the $787 billion stimulus bill would keep unemployment below 8.5 percent; instead, it has jumped to 9.8 percent.

Three, Democratic leaders told us the energy bill would cost families only $153 a year; instead, the Treasury Department admitted it could cost $1,700 a year.

Four, the President said the health care bill would be negotiated in open meetings; instead, the decisions are being made behind closed doors.

Five, the President promised that if you like your health care insurance, you can keep it; instead, the nonpartisan Congressional Budget Office found that, in fact, you can lose it.

Madam Speaker, it is no wonder that a majority of the American people now disagree with the President's policies, according to a recent CNN poll.

SAUDI ARABIA: MINORITY'S NEW ALLY

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

Mr. CONNOLLY of Virginia. Madam Speaker, the minority party has a new ally in its effort to obstruct clean energy legislation—the Saudi Arabian Government.

Here in the House I was proud to join my colleagues in passing legislation that would invest in clean energy technology, create new green jobs, and cut global warming pollution. Those same countries on whose foreign oil we are currently dependent are not supportive of legislation that would do these things.

As The New York Times reported on October 14—an article I will enter into the RECORD—Saudi Arabia will go to the international climate negotiations in Copenhagen with the goal of preventing ratification of an effective international treaty to reduce greenhouse gas pollution precisely because such a treaty would reduce American reliance on its oil.

The Senate is considering a bill analogous to what we already passed here in the House to cut global warming pollution and reduce our dependence on foreign oil. I hope Saudi Arabia's opposition to American energy independence will remind all of us how important it is for the Senate to act, and act now.

[From the New York Times, Oct. 14, 2009]

''STRIVING FOR NO'' IN CLIMATE TALKS

(By Andrew C. Revkin)

UNFCCC Amid the throngs at climate talks, as shown in Bali here in 2007, officials from individual countries can make a big difference. Saudi Arabia has been pinpointed as an influential player.

In doing my reporting for the story in The New York Times today on Saudi Arabia's latest maneuvers in climate treaty talks (they are reviving longstanding demands for compensation for lost oil revenue), I found an interesting paper on the oil kingdom's involvement in climate talks by Joanna Depledge, a research fellow at Cambridge University focusing on climate negotiations.

The paper, ''Striving for No: Saudi Arabia in the Climate Change Regime,'' was published last November in the journal Global Environmental Politics. It is the most comprehensive analysis I've seen of the role that Saudi Arabia and other oil exporters have played through two decades of global climate diplomacy. Dr. Depledge's conclusion is that this is a classic case of parties—in this case Saudi Arabia and other oil-rich states—getting involved in a process primarily to obstruct it. She concludes by noting hints that the oil powers appear to be shifting these days to a more constructive role.

But many observers and participants in the interim climate talks that concluded in Bangkok last week saw scant signs of a cooperative approach. And the e-mail and statements from Saudi officials that Jad Mouawad and I cited in our article appear to display a willingness by Saudi Arabia to impede a deal in Copenhagen if it does not include concrete commitments of aid and investment to offset anticipated drop in oil flows as countries try to cut emissions.

In an e-mail message to me, Dr. Depledge warned that Saudi Arabia and its lead official on climate, Mohammad al-Sabban, should not be underestimated as they pushed for financial commitments. ''I am absolutely sure that getting something on this will be a deal-breaker/maker for them,'' she wrote. ''They are quite blunt about it. It is the strategy they have followed since 1991.''

Dr. Depledge said she was hoping ''that getting something on investment'' in carbon capture and storage would ''provide a win-win way of getting them on board.''

''Al-Sabban is the most skillful and experienced negotiator in the process,'' she continued. ''Others ignore him at their peril.''

Access to the paper requires a subscription, so I will summarize its main points below. Here's part of the abstract:

A key starting point for the conduct of global negotiations under the U.N. system is that delegations are actively seeking an agreement that will meaningfully address the problem at hand. Sometimes, however, negotiations must contend with cases of obstructionism, that is, negotiators who are at the table with the aim of preventing an agreement. Given that they face no imperative of striking a deal, governments for whom ''no'' is the preferred outcome can have a disproportionately high impact on the negotiations, not only by formally blocking agreements, but on a day-to-day basis by slowing down progress or souring the atmosphere. This article examines Saudi Arabia's involvement in the climate change regime, and argues that the delegation has long played the role of obstructionist.

Dr. Depledge notes that Saudi Arabia and many other oil-exporting states only joined the Kyoto Protocol once it became clear it was going to take effect. ''Saudi Arabia acceded in time to ensure that it would become a party—and therefore able to fully influence proceedings,'' she wrote.

She described a significant contrast between the stances of Saudi Arabia and another developing country exporting fossil fuels—in this case South Africa and its coal:

Although the South African economy is more diversified than that of Saudi Arabia, it is still highly dependent on the coal sector. South Africa is the world's second-largest coal exporter, with developed countries accounting for 80 percent of its coal exports. South Africa is much poorer than Saudi Arabia, and coal is more vulnerable to climate policy than oil, given its higher carbon content and the greater availability of alternatives. South Africa, however, has adopted a more balanced view of the risks posed by climate change and mitigation measures, translating into a far more constructive role in the negotiations. Saudi Arabia has simply sought to prevent or slow down progress, either on the general thrust of the negotiations or on specific agenda items.

Dr. Depledge described signs of a shift in the oil kingdom's stance, including its endorsement of science pointing to big impacts from a building human influence on climate and commitment of money to pursue technologies for capturing carbon dioxide from the burning of fossil fuels and other new energy options.

But her conclusion was still cautionary:

The question is whether, and if so how, these developments will eventually feed through to changes in the Saudi delegation's approach to the negotiations themselves, especially leading up to the landmark Copenhagen meeting in December 2009. For now (up to the June 2008 sessions), any signs of a softening in the Saudi negotiating position remained well hidden.

THE WORST OF FRIENDS: OPEC AND G77 IN THE CLIMATE REGIME

(By Jon Barnett)

In the climate change negotiations the thirteen countries that are members of OPEC obstruct progress towards reducing emissions of greenhouse gases. Although these actions undermine sustainable development in developing countries. the larger Group of 77 (G–77) coalition nevertheless tacitly supports its OPEC members in the climate regime. This article explains the connection between OPEC's interests in oil exports and its inaction on climate change, and the divergence of these interests with those of the G–77. It argues that OPEC's influence within the G–77, and therefore the climate regime, stems from the desire to maintain unity within the G–77. This unity has and is likely to continue to cost the majority of developing countries in the form delayed assistance for adaptation, the possibility of inadequate reduction in emissions under the second commitment period under the Kyoto Protocol, and continued dependence on increasingly expensive oil imports.

STRIVING FOR NO: SAUDI ARABIA IN THE CLIMATE CHANGE REGIME

(By Joanna Depledge)

The international relations literature often assumes that negotiators in global regimes are actively seeking a collective agreement to the problem on the table. There are cases, however, where a delegation may instead he ''striving for no,'' that is, participating with the aim of obstructing a deal. This article explores the challenges surrounding such cases of ''obstructionism,'' using the example of Saudi Arabia in the climate change regime. It examines the evidence for diagnosing Saudi Arabia as an obstructionist in that regime, the delegation's negotiating tactics, strategies for addressing obstructionism, and finally the repercussions for both the climate change regime, and Saudi Arabia itself. In conclusion, the article considers whether Saudi Arabia may be moving beyond obstruction.

RECOGNIZING 2009 TEKNE AWARD WINNERS

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

Mr. PAULSEN. Madam Speaker, I rise to congratulate the recent winners from my congressional district of the 2009 Tekne Awards from the Minnesota High Tech Association.

In the 10th year of these awards, the Tekne Awards continue to acknowledge companies and individuals who have demonstrated superior technology advancement and leadership in Minnesota. Of the awards, I can proudly boast that 9 of the 14 winners are from my Third Congressional District.

On that note, I would like to recognize the following winners: Minnesota Thermal Science, SearchAmerica, Nonin Medical, Starkey Laboratories, Digital River, Access Genetics, XATA Corporation, and Laurie Toll from Maple Grove schools.

Madam Speaker, their accomplishments are proof positive that the spirit of American innovation and entrepreneurship is alive and well in Minnesota. I am proud to recognize these Minnesota companies and individuals for their hard work, and I congratulate them on their 2009 Tekne Awards.

DEMOCRATS COMPLAIN BUT DO NOTHING

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

Mr. BURTON of Indiana. You know, I get a big kick, Madam Speaker, out of my colleague from Virginia when he comes down and starts talking about that we're not for clean energy and we're not for solving the problems of the environment when the Democrat Party will not do anything to allow us to drill in the ANWR, offshore on the Continental Shelf, and use natural gas, which is a clean-burning fuel. They won't allow nuclear energy in this country. They think that the nuclear energy problem is bigger than the environmental problem, when 75 percent of the energy created in France is nuclear energy in a very safe way.

So I get a big kick out of my colleagues on the other side of the aisle complaining about how we're not for clean energy and helping clean up the environment when they won't do a darn thing to move in that direction by using natural gas, drilling for it when we have a 400- to 500-year supply, and actually going ahead with nuclear development in this country. Nuclear energy is the answer. Clean-burning natural gas is the answer, but they won't go along with it, and yet they come down here and complain day after day after day.

TERRORISTS CONTINUE TO THREATEN STABILITY AND FAMILIES IN IRAQ

(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. Madam Speaker, yesterday, cowardly homicide bombers murdered over 100 people in two car bombs in Baghdad, the deadliest mass slaughter in 2 years. The enemies of freedom in Iraq show they intend to continue to kill innocent civilians to threaten stability in the region and American families.

President Obama correctly praised the courage and resilience of the Iraqi people and their determination to build strong institutions. Secretary of State Clinton made it clear that these terrorists would ''not deter Iraqis from administering justice based on the rule of law and carrying out their legitimate responsibilities in governing Baghdad.'' And Prime Minister Maliki underlined the need to fight the enemy of Iraq and America, recognizing al Qaeda as perpetrators of this heinous atrocity.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. We appreciate the Kurdish Regional Government delegation, a dynamic part of Iraq, visiting Washington today.

AMERICAN SOLDIERS KILLED IN AFGHANISTAN

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

Mr. CHAFFETZ. Madam Speaker, today, we have learned of the passing of two of America's finest soldiers when an improvised explosive device exploded in Afghanistan. Killed was Private First Class Kimble Han or Lehi, Utah, as well as Eric Lembke of Tampa Bay, Florida.

Madam Speaker, I hope we will all pause to give thanks to the men and women who have served in our Armed Forces and that we remember their families and friends.

May God bless these fine soldiers, and may God bless the United States of America.

GOVERNMENT OBESITY

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

Mr. POE of Texas. Madam Speaker, the first stimulus bill was 1,000 pages long and cost $1 trillion. We were, in essence, told, Pass this or America is doomed. It was railroaded through before anyone could even read the bill. Now we know why. It wasn't about creating jobs; it was about more government spending. Since then, 3 million more people have lost their jobs, over 15 million people are unemployed, and the unemployment rate just keeps growing.

And so the government's answer is, if at first you don't succeed, try, try again. So the government this year is going to have a second stimulus bill. The Federal Government has already spent more money this year than all previous years in American history combined.

The American people have had about all the big government spending they can stand. With that kind of government success, it's time to try something else, like cut taxes instead of cutting jobs.

We cannot spend, borrow, and tax our way into more jobs or prosperity; big oppressive government just has proved it. Government needs a health care plan for compulsive, addictive government obesity.

And that's just the way it is.

IT IS TIME TO PASS HEALTH CARE REFORM

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Madam Speaker, this very important health care debate couldn't be more timely. H1N1 is raging across America. Many

questions are being asked. The Federal Government is working hard to produce the vaccine necessary to protect American families. We find that one in five children are impacted by H1N1.

In Houston, we held a congressional briefing with a number of my colleagues and we saw firsthand the importance of a public-private partnership, i.e., a public option in health care reform. We saw the need for county governments and city governments and clinics working with private pediatricians to help stem the tide of H1N1.

This is a time now to pass health care reform. This is also a time to stay focused on providing the information and, of course, the support in protecting America against the surge, if you will, or the pandemic of H1N1.

Health care is a priority, and we must pass health care reform and focus on working with our local governments and State governments to protect our children in America.

PAY ATTENTION TO THE AMERICAN PEOPLE

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, recently the nonpartisan Galen Institute commissioned a national survey on the issue of health care; very interesting results.

Seventy-one percent of the American people are opposed to the requirement that all Americans must purchase health insurance or pay a penalty, which is part of the plan that is before this House.

Fifty-eight percent of the American people oppose increasing taxes on the working and middle class in order to help cover the uninsured, most of them strongly opposing that.

And, Madam Speaker, 71 percent of the American people are concerned that their own health insurance will change if Congress passes health reform as proposed in this Congress.

Madam Speaker, isn't it about time we paid attention to the American people instead of ignoring them?

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SPECIAL ORDERS

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

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

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

A TALE OF TWO COUNTRIES

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

Ms. KAPTUR. Madam Speaker, Fortune magazine reported on October 20, 2009, a title story, ''Big Banks, Take Your Money and Run.''

The New York Times today reported, ''As Wall Street has returned to business as usual, industry power has become even more concentrated among relatively few firms.''

A handful of mammoth banks has brought our Nation, our credit system and our economy to its knees. Some call them ''too big to fail.'' One must ask:

Why should a few big players have so much power that they can force taxpayer bailouts for themselves, can shut off credit and can hold the reins of our economy in their hands?

A handful of firms are gobbling up our money and are killing off smaller banking institutions. Congress and this administration are just letting them do it. My friends, such concentration of financial power is dangerous to our country.

A few Wall Street firms are on the fast track to controlling all banking in this country. Rather than address this by breaking up these banks, some in Washington say they just want to regulate them better. If you believe that, you haven't paid any attention over this last year.

The biggest banks are getting bigger. In fact, a year ago, the biggest ones controlled 30 percent of the deposits in the country, according to Fortune magazine. Now they're up to 37 percent, and they're growing even faster. Here are their names: Bank of America, Wells Fargo, JPMorgan Chase, Citigroup, and PNC. PNC practically has price control power over western Pennsylvania and eastern Ohio right now.

These firms have already shown us that regulations mean nothing to them. They invent loopholes before Washington has even thought of them. Why wouldn't they again? Not all of their activities were by the book either. Fraud is rampant. Yet we cannot even get a grip on fraud because there are not enough FBI agents to look into mortgage, corporate and securities fraud. We need 1,000 FBI agents, not a few hundred, to untangle what has really been going on.

Americans have a right to be angry about being cheated out of their money, their homes and their jobs; but how long will Congress and the administration tiptoe around the power grab? Wall Street goes right on, seizing all they can get their hands on, and they are holding onto the money so tightly they're not lending it. They're buying up one another and the smaller banks, rewarding themselves quite handsomely.

There is a clear solution: Break them up. It's overdue. The Governor of the Bank of England says to break them up. Why not? Why are we protecting Wall Street's bad boys?

Another terrible precedent: rewarding more hazard rather than preventing it. We've been there before, and look where it got us now. This brings to mind Charles Dickens' 19th-century English masterpiece, ''A Tale of Two Cities,'' except this is the United States, and it is the 21st century, and it is a tale not of two cities but of two countries.

There is one country where the giant banks are making so much money that they are setting aside enough to pay each worker in their investment banking division a bonus of $353,834. That country is Wall Street. The other country, where I come from—Toledo, Ohio and places like it—is where the median household annual income is not even one-tenth of what they get as bonuses. Our median income is $35,216. That's not even one-tenth as much as JPMorgan Chase is setting aside just for bonuses for its investment banking employees.

In one country, banks make themselves too big to fail. They privatize their profits and they socialize the losses. In the other country, which I represent, families, which are too small to matter, lose their jobs to globalization and their homes to foreclosure.

In the other country, where I live, the unemployment rate exceeds 13 percent. Housing values have fallen more than 10 percent in a single year, and foreclosures are up 94 percent. The mortgage workouts Congress promised with all of those bills that were rushed through here are just an illusion. They're not happening.

There is something really wrong with this picture. There is something really wrong with our economy.

Even one of the Wall Street analysts picked up on it. He was quoted by the AP as saying, ''Wall Street is picking up quite smartly while Main Street continues to suffer.'' Do you mean someone up there has finally noticed?

Madam Speaker, there is a solution here: Break them up. It's long overdue.

[From the New York Times, Oct. 26, 2009]

TRYING TO REIN IN ''TOO BIG TO FAIL'' INSTITUTIONS

(By Stephen LaBaton)

WASHINGTON.—Congress and the Obama administration are about to take up one of the most fundamental issues stemming from the near collapse of the financial system last year—how to deal with institutions that are so big that the government has no choice but to rescue them when they get in trouble.

A senior administration official said on Sunday that after extensive consultations with Treasury Department officials, Representative Barney Frank, the chairman of the House Financial Services Committee, would introduce legislation as early as this week. The measure would make it easier for the government to seize control of troubled financial institutions, throw out management, wipe out the shareholders and change the terms of existing loans held by the institution.

The official said the Treasury secretary, Timothy F. Geithner, was planning to endorse the changes in testimony before the

House Financial Services Committee on Thursday.

The White House plan as outlined so far would already make it much more costly to be a large financial company whose failure would put the financial system and the economy at risk. It would force such institutions to hold more money in reserve and make it harder for them to borrow too heavily against their assets.

Setting up the equivalent of living wills for corporations, that plan would require that they come up with their own procedure to be disentangled in the event of a crisis, a plan that administration officials say ought to be made public in advance.

''These changes will impose market discipline on the largest and most interconnected companies,'' said Michael S. Barr, assistant Treasury secretary for financial institutions. One of the biggest changes the plan would make, he said, is that instead of being controlled by creditors, the process is controlled by the government.

Some regulators and economists in recent weeks have suggested that the administration's plan does not go far enough. They say that the government should consider breaking up the biggest banks and investment firms long before they fail, or at least impose strict limits on their trading activities—steps that the administration continues to reject.

Mr. Frank, Democrat of Massachusetts, said his committee would now take up more aggressive legislation on the topic, even as lawmakers and regulators continue working on other problems highlighted by the financial crisis, including overseeing executive pay, protecting consumers and regulating the trading of derivatives.

Illustrative of the mood of fear and anger over the huge taxpayer bailouts was Mr. Frank's recent observation that critics of the administration's health care proposal had misdirected their concerns Congress would not be adopting death panels for infirm people but for troubled companies.

The administration and its Congressional allies are trying, in essence, to graft the process used to resolve the troubles of smaller commercial banks onto both large banking conglomerates and nonbanking financial institutions whose troubles could threaten to undermine the markets.

That resolution process gives the government far more sweeping authority over the institution and imposes major burdens on lenders to the companies that they would not ordinarily face when companies go into bankruptcy instead of facing a takeover by the government.

Deep-seated voter anger over the bailouts of companies like the American International Group, Citigroup and Bank of America has fed the fears of lawmakers that any other changes in the regulatory system must include the imposition of more onerous conditions on those financial institutions whose troubles could pose problems for the markets.

Some economists believe the mammoth size of some institutions is a threat to the financial system at large. Because these companies know the government could not allow them to fail, the argument goes, they are more inclined to take big risks.

Also, under the current regulatory structure, the government has limited power to step in quickly to resolve problems at nonbank financial institutions that operate like the failed investment banks Lehman Brothers and Bear Stearns, and like the giant insurer A.I.G.

As Wall Street has returned to business as usual, industry power has become even more concentrated among relatively few firms, thus intensifying the debate over how to minimize the risks to the system.

Some experts, including Mervyn King, governor of the Bank of England, and Paul A. Volcker, the former chairman of the Federal Reserve, have proposed drastic steps to force the nation's largest financial institutions to shed their riskier affiliates.

In a speech last week, Mr. King said policy makers should consider breaking up the largest banks and, in effect, restore the Depression-era barriers between investment and commercial banks.

''There are those who claim that such proposals are impractical. It is hard to see why,'' Mr. King said. ''What does seem impractical, however, are the current arrangements. Anyone who proposed giving government guarantees to retail depositors and other creditors, and then suggested that such funding could be used to finance highly risky and speculative activities, would be thought rather unworldly. But that is where we now are.''

The prevailing view in Washington, however, is more restrained. Daniel K. Tarullo, an appointee of President Obama's, last week dismissed the idea of breaking up big banks as ''more a provocative idea than a proposal.''

At a meeting Friday at the Federal Reserve Bank of Boston, the Federal Reserve chairman, Ben S. Bernanke, said in response to a question by a former Bank of England deputy governor that he would prefer ''a more subtle approach without losing the economic benefit of multifunction, international firms.''

Republican and Democratic lawmakers generally agree that the ''too big to fail'' policy of taxpayer bailouts for the giants of finance needs to be curtailed. But the fine print—how to reduce the policy and moral hazards it has encouraged—has provoked fears on Wall Street.

Even before Mr. Frank unveils his latest proposals, industry executives and lawyers say its approach could make it unnecessarily more expensive for them to do business during less turbulent times.

''Of course you want to set up a system where an institution dreads the day it happens because management gets whacked, shareholders get whacked and the board gets whacked,'' said Edward L. Yingling, president of the American Bankers Association. ''But you don't want to create a system that raises great uncertainty and changes what institutions, risk management executives and lawyers are used to.''

T. Timothy Ryan, the president of the Securities Industry and Financial Markets Association, said the market crisis exposed that ''there was a failure in the statutory framework for the resolution of large, interconnected firms and everyone knows that.'' But he added that many institutions on Wall Street were concerned that the administration's plan would remove many of the bankruptcy protections given to lenders of large institutions.

[From CNNMoney.com, Oct. 20, 2009]

BIG BANKS TAKE YOUR MONEY AND RUN

THE TITANS THAT SURVIVED LAST YEAR'S TUMULT HAVE GATHERED DEPOSITS BY THE BUSHEL. BUT THEY HAVE SHOWN LESS OF A KNACK FOR LENDING IT OUT

(By Colin Barr)

NEW YORK.—A river of cash has flowed into the biggest banks over the past year. But for borrowers, it has been more of a meandering stream.

Deposits at the top five bank holding companies soared 29% in the year ended June 30, according to the Federal Deposit Insurance Corp.

Yet only one of those banks—PNC (PNC, Fortune 500) of Pittsburgh—boosted its lending by the same magnitude, according to midyear data from regulatory filings.

At Bank of America (BAC, Fortune 500), JPMorgan Chase (JPM, Fortune 500) and Wells Fargo (WFC, Fortune 500), loan growth trailed deposit growth by a wide margin.

And Citigroup (C, Fortune 500), the bank that has received the most federal aid since the market meltdown of September 2008, reported a decrease in lending despite an increasing pool of deposits.

All told, the five biggest deposit-taking banks added $852 billion in core deposits over the past year—essentially checking and savings accounts of less than $100,000.

Over the same period, their loan portfolios rose by just $564 billion.

This is noteworthy because these five banks received more than $100 billion in direct taxpayer assistance via the Troubled Asset Relief Program (TARP)—a program that was set up to replenish the depleted capital levels of banks and allow them to boost lending to consumers and small businesses.

Some fear the lending gap could hamper chances of an economic recovery.

Federal Reserve governor Daniel Tarullo told Congress this month that commercial bank lending has declined through most of 2009, ''with particularly severe consequences for small- and medium-sized businesses, which are much more dependent on banks than on the public capital markets that can be accessed by larger corporations.''

Of course, the slower loan growth is hardly a shocker. Loan demand naturally drops off during a recession, as consumers and businesses pay down debt and build cash reserves.

The latest Fed senior loan officer opinion survey cited weaker demand for all sorts of loans—particularly industrial loans and commercial real estate loans.

JPMorgan Chase spokesman Tom Kelly ''said that's why the bank's loan growth lagged its deposit growth.

''We continue to lend, but what happened in the market and the economy last year really spooked a lot of people. So they started parking cash at banks,'' he said.

Banks have also been reluctant to lend since they have been taking big hits as existing loans go sour as well.

Commercial net loan charge-offs hit 2.06% in the second quarter—their highest level since the government started tracking the data in 1988, according to the Federal Financial Institutions Examination Council.

Still, evidence that the banks are sitting on cash won't sit well with the growing chorus of bailout critics.

Big banks have come under fire for resisting plans to reduce the risk of another financial sector meltdown and for handing out huge pay packages at a time when jobs are disappearing.

Last week's disclosure that Goldman Sachs (GS, Fortune 500) has set aside $16.7 billion for employee pay this year inflamed critics who question why bankers should reap the fruits of unlimited taxpayer support while the unemployment rate is at a 26–year high.

Many of the deposit gains came after big banks took over weakened competitors during last year's crisis.

JPMorgan Chase bought Washington Mutual after the Seattle-based savings and loan became the nation's largest bank failure.

Bank of America bought Countrywide and Merrill Lynch, both of which owned banks that were among the top 20 in deposits before their acquisition. BofA didn't immediately return a call seeking comment.

Wells Fargo and PNC both bulked up by buying bigger but deeply troubled rivals. Wells acquired Wachovia after it suffered a deposit run, while PNC purchased National

City after its request for TARP funding was denied. PNC didn't comment.

''We are in fact lending to creditworthy customers,'' said Wells spokeswoman Julia Tunis Bernard. She said Wells extended $471 billion in new loan commitments between October 2008 and the end of the second quarter—some 19 times the bank's TARP take.

Even Citi, which sat out last fall's frenzied game of banking musical chairs, still posted double-digit deposit growth as Americans fled other investments for the safety of federally insured banks. Citi didn't reply to a request for comment.

The top five firms—dubbed too-big-to-fail, or TBTF, for their implicit government support—now control 37% of the nation's deposits.

That's well above their average from earlier this decade, reviving questions about the risks of a financial system that's even more concentrated than the one that imploded last fall.

''The TBTF problem has not only moved beyond the banking system, it has become much too costly for taxpayers and the U.S. economy,'' University of Massachusetts researcher Jane D'Arista wrote in an August paper.

BORDER WAR—THE ZETAS

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

Mr. POE of Texas. Madam Speaker, I bring you news from the second front—the war on the border between Mexico and the United States. Dangerous drug cartels are already in control of major stretches of the U.S.-Mexico border, and they're taking over whole Mexican border towns.

The Zeta drug cartel is the most violent and the most feared of the Mexican drug cartels. Zetas have attacked Mexican towns in military-style operations at platoon-strength numbers. They have massacred hundreds of their competitors, often beheading and dismembering them. They have fought hour-long battles with the Mexican military in the streets of Matamoros. Madam Speaker, Matamoros is a border town on the Rio Grande River across from Brownsville, Texas.

Recently, shots came over that border, hitting buildings and a parking lot at a University of Texas branch in Brownsville. Authorities presumed this violence was from the drug cartels, themselves. The Zetas have moved into Matamoros. They also claim to control Nuevo Laredo, which is across from the Texas town of Laredo.

The Zetas have no fear of the authorities. There is no law or order in any of the towns they control, and they have assassinated police chiefs and local politicians. They own the towns. They have raised terror throughout Mexico—fighting their rivals, the Mexican Army and the police. The success of the Zeta cartel has forced other Mexican drug cartels into an arms race with military weaponry and tactics.

Who are these Zetas, and where do they come from?

Well, the Zetas were formed by deserters from the Mexican Army's veteran elite Airborne Special Forces Group. The Zetas also include former members from the Guatemalan Kaibiles Special Forces organization. We trained them here in America, at the School of the Americas, in the latest and best tactics and weaponry. When they got back home, they deserted from the military, and they went to work for the drug cartels. In essence, they declared war on the Mexican Government, and they became part of what they were trained to fight.

They make a lot more money in trafficking guns, drugs and people than they would ever have in working as a Mexican or a Guatemalan soldier, and they're using superior military training—that training they received at the expense of the United States. Trafficking in drugs, arms and human beings is a very lucrative business. Billions of dollars worth of merchandise is moved across our southern border every year.

The Zeta international trafficking cartel has evolved into a privately funded military army. They have the best military equipment money can buy, and they have transformed into an international gang, working even in the United States. Without a secure southern border, the violence will continue in Mexico, and only those who live in never-never land will think the problem will not get to the United States. The Zetas are an urban guerrilla organization which threatens to topple any semblance of law and order.

According to the Houston Chronicle, the ''Zeta gunmen and their accomplices routinely blockade Matamoros' downtown streets. Last winter, the gangsters mobilized thousands of people to briefly close the region's bridges across the Rio Grande, halting trade'' with the United States into Brownsville.

Now, the administration's strategy is to look the other way and to pretend it's not happening. Well, we cannot wish away this threat to public safety and to America's national security. We must not allow the situation to continue to escalate unchecked, because violence is actually spilling out into the streets of America near our border towns. Our local law enforcement is overwhelmed. The border sheriffs need more assistance. They are not equipped or trained to handle these military-style incursions by the Zetas and by other drug cartels.

While the administration is stalling and deliberating about what to do in Afghanistan, the government is also giving little attention to our southern border, but this is not the first administration to neglect enforcing the rule of law on the southern border. There has been much rhetoric for years from the government about protecting the border, but like my grandfather used to say, ''When all is said and done, more is said than done,'' and that is especially by the government.

The Nation needs to understand there is a border war on our southern border. Immediate action is necessary, and the United States should conduct training on the southern border with our military. This will help deter incursions. Plus the Governors from Texas and New Mexico have asked for the National Guard to be sent to the border. So more National Guard troops should be sent to protect the dignity and the sovereignty of our Nation, because the first duty of government is to protect the people, to protect us from the invasion of the crime cartels.

The people who live on the border on both sides of the Rio Grande have a right to expect their government to protect them from the Zetas and from all other criminal cartel enterprises which illegally cross the border.

And that's just the way it is.

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.)

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.)

H.R. 268—MILITARY CHAPLAINS BILL

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. Madam Speaker, it is a sad day in America when our chaplains in the military cannot pray according to their faiths and consciences. Our troops are risking their lives in dangerous countries to protect the religious freedoms of others, but our own military does not always permit that our military chaplains can pray according to his or her faith.

For this reason, I have introduced H.R. 268, which is a bill to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience.

I have spoken with many, many chaplains who have served in conflicts from Vietnam to Desert Storm, and there never was any restriction on chaplains and on how they prayed until the mid-1990s. This suppression of religious freedom, the very principle on which this country was founded, is a pervasive problem that is affecting every branch of our Armed Forces and that is affecting chaplains of every denomination. As of 2008, 76 percent of the chaplains were Protestant, 9 percent Catholic, 1 percent Jewish, and 14.1 percent were of some other faith.

About 5 years ago, I was introduced to the case of Army Captain Chaplain

Jonathan Stertzbach, an independent Baptist by training. Chaplain Stertzbach was called to perform a memorial service for a fallen soldier. In that division, he had to e-mail his prayer to the divisional chaplain. In the prayer, the divisional chaplain struck through the words ''Jesus Christ.'' He sent back the prayer with the strike-through of ''Jesus Christ'' to Jonathan Stertzbach. Chaplain Stertzbach went to the company commander, and asked permission not to pray.

The company commander says, Why not?

He says, Because I've been ordered not to close my prayer as I see fit, based on my conscience, and knowing that the deceased soldier had attended his chapel, a Christian chapel.

So the company commander said to Chaplain Stertzbach, You will pray, and you will pray as you see fit.

He did, and he closed his prayer in the name of his Savior, the Lord Jesus Christ. From that, the divisional chaplain removed Chaplain Stertzbach from his chapel.

In 2005, when I heard this story, I wrote a letter to Lieutenant General Stanley Green, the inspector general of the United States Army, and I asked for an investigation into this case involving Chaplain Stertzbach. I am pleased to say, Madam Speaker, that Chaplain Stertzbach was returned to his chapel. The inspector general found that he should never have been removed.

Madam Speaker, very briefly, I just want to read the bill, which is so simple. This is what it says: to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience.

Madam Speaker, this is a sad day in America. I would be on this floor for a Jewish rabbi. I would be on this floor for a Muslim who happened to be a chaplain in the military. I hope that my colleagues on both sides of the aisle will look at this bill, because all it says is that you can close your prayer based on your heart, based on the dictates of your faith outside the church on base, even over the body of a dead soldier.

□ 1945

Madam Speaker, as I close, I want to make it clear, because I see my friend on the floor who is of the Muslim faith, that I would be on this floor tonight for a Muslim chaplain who was told that he, an imam, could not close a prayer based on their faith.

Madam Speaker, I close by asking God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in our uniform. I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

Madam Speaker, I ask God to give wisdom, strength and courage to the President of the United States. And I ask three times, God, please, God, please, God, please continue to bless America.

FEBRUARY 6, 2005.

Department of the Army,
The Inspector General, 1700 Army Pentagon, Washington, DC.

DEAR LTG STANLEY GREEN: It has come to my attention that in all branches of the military it is increasingly difficult for chaplains to pray in adherence to their faith. I have read reports, received letters, and seen documentation which verifies that suppression of religious freedom throughout our Armed Forces is a pervasive problem, affecting military chaplains from all denominations and religions. Of particular concern is an incident involving Army Captain Chaplain Jonathon Stertzbach of the 3–6 FA HHB in Iraq. I am writing to request that the Army Inspector General investigate whether Chaplain Stertzbach was illegally removed from his chapel.

This chaplain who is serving our troops in harm's way in Iraq was asked by another unit, whose chaplain had to return home to start chemotherapy after cancer was discovered, to serve the spiritual needs of the unit's soldiers in weekly movement to an undisclosed FOB (Forward Operating Base) as well as his own battalion. During one of the missions, tragically, one of the soldiers was killed in action. The unit's Commanding Officer asked this chaplain to perform the memorial ceremony because he had bravely served the soldiers, and gone to the risk of convoying to the FOB (Forward Operating Base) weekly.

Before the memorial ceremony, the chaplain submitted two prayers and a meditation for the Division Chaplain and his direct supervising chaplain to review and was approved. The Brigade Chaplain, having just arrived from Fort Drum, attempted to remove the chaplain from administering the prayers of the memorial ceremony because he concluded his prayer in the name of Jesus Christ in a public forum. The chaplain, adhering to his conscience and faith tradition, said he would not strike the words Jesus Christ.

The unit's Commanding Officer intervened, explaining that Chaplain Stertzbach volunteered to serve a different unit outside of his assigned unit and placed his life in harm's way to provide for the needs of the unit's soldiers. The Commanding Officer instructed that Chaplain Stertzbach would pray according to his faith tradition and the prayers that he had already submitted. The Brigade Chaplain told him to qualify his prayer at the beginning with ''Please pray according to your faith tradition, as I pray according to mine'' and then close the prayer with ''in thy name we pray, and in Jesus' name I pray.'' Chaplain Stertzbach delivered the memorial meditation and prayers for the fallen hero, but still followed orders with the 'qualifier' remaining in place.

After the incident, Chaplain Stertzbach's story reached the media. The Chaplain was directly contacted by the Washington Times and referenced in a Washington Times January story. Chaplain Stertzbach's incident was not printed, but he was quoted as saying the following:

''You need to allow people to pray according to their faith group. Many faith groups do not pray in general and generic terms. . . . For Christian groups, the name of Jesus is from where all the power comes.''

I believe Chaplain Stertzbach answered questions fairly, accurately, and within his legal rights. Consequently, his answers to the media and the incident surrounding the memorial ceremony resulted in Chaplain Stertzbach's removal from his chapel.

I am concerned that Chaplain Stertzbach was removed without justification. Again, I am requesting that you investigate this incident and provide an explanation.

Sincerely,

WALTER B. JONES,
Member of Congress.

TRI-CAUCUS WELCOMES ALL INTERNS AND STAFF

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

Mr. ELLISON. Madam Speaker, I come here to read a statement that was recently issued by an organization here in our own Congress, our own body, known as the Tri-Caucus. The Tri-Caucus includes members of the Black Caucus, Hispanic Caucus and the Asian Caucus, and is made up of about 87 Members of this body.

The statement says as follows:

''Four of our colleagues, Representatives JOHN SHADEGG of Arizona, PAUL BROUN of Georgia, TRENT FRANKS of Arizona and SUE MYRICK of North Carolina recently requested the House Sergeant at Arms to launch an investigation of the civil rights group CAIR, or Council on American-Islamic Relations, to determine whether it was placing staff and interns in key congressional offices who they fear are acting as 'spies.'

''This proposed investigation coincides with the launch of a book by Dave Gaubatz, an anti-Islamic activist and author of the book 'Muslim Mafia: Inside the Secret Underworld that's Conspiring to Islamize America.' It features an introduction by Representative MYRICK and was written after Gaubatz posed as an intern at CAIR in an effort to 'infiltrate' the group.

''These charges smack of an America 60 years ago where lists of 'un-American' agitators were identified. We should be affirming the importance of diversity and tolerance for all interns and staff who serve in Congress without suspicion of being identified as 'spies.'

''The idea that we should investigate Muslim interns as spies is a blow to the very principle of religious freedom that our Founding Fathers cherished so dearly. If anything, we should be encouraging all Americans to engage in the U.S. political process, to take part in, and to contribute to, the great democratic experiment that is America.

''We all have experienced the sting of discrimination and we know that there will be challenges ahead. But our message should be firm that the America we believe in welcomes people of all backgrounds to the U.S. Congress.

''We ask these charges be disavowed and we issue a hearty welcome to interns and staff of all creeds, color, ethnicities and sexual orientation.''

I read this statement and will submit it for the RECORD and again thank the leadership of the Tri-Caucus, Congresswoman BARBARA LEE, Congresswoman

NYDIA VELÁZQUEZ and Congressman MIKE HONDA. I thank all of them.

IRAN SANCTIONS ACT

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. Madam Speaker, on Wednesday, the House Committee on Foreign Affairs will hold a long-overdue markup of the Iran Refined Petroleum Sanctions Act. Some of our colleagues are focusing exclusively on Iran's nuclear ambition, as it was the nuclear program in itself that was the catalyst for the concern.

But if Iran were comprised of a responsible, democratic government, would we be as apprehensive about their nuclear activities? Of course not. But we are talking about an Iranian regime which just this year conducted two missile tests and continues to work on the range of its missiles and on enabling them to carry a nuclear payload. We are talking about a regime whose leaders throughout the years have made it abundantly clear that they will stop at nothing to destroy the Jewish State of Israel. We are talking about an Iran which for nearly three decades has been designated by our U.S. Department of State as the world's leading state sponsor of global terrorism. The clerical regime is fomenting bloodshed and promoting chaos in the West Bank and Gaza and Lebanon and the Persian Gulf, as well as in Iraq, where it is actively assisting in the murder of our U.S. soldiers.

On the battlefields of Afghanistan, Iran is also playing a deadly subversive role. As early as 2002, allegations emerged that Iran was supporting insurgent groups in Afghanistan, including its former archenemy, the Taliban. However, the first significant report of Iranian weapons in Afghanistan came in April of 2007. Then-chairman of the Joint Chiefs of Staff, General Peter Pace, announced: ''We have intercepted weapons in Afghanistan headed for the Taliban that were made in Iran.''

Since 2007, several large shipments have been seized near the Iranian border. U.S. officials say that Iranian-made weapons have been found in Afghanistan and used by Taliban-led insurgents. These weapons have included Tehran's signature roadside bomb, the explosively formed penetrator, EFP, AK–47s, as well as C–4 plastic explosives and mortars.

On August 29 of this year, just a few days before General McChrystal submitted his request to this administration, Afghan and NATO forces uncovered a weapons collection in Herat with EFPs, Iranian-made rockets and dozens of blocks of Iranian C–4 plastic explosives.

In the August 2009 declassified, leaked version of his assessment, General Stanley McChrystal stated that: ''Iran plays an ambiguous role in Afghanistan, providing developmental assistance and political support to the Afghan government while the Iranian Qods force is reportedly training fighters for certain Taliban groups and providing other forms of military assistance to insurgents.''

We cannot allow Iran to undermine U.S. efforts and kill our soldiers in Afghanistan. We cannot allow Iran to return Afghanistan to the status of a failed state and pave the way for attacks against the West using Afghanistan as its launching pad. We cannot allow Iran to develop nuclear weapons capabilities which threaten the United States and our allies.

If we are to be vigilant in protecting the lives of our men and women—military and civilian—in Afghanistan, we must increase the pressure on the Iranian regime and impose immediate sanctions on Iran. This should be our first option.

We don't have the luxury of time, to wait for an eventual Iranian response to U.S. diplomatic overtures. We cannot wait for the U.N. Security Council to come around. We cannot wait for our European and other allies to decide to do the right thing. The United States must lead by example. It is time to cut off the Iranian regimes's economic lifeline. As such, we should not stop at this week's Foreign Affairs Committee markup.

I urge the majority to bring the strongest possible form of the Iran Refined Petroleum Sanctions Act to the floor next week for a vote, followed by quick Senate action so that it gets to the President's desk before the end of the year. We must do this now.

HEALTH CARE

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. Madam Speaker, I came to Congress with a purpose, a purpose of working to preserve the way of life that we live in Kansas. I was born and raised in Kansas, and my home and family are still in Kansas. I never moved to Washington, D.C. because I love the sense of community and belonging that Kansas communities offer. Access to quality, affordable health care is one of those things that determine whether our communities survive and whether we have a future. This is why the current health care reform debate is so important to me, and I am extremely concerned about the direction that we are going.

During his campaign, President Obama stressed transparency and accountability in the health care debate. He said, I'm going to have all the negotiations around a big table and that the negotiations will be televised on C–SPAN so that people could see who is making the arguments on behalf of their constituents and who is making the arguments on behalf of drug companies or insurance companies.

But now the transparency that the President promised us is nowhere to be found, as several Democrat senators and White House staff hole themselves away to draft the health care reform bill behind closed doors. I understand the Democrats' desire to merge the two Senate committee bills, but this process concerns me because in this closed office, the future of health care for Kansans is being decided.

Does this small group understand the problems that cutting Medicare reimbursement rates will pose for Kansas hospitals, doctors, nurses and other health care providers? Kansas hospitals operate on razor-thin margins because they are already dramatically underpaid by Medicare. If these rates are further reduced, as the current reform bills propose, Kansas hospitals may be forced to close and access to health care for Kansans will be reduced.

Is this small group considering commonsense ideas that have been proposed by Members of Congress on both sides of the aisle that would make quality coverage more affordable and more accessible for more Americans? Some of those ideas that we have talked about include placing as much emphasis on wellness as we do on illness by giving employers and insurers flexibility to reward individuals who improve their health and manage their disease; encouraging medical students to become primary care physicians and nurses and incentivizing them to care for patients in underserved communities; permitting the sale of insurance across State lines, establishing high risk pools and reinsurance pools to address preexisting conditions and providing incentives to low-income families to retain or purchase private health insurance that best meets their needs; reforming our medical liability system to reduce frivolous lawsuits that lead to inflated insurance premiums and the practice of defensive medicine; encouraging health care savings by offering individuals health savings accounts that enable families to take ownership of their health; and upgrading our outdated health records system through the use of new technology to streamline costs and reduce medical errors.

It is my hope that these issues are being addressed as the President and Democrat leaders craft the health care reform bill. I have traveled across my State, and I have heard many Kansans who have worries. They are concerned about their health care and about the future of their State and country. Kansans and all Americans deserve to know what their Representatives are voting on, and they deserve the assurance their business will be conducted in a deliberate and open way.

The President has expressed a desire to explore a wide range of options for health care reform. Kansans want commonsense reforms that enhance our current system and reduce health care costs. What we do not want is the trillions in new deficit spending, reduced

choices for patients and doctors, and increased power in Washington D.C.

Health care reform must address the underlying reasons that health care costs keep increasing. We lower costs through reforms that eliminate the unnecessary overspending in our current system, not by shifting the costs of health care to taxpayers and mortgaging our children's future with exploding budget deficits.

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. Madam Speaker, sometimes I get so angry when I hear some of the things that are coming out of the Congress, I can hardly believe it, especially when we are talking about misinformation.

I would never impugn the integrity of my colleagues, but I have to tell you, it really bothers me when people like the Speaker of the House and the Majority Leader of the United States Senate give inaccurate information out and cite it as fact when in fact it isn't true. It's not true at all.

For instance, the Speaker of the House said, I'm very pleased that Democrat leaders will be talking, too, about the immoral profits being made by the insurance industry and how those profits have increased in the Bush years. She went on to say that she welcomed the attention being drawn to insurers and their obscene profits.

I am not here to defend everything that the insurance industry does. Obviously there are a lot of things that we need to do to help solve the problems of health care. But misleading the American people by giving false information isn't the answer. Last year, the health insurance industry made a profit of about 2 percent, way down the list as far as corporate America is concerned. Over the past several years, the profit margin made by the health insurance industry runs around 5 to 6 percent, way down to the bottom of where corporate America ranks as far as making profits are concerned.

Yet the Majority Leader of the Senate and the Speaker of the House said that they're making obscene profits, and they're doing that to try to demonize the industry so they can ram through a public option that the American people really don't want. They don't want government coming between them and their doctor; and the way to start getting people to jump on the bandwagon is to give them misinformation.

□ 2000

Obviously the cost of health care has gone up. Obviously health care premiums have gone up. And yet they say, well, the reason for that is because the health industry is making these huge profits, obscene profits. Two percent? Two percent? It is not true. It is just not true that they are making obscene profits.

Now, we need to do something to solve the problem of health care. We need to lower the cost of health insurance. We need to come up with alternatives, such as medical savings accounts like my colleague just talked about here. We need to be able to buy insurance across State lines. There is a whole host of things we need to do. But misleading the public is not the answer.

That is not the only thing that really bothers me. The administration and the leadership in the House and Senate continues to try to do everything they can to dissuade people from believing the truth and believing what is really not true, to shut off debate, to shut off the First Amendment rights of people in this country.

For instance, right now, they tried to push through a gag order on Medicare Advantage companies. Humana was sending out to their policyholders information about what was going to happen if the public option passed. And what happened? There was a gag order requested by the Finance chairman of the Senate, requested by the Finance chairman of the Senate, so they couldn't get that information out. Well, the gag order was removed, but the fact of the matter is they tried to stop the people from getting the facts, and that is just wrong. It is wrong. It is not up to the quality that we should expect of our legislators. Nevertheless, they tried to do that.

Now the administration is trying to put the hammer on the Chamber of Commerce, the U.S. Chamber of Commerce, which is the backbone of the free enterprise system in this country, in part, at least. The business and industry people of this country look to the Chamber of Commerce to give guidance to the government wherever necessary so they can work together with the government to come up with ways to make sure that the free enterprise system continues to work.

Because the Chamber of Commerce does not agree with the public option, does not agree with cap-and-trade and some other things, the administration is saying, oh, my gosh, they are bad. They are the demons. The U.S. Chamber of Commerce. Can you believe that? I can't. How far is the administration willing to go? How far is the Speaker of the House willing to go? How far is the majority leader of the Senate willing to go in misleading the American people by giving false information out? I think it is just dead wrong.

Then they are talking about doing something about the Fairness Doctrine, to shut down conservative talk radio.

An attempted boycott of Fox News, Rush Limbaugh, and Glenn Beck;

Congressional action to take away the antitrust exemption from insurance companies;

A Gag Order on Medicare Advantage companies;

Reports in Politico about how the White House is seeking to limit the voice of the United States Chamber of Commerce;

Efforts by the Federal Election Commission to resurrect the so-called fairness doctrine to shut down conservative talk radio; and

The President himself saying he was going to keep a list of bondholders who didn't agree to the government takeover of GM or Chrysler.

My time may have expired, but I will be back, because we need to tell the American people the truth, the truth.

Madam Speaker, I include the following for the RECORD.

[From The American Spectator, Feb. 18, 2009]

OBAMA'S ENEMIES LIST

(By Mark Hyman)

After the Democratic convention, Obama campaign lawyer Robert Bauer warned TV stations against airing a TV ad that was embarrassing to Barack Obama. The commercial focused on the longtime relationship between Obama and Weather Underground terrorist Bill Ayers. Bauer sent letters to the Justice Department imploring the agency to pursue criminal action against those behind the ads. It was not lost on anyone at that time that Bauer was considered a candidate to be the next U.S. Attorney-General.

A team of Obama campaign operatives, joined by major news outlets, descended on Wasilla, Alaska immediately after Governor Sarah Palin was introduced as Senator John McCain's running mate. This was immediately followed by patently false reports claiming Palin imposed book bans, joined a fringe political party, charged rape victims for emergency room treatment and cut funding for special needs children.

In late August, the Obama campaign emailed an ''Obama Action Wire'' to thousands of supporters and liberal activists exhorting them to harass the offices of Chicago's WGN radio by flooding the station with angry phone calls and emails. Activists screamed insults to call-in screeners. The radio station's offense was that a long-time, respected radio host had the temerity to interview Ethics and Public Policy Center watchdog Stanley Kurtz. Kurtz had uncovered university records that documented a much closer relationship between Obama and Ayers than the presidential candidate had previously disclosed.

A few weeks later, state prosecutors and top sheriffs in Missouri who were prominent Obama supporters responded to a chilling Obama campaign request. They styled themselves as a ''truth squad'' and threatened to prosecute anyone including media outlets that printed or broadcasted material they deemed to be inaccurate about the Illinois Senator.

Obama contributors in the Justice Department's Civil Rights section (headed by $2,000 Obama donor and former ACLU attorney Mark Kappelhof) urged preemptive prosecution of individuals the Obama campaign believed might disrupt the November election. A cited example of anticipated disruption was to send mailings of a non-violent nature addressing voting issues unfavorable to Obama.

In October, a question from a middle-class voter resulted in an answer from Obama indicating the Democratic nominee was in favor of ''spread[ing] the wealth around.'' This voter became the symbol of middle-class America and Obama's response the touchstone of his neo-Marxist policies. Immediately thereafter, Democratic Ohio state officials scoured government data bases and confidential records in an effort to find embarrassing information on ''Joe the Plumber'' (e.g., he is divorced) that quickly found its way into the press.

In the final days of the campaign, three newspapers that had endorsed McCain were booted from the Obama campaign bus. The New York Post, Dallas Morning News, and Washington Times were unceremoniously shown the door only days after their papers' endorsements appeared. Obama campaign officials claimed the move was to make room for more important media outlets: Jet and Ebony entertainment magazines. Both publications were publishing fawning coverage of Obama.

Those heartened by the hope that a President Obama would be more tolerant of critics and criticism than a candidate Obama had their expectations dashed. In only his third full day as the 44th president Obama personally went on the offensive against a media personality. On January 23rd, Obama warned Congressional Republicans against listening to Rush Limbaugh. The man who offered to sit down with Holocaust denier and Iranian President Mahmoud Ahmadinejad without any preconditions whatsoever views an American radio talk show host as a dangerous threat.

In precedent-setting action, Obama moved his director of political affairs, a highly partisan post, from the Old Executive Office Building into the West Wing. Political operative Patrick Gaspard was given White House access not experienced by his predecessors. Obama official Shauna Daly, a non-lawyer and career opposition researcher described as a ''partisan dirt-digger,'' was assigned to the White House counsel office. The move signals not only a new low in partisan activities, but suggests the office assignment may be intended to hide Daly's political activities under the guise of the counsel's attorney-client privileges.

What America witnessed before the election and mere hours after Obama was sworn into office is just a sampling of what Americans can likely expect throughout an Obama presidency. One cannot help but reach the conclusion an Obama Enemies List is already being compiled and free speech restrictions are being considered. Fortunately for Obama he has no shortage of Congressional foot soldiers to help in his cause to muzzle critics and silence news outlets that refuse to adhere to Democratic talking points that are faxed directly into the network newscast teleprompters.

On Election Day, Senator Chuck Schumer likened conservative talk radio to pornography and argued it should be regulated. House Speaker Nancy Pelosi endorsed speech restrictions more than once during the election season. Senators Harry Reid, Dick Durbin and John Kerry have also advocated various limits to political speech. Senator Debbie Stabenow assured a liberal radio talk show host that regulating conservative speech is imminent. House Commerce Committee Chairman Henry Waxman is reportedly working on speech restrictions with acting FCC Chairman Michael Copps.

Imagine the gross violations against political speech that may very well occur when there are no checks and balances from a sycophantic Congress and there is complicity from the national news gatekeepers. The public may be very surprised at the lengths the Obama Administration may pursue to silence critics. Moreover, the self-anointed Praetorian Guard of the First Amendment will conveniently develop a case of amnesia regarding on which side of the debate they fall when it comes to press freedoms. Do not expect to see the New York Times editorialize against Obama and the Congress when it comes to protecting free speech rights aside from its own and that of like-minded, liberally-biased press outlets.

The Clinton White House had its own enemies list and engaged in dirty practices that clearly broke the law. Clinton enemies audited by the IRS included Paula Jones, Juanita Broaddrick, Gennifer Flowers, White House Travel Officer Director Billy Dale and the independent watchdog group, Judicial Watch, just to name a few.

Early in Clinton's first term, staffers improperly squirreled away more than 400 FBI files on prominent Republicans. This give the Clintons access to confidential information on key Republicans they viewed as political threats.

Just weeks after the Monica Lewinsky broke in early 1998, then-Deputy Attorney General (and current Attorney General) Eric Holder engineered a federal grand jury investigation of The American Spectator. The magazine had long been a very successful critic of both Clintons, having broken several stories embarrassing for the President and First Lady. Fourteen months later, the federal prosecutor dropped the probe without filing any criminal charges. The probe may have achieved its purpose as it nearly bankrupted the magazine.

Much has been made by the political left of Richard Nixon's infamous enemies list. The reality is while there was a Nixon's enemies list most of the names were those who did not receive presidential Christmas cards or White House reception invitations. This was a hardship that even the most vulnerable in American society could easily withstand.

The heavy-handed actions against Obama critics and opponents that occurred before he had government institutions firmly under his control should have had public interest watchdog groups up in arms. Because so many of such groups are ideologically aligned with Obama may explain why there was not even a peep. Conservative and balanced news outlets have the disturbing habit of holding accountable liberal public interest organizations that engage in dishonest or deceptive practices that the major news organizations just so happen to overlook.

How soon and how far the Obama Administration will extend its attacks against its critics and the political opposition may become evident in the days ahead. Spared any serious scrutiny by most news outlets during his very brief career in public office, Barack Obama has displayed an exceptionally thin skin when he has come under a microscope or when he has suffered political and public relations setbacks.

THE CLAIMS

''I'm very pleased that (Democratic leaders) will be talking, too, about the immoral profits being made by the insurance industry and how those profits have increased in the Bush years.''—House Speaker Nancy Pelosi, D-Calif., who also welcomed the attention being drawn to insurers' ''obscene profits.''

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

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

CONTROLLING THE DEFICIT

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

Mr. INGLIS. Madam Speaker, we are looking at some scary numbers. Just in time for Halloween, we have the budget deficit numbers in; $1.42 trillion for this year and an accumulated debt of $13 trillion.

Now, this has happened before. We have been in a spot before with historical debt levels shown here on this chart. You can see after World War II we actually reached nearly 110 percent of GDP. Our debt was nearly 110 percent of GDP. But, as you can see, it has gone down, and now it is trending way high.

There is a big difference between this historical debt and the debt that we are experiencing now, because the question is: Who did we owe it to? After World War II, we owed 95 percent of the debt to ourselves. The U.S. public held 95 percent of the United States debt in 1945. Today, in 2009, only 54 percent is held by the U.S. public. China is holding 11 percent, and other foreign countries are holding 35 percent. So nearly 50 percent of our debt is owed to other countries. It is quite different than the scenario after World War II.

It is a shame, Madam Speaker, that we didn't adopt the more significant budget cuts of the Republican Study Committee budgets. Had we done that over the last 5 years, we would now be looking at $613 billion less in spending. We would have saved $613 billion by enacting those most conservative budgets offered on this House floor.

If this keeps up, what we have got now is government spending now as a percentage of GDP, as you can see here under the Obama approach, fiscal year 2010 budget, with the out years being reflected in the long-term fiscal scenario of CBO, you can see that government spending as a percentage of GDP actually rises to nearly 50 percent, 50 percent of GDP being government spending. Under the Republican alternatives, you can see that we trend down after this most recent uptick, and we get down to the level of somewhere around 18 percent of GDP as a percentage of government spending.

Madam Speaker, I am here to say to my colleagues that we must do something. These are scary numbers, and we have got to act.

The key is to get to fiscal restraint and economic growth. Those things have to happen simultaneously. You do that by keeping taxes low, keeping regulation light, and getting litigation down. You do that by making wise energy policy that makes it so that energy can be the new tech boom that leads us out of the current recession.

I happen to believe that the road to recovery and the road to energy independence are one and the same. If we get on that road, we can lead our way out of this recession.

I happen to believe, too, that the upstate of South Carolina has a lot to offer in paving that road, making it so we can get to balanced budgets by economic growth and fiscal restraint, and improve the national security of the United States by breaking this addiction to oil, by finding these new sources of energy and making it so we can create jobs.

Madam Speaker, that is what we should be about here. I hope we can get to it.

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.)

THE NEW PELOSIAN CALENDAR

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, tonight, I want to talk just briefly on the calendar, a little bit of historical note.

Julius Caesar took over the chaotic Roman calendar because, as Matt Rosenberg of About.com said, it was being exploited by politicians and others for their own political purposes and it had the effect of adding additional days, because in certain ways changing the timing of things made a difference politically.

So Julius Caesar, in the year 46 BC, established what we have been calling for years the Julian calendar. The Julian calendar was an improvement over the Roman calendar, except for one thing; it was 11 minutes and 14 seconds too slow, and that added up to a full day off every 128 years.

Well, for a number of centuries, it didn't mean anything. But, over time, it meant something. And what happened was in the year 1582, the Pope, Pope Gregory XIII, concerned that Christianity's most important dates were falling behind with respect to the calendar, particularly Easter, which was based on the date of the vernal equinox, believed what we had to do was to adjust that calendar. So he issued what is known as a Papal bull establishing the new calendar, which actually corrected, fairly well, the problem. It would be comprising 365 days, with every fourth year adding an additional day, but no leap year in years ending in 00 unless they were divisible by 400.

Now, I am not a mathematician. I can't tell you how that works out, but it pretty near makes it perfect. The problem was, of course, there was a cleavage between the Catholics and the Protestants. So the Catholic countries adopted that in 1582.

It wasn't until 1752 that Great Britain decided to follow. As a matter of fact, that is a famous day in English history, because the British Calendar Act of 1751 meant that people went to bed on Wednesday, September 2, 1752, and woke up 12 days later. They lost 11 days in order to correct the calendar.

But this is the calendar that has been adopted around the world ever since that time, until recently. What do I mean by that? Well, here would be the Gregorian calendar for 2009. You see it does have 365 days. You see it does have an August. But we have found this year that August did not exist, because we have what I call the Pelosian calendar.

Under the leadership of the Democrats, we have been told to ignore what happened in August. Those town halls did not take effect. The American people did not express themselves. We did not hear outcries about what was happening in the Congress.

Rather, nothing occurred. You don't hear about it on this floor. You don't hear about it in the President's statements. You don't hear about it in the recommendations made by the Democratic side. And now, as we are moving forward on our calendar and told that we have a few days to make up, we forget about the 31 days.

I would like to say that the Pope took 11 days away from us, but it appears he was a piker. The Speaker has taken 31 days away from us. There was no August. There is no August. There were no town hall meetings. The American people did not rise up and say, Congress, listen to us. We don't want a public option. We want you to make some changes, but don't put us at jeopardy for losing the care and the coverage we currently have.

I must say, this is a historic moment, because it took us 1,600 years to change the calendar the first time. But now, by the magic of the congressional calendar, we have done it in just, well, less than 600 years.

There is something fundamentally wrong, extremely disappointing, that somehow we would have the temerity to tell the American people, You don't count, because we know better here in Washington, D.C. And, as a matter of fact, if you have a different idea, we are going to question that idea. We are going to question what you are doing.

Madam Speaker, give us back those 31 days.

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

PROVIDING NEEDED RESOURCES IN AFGHANISTAN

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

Mr. WESTMORELAND. Madam Speaker, as the leader of coalition forces in a faltering Afghanistan, the United States appears indecisive at this critical juncture in the long war.

Madam Speaker, we owe it to the Afghan people, the Pakistani people, our allies and our own national security interests and our courageous U.S. troops to stiffen our spines and heed the recommendations put forth by General McChrystal. As a leading expert on counterinsurgency efforts, General McChrystal has rightly put the focus on winning over the Afghan civilians to our side by providing the security they so desperately want for their families and villages.

As an American and as a Member of this House, I hate to put U.S. soldiers in harm's way, whether it is on our own shores or halfway around the world. We all wish that we could remove our troops from the day-to-day, face-to-face conflicts with the insurgent forces in Afghanistan. We all wish that we could finish this job by dropping bombs on the bad guys from the safety of unmanned drones or conducting surgical strikes with Special Forces. These counterterrorism efforts hold much appeal and those tactics can win in many battles.

But there is a problem. Our own very recent experiences teach us that counterterrorism alone can't win this wider war.

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We faced a similar crossroads in Iraq 3 years ago. American forces had suffered heavy casualties. The Iraqi Government was inept and corrupt. The Sunni insurgency and al Qaeda in Iraq ravaged the country. Our Nation then took a new course. We took a risk, a highly controversial one at the time, Madam Speaker, but that risk turned out to be an investment in Iraq's future, and it is an investment that has paid off for the United States today. Today we have a measure of stability that no one could have predicted 3 years ago. As a result, we are positioned to draw down our troop levels there.

In fact, when President Obama was a candidate, he saw the success in Iraq as a chance to redirect our attention to Afghanistan. Then-Senator Obama said in August 2008: ''Ending the war will allow us to invest in America, to strengthen our military and to finish the fight against al Qaeda and the Taliban in Afghanistan and the border region of Pakistan. This is the central front in the war on terrorism. This is where the Taliban is gaining strength and launching new attacks. This is where Osama bin Laden and the same terrorists who killed nearly 3,000 Americans on our own soil are hiding and plotting 7 years after 9/11. This is a war that we have to win. And as Commander in Chief, I will have no greater priority than taking out these terrorists who threaten America and finishing the job against the Taliban.''

As President, Obama issued an important policy statement on Afghanistan in March. He said his goals were to ''disrupt, dismantle and defeat al Qaeda in Pakistan and Afghanistan and to prevent their return to either country in the future.'' In that statement, President Obama said explicitly that we cannot allow the Afghan Government to fall again to the Taliban because ''that country will again be a

base for terrorists who want to kill as many of our people as they possibly can.''

These are clear words, Madam Speaker. Those words, if they were U.S. policy, would give solace to our allies, to the Afghans, to the Pakistanis and to our own troops taking the fight to the Taliban. But our actual intentions in Afghanistan are not clear, even though General McChrystal's report states explicitly that without more troops in the next year, the United States faces mission failure where defeating the insurgents is no longer possible. That's the view of a respected general, the commander handpicked by President Obama, who works in Kabul and travels around Afghanistan every day.

So why is it that the Obama administration is sending mixed signals to the American public and to the rest of the world? Why is his national security adviser on Sunday morning talk shows saying that Afghanistan is not in imminent danger of falling to the Taliban? After many years of fighting in Afghanistan, after many years of two steps forward and one step back, we cannot flinch. We must let our allies, our military and the Afghans and Pakistanis know right now that we will do what it takes to provide stability and security.

Governing is about tough decisions. We must make the tough decisions to give General McChrystal the troops he needs to finish this mission. We must protect the population and assure them that we're not going anywhere. That's our only hope of winning over the Afghan people who fear that if they work with us, they'll be slaughtered by the Taliban when the Americans leave. As President Obama said just 2 months ago: ''This will not be quick nor easy. But we must never forget: This is not a war of choice. This is a war of necessity.''

Let's hope that he has not forgotten.

CYBERSECURITY

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

Mr. BURGESS. I thank the Speaker for the recognition.

I come to the floor tonight to talk about cybersecurity. We all hear about data breaches. They're so common, it seems like you can hardly pick up the newspaper without reading about another occurrence. And unfortunately, the rate at which they're occurring is also increasing. A report in 2009 found that more electronic records were breached in 2008 than in the previous 4 years combined. Almost 10 million United States adults were victims of identity theft in 2008. These are expensive. A 2009 report found that the average cost of a data breach had risen to $202 per customer from last year's $197. Over $600 is lost out of pocket per second to identity fraud, costing consumers and businesses over $52 million a day.

Examining some of the sources of the breaches, 29 percent come from government and military, 28 percent are from educational institutions, 22 percent in general business, 13 percent in health care companies, 8 percent in banking, credit card and financial services. Within the government itself, on the May 2008 Federal Security Report Card, the Department of Interior, the Department of Treasury, the Department of Veterans Affairs and the Department of Agriculture all scored failing grades.

Within the military, the personnel data of tens of thousands of United States soldiers has been downloaded by unauthorized computer users. The data included Social Security numbers, blood type, cell phone numbers, e-mail addresses and the names of soldiers' spouses and children. A 2006 Department of Veterans Affairs data breach put almost 30 million veterans' names, addresses and Social Security numbers at risk.

Within the retail segment, in 2009, a Miami man was charged in the largest case of computer crime and identity theft ever prosecuted. He, along with two unknown Russian coconspirators, were charged with taking more than 130 million credit card and debit card numbers from late 2006 to early 2008, and they did it as an inside job. They reviewed lists of Fortune 500 companies, decided where to aim; they visited the stores to monitor the payment systems used; they placed sniffer programs on corporate networks; and the programs intercepted credit card transactions in real time and transmitted the numbers to computers in the United States, Netherlands and the Ukraine. An expert said the case provided more evidence that retailers and banks needed to strengthen, needed to harden, industry standards.

And finally, educational institutions. As I noted earlier, second only to government and data breaches are educational institutions, probably the most disturbing statistic. In 2007, the number of data security breaches in colleges and universities increased almost two-thirds from 2006, and the number of educational institutions affected increased by almost three-quarters. In August of 2005, hackers stole almost 400,000 electronic records of current, former and prospective students in my congressional district at the University of North Texas. The hackers got away with names, addresses, telephone numbers, Social Security account numbers and possibly credit card numbers.

So what can we do? Of the breaches, 87 percent are considered avoidable if reasonable controls had been in place. Madam Speaker, now is the time for Congress to enact a meaningful national standard to protect commercial and government data. This requires leadership at the top levels of an organization to take an active role in ensuring that their systems are secure. Federal Government subcontractors that have access to sensitive and personally identifiable information should be required to comply with the same standards as Federal agencies and departments. Finally, we must all be involved from the top down and the bottom up. We must encourage leaders of government agencies and private enterprises to actively manage and rigorously protect the data collected and stored within their institutions. We must make this a priority, and Congress should take up and pass House Concurrent Resolution 193.

This bipartisan resolution, introduced by myself and CHARLIE GONZALEZ of Texas, expresses the Sense of Congress for the need to pass meaningful legislation to protect commercial and government data from data breaches. There are a lot of disturbing statistics. Let's take action now so that the occurrence, cost and individuals affected do not continue to increase.

CONGRESS MUST BE TRANSPARENT WITH VITAL LEGISLATION

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

Mrs. MILLER of Michigan. Madam Speaker, our Nation currently has an unemployment rate of nearly 10 percent. In my home State of Michigan, it's actually over 15 percent. In the last fiscal year, our Federal budget deficit was over $1.4 trillion; and the Obama administration projects that over the next 10 years, our deficit will be over $9 trillion.

When dealing with our budget, difficult times like these require very decisive actions. Unfortunately, over the last year or so, as this Congress has racked up record-breaking deficits, we have seen legislation brought to the floor that forced massive new debt on the American people while giving Members little or no time to read any of the legislation.

Last fall, the Bush administration and the leadership of this House asked the House to vote on a $700 billion bailout for Wall Street with no strings attached on how the money would be spent. I was proud to vote ''no'' on that Wall Street bailout. Unfortunately, that bill did pass this House, and it became law. The result has been a program that has been widely rejected by the American people.

Then in February, President Obama asked Congress to pass an economic stimulus plan, and many on our side of the aisle were ready to help. In fact, we proposed a bill that, according to a formula used by President Obama's own economic advisers, would produce twice the jobs at half the cost. Instead, the Democrats crafted a bill behind closed doors. They filed a 1,073-page conference report in the middle of the night and asked Members of this House to vote on $787 billion of deficit spending while not one single Member of this

House, nor the American people, had the chance to read the bill before we cast our votes.

Then in June, this House voted on a cap-and-trade national energy tax that would fundamentally change our economy. This bill totaled 1,428 pages, including a 300-plus page manager's amendment. The Rules Committee and the Democratic leadership gave us about 16 hours to read the bill and the amendment before it was voted on. Only after the fact did we see a memo produced within the Obama administration that indicated that the bill would cost every single American household an average of $1,700 per year in higher energy costs.

Madam Speaker, we will soon consider health care legislation that will have a far-reaching impact on one of the most personal issues facing every American, and that is how they will protect the health of themselves and their families. Nobody knows what this legislation will look like. Nobody knows how much it will cost. Nobody knows when it will be brought to the floor. But every American has a vital stake in the outcome of the legislation.

Many Members of this House from both parties have had enough and are insisting that we bring transparency into the process before a vote is taken, and the American people are demanding the opportunity to be able to read the legislation that their Representatives will be voting on before the vote so that their voices can be heard. That is why I am proud to cosponsor H. Res. 554 which would require that all major legislation, significant amendments and conference reports be available in their entirety on the Internet so that Members can read the legislation before casting their votes and so that the American people can have some opportunity to have their voices heard. If legislation that will govern more than one-sixth of our economy comes to the floor, don't Members as well as the American people deserve a chance to at least read it?

President Obama ran last year on a platform of openness and transparency, but unfortunately, it has been business as usual in Washington. We have had limited to no transparency. We have not had a chance to read important legislation before asking for us to vote on this legislation. I would urge my fellow Members who have not signed on as cosponsors of this important resolution to join us in an effort to bring transparency to the process, to join us in demanding that we in Congress cast an informed vote on important legislation that will impact every American, to join us in allowing the American people to have their voices heard. The Members of this House and, most importantly, Madam Speaker, the American people deserve no less.

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

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

THE CONGRESSIONAL BLACK CAUCUS HOUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. FUDGE. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks in the RECORD on this topic.

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

There was no objection.

Ms. FUDGE. I appreciate the opportunity to join my colleagues of the Congressional Black Caucus for this special hour. Currently, the CBC is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. My name is Representative MARCIA L. FUDGE, and I represent the 11th Congressional District of Ohio. CBC members work diligently to be the conscience of the Congress and provide dedicated and focused service to our congressional districts and families nationally and internationally. The vision of the founding members of the Congressional Black Caucus is to promote the public welfare through legislation designed to meet the needs of millions of neglected citizens. It continues to be a focal point for the legislative work and the political activities of the Congressional Black Caucus today. As Members of Congress, CBC members also promote civic engagement and active participation in the legislative process.

The United States is the world's longest-existing democracy. Americans understand that our ability to elect our leadership through a democratic process is precious, and we recognize the need for greater civic engagement. Madam Speaker, I have been joined by my friend and colleague, the Honorable SHEILA JACKSON-LEE from Texas.

I now yield to my friend.

Ms. JACKSON-LEE of Texas. Thank you so very much, Congresswoman FUDGE. Your opening remarks are framed excellently, the reason for our presence here tonight. There are many issues that the Congressional Black Caucus, led by Chairwoman BARBARA LEE, focus on. The disciplines of the members are varied. The chairmanships of the members are varied, including full chairmanships on a number of committees which really enhance the opportunity for a very full agenda.

As I listen to you speak about civic participation, I would venture to say—and probably would not be incorrect—that all of the members of the Congressional Black Caucus and our colleagues here, Republicans and Democrats, engaged in civic participation before being elected to the United States Congress.

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They may have started in their early educational days, if you will, primary and secondary school. Some may have started in college. Some may have been activists or locally elected officials. But they understood under this democracy, as you have indicated, the importance of participatory process.

I have the privilege of serving on the House Judiciary Committee with Chairman JOHN CONYERS, and our committees embrace this whole question of fair election laws, the right to vote, and the protection of that privilege and that right to vote.

You may be well aware that in the early days of my tenure, if you will, there were a number of occasions during the presidential election years that members of the Congressional Black Caucus came to the floor of the House to challenge the counting of the electoral college. You may be reminded that in the particular year of 2000, Ohio was in the crosshairs. I know how active you were, having gone to Ohio, having worked with you and, of course, your predecessor, walking the streets with you, remembering discussions that you had about ensuring that you had a election. As you recall, Ohio was quite upset and, therefore, it was the Congressional Black Caucus that went to the floor of the House, in particular your predecessor, the late Stephanie Tubbs Jones. We joined her in challenging the counting of the electoral votes of Ohio. Many people would wonder is that civic participation? And it is. It is making sure that any process is fair.

So I come to emphasize where we are today in pivotal elections that will be coming up on November 3, 2009. As I reflect on those elections, I want to remind people that the best of America was the times in which it moved to remove the barriers of voting. To remove the distinctions between slave and nonslave took a very long time. But to remove the distinction between landowner and nonlandowner were some of the first efforts to create an opportunity for all to vote.

In 1920, of course, there was the amendment to create the opportunity for women to vote. African Americans, however, and language minorities had longer periods of time, and the Voting Rights Act of 1965 came around and then its amendment, which, by the way, the language minority provision in the Voting Rights Act was placed in that act by the Honorable Barbara Jordan, my predecessor. But the idea was to increase participation.

And as I listen to my colleagues on the other side of the aisle recounting maybe the dismay that they have in some of the major changes that are being made by both this White House and Congress, might I say that it is a

direct evidence of the vitality of the vote in 2008. It was not something that just developed. It was the message of the voters who went in huge numbers to the polls in November, 2008, ultimately electing President Barack Obama with the message of green energy or renewables or the opportunity for expanding the horizon on producing energy. And I come from oil and gas territory, and I frankly believe we have room for many of those energy types, but I recognize that green energy will be part of our future.

Likewise, the message came from the voters, because of their civic participation, on a vigorous public option in health care reform. So our colleagues are really speaking to the American people whose numbers say give us a vigorous public option.

This vote that is coming up, one or two of the most highlighted ones, of course, are Virginia and, of course, New Jersey. I am not here to speak particularly about the ultimate outcome, but there are messengers, the Governor of New Jersey, for example, who is carrying the message of change in this whole question of public health insurance or public option in health care and the idea of full employment. Likewise, those opportunities or discussions are being heard in Virginia as well.

It is important in every election that is coming up in November of 2009 for the same momentum and the same participation to surge as it did in 2008. And I think this Special Order, if you will, is enormously crucial for the fact that people don't think of elections when you don't focus them on a presidential election. They really think of elections as that highlight, but you are coming to bring to our attention the vitality and the importance of elections every single year, city elections, county elections, Federal elections, and State elections.

Ms. FUDGE. Reclaiming my time, just to take that one step further, I think that people don't understand the significance of voting, as you suggest, all the time. What most people don't realize is that it is bodies like ours, which the gentlewoman from Texas talked about, who make decisions about things that people never think about. Just the very air we breathe, we make decisions about pollution and how much pollution can be in the air, about the quality of the food people eat, about the quality of their children's education. Those are decisions that are made by elected officials many, many times. I think that if people understood how significant it is to vote and how much change could be made by a vote, more people might be inclined to do it on a regular basis.

I yield.

Ms. JACKSON-LEE of Texas. I thank the gentlewoman. That is why I salute you as I join with you in the Congressional Black Caucus because many would not think of bringing this to the attention of the American people.

In addition, I want to salute the Congress and the Congressional Black Caucus because this Democratic majority took the lead on fair election laws right after the unfortunate, I call it, debacle in Ohio. We began to talk about rewriting the election laws to insist that certain parameters be in place to protect the voter, to protect the voter at the voting ballot, to assess the kinds of voting tools that are being used, to try to find consistency. As you know, the most important issue was this accountability, the ability to track the balloting in electronic balloting, to have a paper trail, as we call it. We're still fighting to get that done, but we were the voices to speak about that so that people could have the ability to challenge.

Right now in Harris County we had a very difficult race in 2008. A number of candidates lost. They posed a challenge because they believed there were ballot infractions. We are now in the midst of looking at a settlement agreement that I believe may not be the right kind of settlement agreement, that really didn't answer the concerns of those who were violated, whose votes were not counted and the candidates who did not prevail because we felt that there were inaccuracies in a voting system or a voting office, if you will, the officer who presided over the voting count—there were some infractions.

So even today in 2009 we should not be hesitant to remind voters that a vote is precious, every vote counts, and that it is important, as the United States Congress exists, that local elected officials exist, that State officials exist, they exist because of the vote. And I am hoping as we have the spotlight on States like Virginia and New Jersey that we will spotlight on the local elections and that civic participation is the direct relationship for the kind of outstanding leadership that you get.

I want to yield back on this point: We have local elections in Houston, Texas, local elections around the Nation. Not one single vote should be diminished in its value, for your life gets changed or your voice gets heard by that vote. And it is my commitment, as a member of the Congressional Black Caucus and a member of the House Judiciary Committee, to insist, if you will, on the idea of full participation of voters and making sure that we have the opportunity to protect the right to vote and to make sure that, as protectors of the right to vote, people take advantage of it and vote.

Ms. FUDGE. Thank you so very much.

I just want to just go one step further and talk about the power of the vote. There are so many people who believe that one vote doesn't make a difference. I could go through a litany of things that were decided by one vote, but I won't. But what I will say is this: Your vote is your voice. If you don't vote, then you have silenced yourself. So I think that it is important for us to understand and let the American people understand that no matter what the issue is, if you don't vote, what you've done is help the other side.

So let your voice be heard, because even though I wasn't in the House, obviously, when you took up this whole thing about revising the way we do elections, I am just so pleased that in my State as a result of that, we now have absentee voting for any person. It used to be you had to be a certain age or you had to be infirm or you had to be this. Now any single person with no reason whatsoever can request a vote from the comfort of their home. Especially when we have many, many issues as things get difficult and more and more communities are asking for resources, then they can sit and take their time and not be in a voting booth being rushed or feeling rushed because people are behind them.

I think it is something that really came out of that, and I appreciate and thank you and especially thank Stephanie Tubbs Jones for her work with it as well. But I just hope that people understand it is a responsibility. So many people fought to get us where we are today. It really is a responsibility to go out and vote.

Ms. JACKSON-LEE of Texas. If the gentlelady would yield for a moment, I want to use one example because I chair the Congressional Children's Caucus. I remember in the summer of 2008, I was begging for Federal dollars for summer youth jobs. You remember those programs.

Ms. FUDGE. Yes

Ms. JACKSON-LEE of Texas. And they existed 10, 15 years ago, 5 years ago, or I know they existed in the previous Democratic administration. But we literally were starving for those dollars over the last 8 years in the previous administration. So because we didn't have those dollars, I put together what you call a Houston summer job pilot program, where I grabbed small businesses and corporations in the summer of 2008 just to give these young people an opportunity. I couldn't give thousands but I gave a few the opportunity to work and to be paid. We raised the money, the community raised the money, to be paid by these small businesses.

The community needs to know, the Nation needs to know, that in 2009 with change and a new President, on the basis of the vote, there were millions of dollars going into communities during the summer for summer youth jobs.

I want people to take a poll. It's interesting that I'm hearing my colleagues talk about where did the stimulus dollars go? Ask some teenager that had a summer youth job and worked and did legitimate work, cleaned parks, worked in various community services, because of the summer youth program. That came about through a vote that you made, the Nation made, in 2008, where you elected a President, President Barack Obama,

who created this vision of stimulus dollars to energize the economy and put millions of young people to work who, by the way, saved money, bought clothes or bought school supplies or helped their family but charged the economy, which I am sure will be reflected as we look back over the summer months, those jobs were valuable input into the economy.

That is what a vote will do. And I hope that as you proceed on this Special Order tonight, it will be well recognized how important it is for the vote to be cast and to be counted, and that will be our commitment as we continue to work together.

Ms. FUDGE. Thank you so very much. I appreciate the gentlewoman from Texas for joining me.

I just want to say this one thing: I was listening to one of my colleagues earlier ask what happened to the month of August? The month of August was spent, at least in my district, hiring 6,000 children to work summer jobs. The month of August was a time when I spent time talking to the people at home who want a public option. The month of August wasn't lost. But let me just say that in the event people believe it was, the month of October certainly isn't. And all the polls indicate that more people want a public option than not. So I just want to make that clear to make sure that the record was straight.

Madam Speaker, I want to continue with our hour this evening, and I just want to say to everyone who is listening that we all share in the responsibility to create a better America. One way to strengthen our government is through civic engagement, whether it is through voting, attending a town hall or other public discussion, or writing a letter to your Members of Congress. These e-mails, letters, and phone calls you make to your elected officials really do have an impact.

In my office my staff keeps a tally of all the phone calls we receive on the issues, which I review on a regular basis. One of my constituents, Paul Gordon, calls every week and sometimes several times a week. I may not always agree with Paul Gordon, but I appreciate his comments and encourage him and other constituents to share their views with me. And that's what happened in August, Madam Speaker. People shared their views. We learned a great deal from the dialogue we had in the month of August.

Madam Speaker, in last year's historic presidential election, voter turnout was at a record high, particularly in the African American community. To create change and hold elected officials responsible for their votes, Americans must continue to stay engaged on the issues year round, not just at election time. Moreover, African Americans must be involved in the debate. The stakes are high in every election, on every ballot, and between elections. Every voting day presents Americans with the same question: Will we be the masters of our own destinies or will we allow others to decide our fate? We must voice our opinions through civic engagement to positively change the course of our cities, towns, and the Nation. As Martin Luther King, Jr. said, Our lives begin to end the day, the very day, we become silent about things that matter.

I am proud to share a few stories of individuals from my district who are actively engaged in the civic process. They come from various backgrounds and ages.

□ 2045

However, they all share a desire to help others and to make government responsive to the people.

There is a young woman named Artavia Hill from Euclid, Ohio. She is a shining example of a young person actively engaged in the political process. As president of the NAACP Cleveland Youth Council, she registered voters during Russ Parr's Back to School Bus Tour in August of this year. She also spearheaded the youth council's ''Vote Hard, Step Hard: Stop the Violence'' which was an event held at Cleveland State University in January where young people were encouraged to register to vote, they discussed the effects of violence on the city and listened to local candidates. Don't give up on our youth. Artavia Hill is not the only one doing things for Cleveland's community.

Dorothy Jones is another young northeast Ohioan committed to civic engagement. Her grandmother, Margaret Walker Fields, put Dorothy under her wing and taught her the importance of voting. During her childhood, Dorothy canvassed the 55th and Broadway area, and helped seniors fill out their absentee ballots. Because of her grandmother and the sense of reward she gets from helping others, she has devoted her life to public service. Dorothy now works for a council member in Cleveland.

It is people with passion like Pearl Livingstone that brought me and many others into politics. Pearl, a Shaker Heights resident, created a program where the Ohio Secretary of State's office sent letters to high school seniors congratulating them for graduating and encouraging them to vote. She also encouraged 17-year-olds, who would be 18 by election day, to register to vote. To support those efforts, she helped start a voting advocacy group in Cleveland to encourage young people to get out and vote. Pearl deserves praise for putting her energies toward engaging young people in the civic process and educating them on the powerful impact of voting.

And then there are seniors. Senior citizens are also very involved in the process. My friend, Dr. Jacklyn Chisholm, told me about one of her friends and mentors and someone I have known for many years, Ms. Dionne Thomas-Carmichael. Dr. Chisholm said Dionne is very involved in the community, from signing people up for voter registration, to participating in political campaigns, to galvanizing individuals to care about their communities by turning complaints into positive action through advocacy. She is proud of the years that she has spent on the frontline in grassroots political action. I am always amazed by her energy and willingness to roll up her sleeves and get to work. She believes that we each have a responsibility to ourselves, our families, and our communities to make life better for others. To this end, she recognizes that the political process and advocacy are an important vehicle through which everyday people's voices are heard.

I want to talk just a bit about ex-offenders, sometimes the forgotten people in our society. But in Ohio, an ex-offender can register to vote immediately upon release from confinement even if on parole. The reinstated citizen can vote in the next scheduled election without any restrictions. While there are no barriers that prevent ex-offenders from voting in the State of Ohio, many ex-offenders are not aware that they have these rights. David Singleton who is the executive director of the Prison Reform Advocacy Center says: ''States like Ohio, where all former prisoners can vote as soon as they are released, should take steps to ensure the ex-offenders fully understand this important right. When former prisoners believe they are stakeholders in their communities and have the power to contribute to civic life, they are more likely to succeed which is in all of our best interests. Our democracy suffers when the voices of all eligible voters, including former prisoners, are not heard. If 20 percent of the 34,000 ex-offenders on community supervision in Ohio are not voting because they erroneously believe they are ineligible to do so, then 6,800 potential votes have been lost. We want to ensure that ex-prisoners are not being disenfranchised on account of misinformation.''

Count every vote. We have all seen why counting each and every vote in an election is so important. During the 2004 Presidential election, Ohio suffered unfortunate irregularities in the voting system, which caused confusion and disruption. That disenfranchisement of voters is why my dear friend, the late Congresswoman Stephanie Tubbs Jones, introduced the Count Every Vote Act while a Member of Congress. The Count Every Vote Act, or CEVA for short, sought to remedy many of the problems that voters continue to face all over this country. This bill is not yet law, but should be.

While the bill is not law and has not been reintroduced this year, I want to highlight some of the voter protection and enfranchisement provisions of this bill.

CEVA maintains that voters deserve a paper trail of their electronic vote. This must be done to ensure accuracy in counting and avoid technological

glitches. The first portion of the bill focuses on voter verification and auditing procedures.

CEVA would require that all voting systems produce or require the use of voter-verified paper ballot or record suitable for manual audits.

We must ensure that all Americans, including those with disabilities or language barriers, retain their right to cast a ballot. To that end, CEVA asks that the Federal Government require that at least one machine per precinct must allow voters with disabilities and language-minority voters to cast a vote in a private and independent manner.

I believe that the Federal Government should require all States to offer early voting. CEVA makes this proposal to encourage people to vote by allowing them to vote at times convenient for them and avoiding long lines on election day. As I mentioned before, for our democracy to function well, all Americans must have a pathway to participate in the election process. To that end, the bill proposes that all States end the practice of prohibiting convicted felons who have completed their prison term, parole or probation to vote. After all, they have served their time.

CEVA further proposes that we study the impact of making election day a Federal holiday. Creating such a day would give more voters time to cast ballots and allow more qualified people to serve as poll workers.

Our leadership and moral strength is only enhanced when we help others. We lift as we rise. To have a vibrant democracy, we must encourage the participation of all citizens and fight against efforts to disenfranchise voters. We must work to ensure that our citizens do not encounter barriers to their full participation in the election process. Whether it is seniors who need transportation to the voting booth or ex-offenders who are unaware of the reinstatement of the right to vote, we cannot sit by while our fellow Americans are excluded from the democratic process. We must also encourage voters to be educated and organized citizens in order to strengthen and empower our communities. At the end of the day, civic participation is both a duty and a right.

The legislative process affects all aspects of our lives and we cannot afford to remain silent. Your vote is your voice, so speak loud and clear. Members of Congress and all elected officials will hear you.

Next Tuesday is election day for many. Use the power of your one vote. When you do not vote, by default you cast a ballot against the person or proposal you prefer. Your missing vote is one less that the opposition has to overcome. Thus, your vote is for those with whom you disagree. Get out, use your voice, and vote.

FREE ENTERPRISE, THE FOUNDATION OF AMERICA'S ECONOMIC SYSTEM

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

Mr. KING of Iowa. Thank you, Madam Speaker. It is a privilege to address you here tonight on the floor of the House of Representatives in this great deliberative body that we once were and sometimes are and perhaps one day will be again in honor of the traditions that we have in this Congress. It has been a difficult year for this deliberative body, and one of the reasons for that I believe is the leadership of this House and the leadership of the majority party seem to be quite concerned about open public debate, quite concerned about limiting the amendments that come to the floor, and quite concerned about pushing a new President's agenda. This new President's agenda follows through a whole series of major moves from a business perspective. Some of them actually started before his election and some of them happened after his election and many of them happened after the President's inauguration. But we have witnessed here within the last 15 months or so the nationalization of huge business entities in America. It is framed by the $700 billion TARP bailout and the $787 billion stimulus plan. In the middle of all of that came the nationalization of three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, and Chrysler. All of that adds up to about one-third of America's private sector being nationalized, much of it under the watch of this administration, but not all of it, in fairness, Madam Speaker.

The American people are nervous. They know that free enterprise is the foundation of America's economic system. That is so basic to the American people, the value of free enterprise, and it is so basic to the values of, let me say USCIS, the United States Citizenship and Immigration Services, that they have a whole stack of flashcards that are prepared for those who would study for the naturalization test, those immigrants who go through the process to become American citizens, the people we celebrate as Americans by choice, a whole series of flashcards, the history of America is on those flashcards. They are stacked that deep, and you can turn one after another over and you can understand about what George Washington and the Constitution and the Declaration and the Bill of Rights and the Fourth of July and the list goes on and on.

One of those flashcards, Madam Speakers, asks what is the economic system of the United States of America? You flip the card over and it says free enterprise capitalism is the economic system of the United States of America. Yet one-third of it has been nationalized by the Federal Government, and no exit strategy seems to be in sight. As the American people watch this rush towards the socialization/nationalization of one-third of our economy, they also saw a cap-and-trade bill pushed through, about 12 hours from the time the bill was dropped until such time it was on the floor for debate without legitimate amendments.

The American people watched this and they understood intuitively, if not articulated on the streets, that they understood that freedom was being compromised. The principles of our free market system were being compromised. They also understood that a prudent government with people that hold the gavels that are fiscally responsible and a future President that might be fiscally responsible, I believe I have given up hope on this one, could actually set things up so we could work our way through the trillions of dollars of debt that we now have and work our way through the nationalization and begin to privatize, sell those shares back to General Motors, sell them back to Chrysler, privatize Fannie Mae, Freddie Mac, and require them to be capitalized like other lending institutions, regulate them like other lending institutions and sell those shares back in the marketplace, and for the Federal Government to divest themselves from their investment in this huge nationalization, AIG included.

□ 2100

Now, that could all happen under a future President and under a Congress that is dominated by people that just believe simply the opposite side of that flashcard that asks the question of anybody that wants to become an American citizen, what is the economic system of the United States? Flip it over, free enterprise capitalism. That compels the Federal Government to divest itself if, of course, we believe in the tenet that we require people to know if they're to become an American citizen and naturalize an American citizen.

So the American people saw this rush, they saw this push that went towards this nationalization of our one-third of our economy and the rush through cap-and-trade in the House, and now it is stalled in the Senate, thankfully. I hope it doesn't get brought up again. It is a tax on all of our energy. It is cap-and-tax.

But all of this went through in a rush, and the American people didn't have an opportunity to weigh in. Before they could catch up with what was going on, decisions were made. Those decisions were made behind closed doors—and sometimes the irrevocable decisions of the nationalization of these entities. And once they saw all that happen and they saw the President push hard for $787 billion in bailout money—and, Madam Speaker, they saw every Republican vote ''no'' on that $787 billion and they thought, at least there's a sign for hope here; Republicans are sticking together. But

behind that came cap-and-trade, 12 hours from the bill drop until it was up on the floor for debate, no legitimate amendments allowed. And then they saw health care, a complete overhaul of the health care system coming at them as fast as a freight train of all the other things that came at them.

Now, thankfully, there was a delay for the break in August and the American people came together. There were hundreds and hundreds of town hall meetings that were held by many Members of Congress. I believe every Republican, and many Democrats, held numbers of town hall meetings and constituents filled the rooms. There is a case of a town hall meeting in Oklahoma that brought about 3,000 people. And there were many meetings around in my part of the country that brought in several hundred when a normal town hall meeting for a low intensity period of time might bring, oh, a couple dozen people in to talk to their Senator or their Congressman. But this was hundreds. And it's because the American people finally had an opportunity to step in and weigh in after they had seen this slide towards socialism that had taken place and the nationalization of these eight huge entities and one-third of our private sector economy nationalized.

The American people stood up and they filled the town hall meetings. They had their say, and they rejected this idea of a government option that would go directly in competition against our health insurance industries. They said, We don't need it. We don't want it. We don't want the Federal Government taking over our health care. They understand what happens. When you have a government-run insurance system, it becomes, often, the only insurance system that's there. We've seen this happen, Madam Speaker, with the case of the national flood insurance.

In 1968, the property and casualty companies were providing 100 percent of the flood insurance in America. Now, it wasn't a developed market like it is today, and I don't mean to characterize it that way because it wasn't. It was a lesser developed market. There was a lot less real estate in the floodplains in 1968 than there is today, a lot less developed real estate in the floodplains. But Congress decided that they wanted to engage in this to protect those homes and businesses that were occasionally flooded by high waters, so they passed the National Flood Insurance Act in 1968.

Today, 100 percent of the flood insurance available for purchase in America is the Federal flood insurance program. There is not one single policy in the private insurance industry that you can buy flood insurance from. And the reason is because the Federal Government went in and dominated the market. They passed the National Flood Insurance Program—and I'm drawing this analogy, this comparison of what happens if we have a national health insurance public/government option, or, as Speaker PELOSI called it today, the ''competitive option,'' or as, let me see—no, I need to correct that. Speaker PELOSI called it the ''consumer option.'' It was Representative DEBBIE WASSERMAN SCHULTZ of Florida who called it the ''competitive option.''

So you have a public option, a government option, a government-run health insurance, the consumer option by PELOSI's language, or the competitive option by WASSERMAN SCHULTZ's language. But we know what happens when the Federal Government steps into an industry, as they did in 1968 in the flood insurance. In a few years, it had swallowed up the entire private sector flood insurance program and replaced it with the Federal flood insurance program.

In order to compete, the Federal Government also passed legislation which required that anyone who was borrowing money from a national bank and had property that was anywhere in the floodplain, they were compelled to buy the insurance. So, in order to get the loan, the people that were investing had to buy the flood insurance. So the Federal Government set the premiums, set the rules, required that people buy the flood insurance, and they lowered the premiums out of proportion to the risk and they squeezed out all the private sector. Once the private sector was squeezed out, then the Federal Government sitting there, charging premiums lower than the risk, had to come back here to this Congress to get money to backfill the hole in their budget.

So from 1968 until today, we've gone from no Federal flood insurance in 1968, at the moment the bill was passed, to 100 percent of the flood insurance in the United States is all federally owned and run. The premiums are lower than the actual claims, and so the Federal flood insurance program is $19.2 billion in the red, with no daylight in sight. That's the way the Federal Government runs an insurance program, and that's the way the Federal Government may well run this public option that was announced today.

Now, I'm going to take you through a little bit of history, Madam Speaker, and then we will go to current events today. This is some history. This is 1993, 1994. This is HillaryCare. This is a chart that was in The New York Times back then, 15 years ago. And this is the government agencies that are created or linked by the Clinton health care plan, which was a takeover in our health insurance industry and would have resulted, I believe, in a complete takeover of our delivery system as well.

All of these charts that are in here, you don't have to study them to understand. We should be very concerned. We should be very concerned about the kind of government and the kind of bureaucracy and the kind of hoops that patients would have to jump through in order to do business with the Federal Government that was going to step in and solve a problem that was urgent in 1993, supposedly so urgent that President Clinton had to come here to the floor of the House and from the well of the House address a joint session of Congress, September 22, 1993, House and Senate Members, gallery is full, pleading that they would adopt and pass HillaryCare.

I will say, to President Clinton's credit, even though they met behind closed doors and even though there was a lot of suspicion and a lot of frustration and people got angry, they at least wrote a bill. President Clinton had a bill. And when you have a bill, you've got something that you can at least either support or shoot at. You have some specificity. But what we're dealing with now is still a matter of concepts. We have concepts.

Now, we do have a bill, H.R. 3200, that passed out of the Energy and Commerce Committee here in the House, but in the Senate they're still dealing with concepts. They passed concepts out of the Senate Finance Committee. And it's pretty hard to shoot holes in people's concepts, and it's pretty hard to support them because they are amorphous and they can change.

So HARRY REID announced today that he will have a bill, and he told us a little bit about that, and the Congressional Budget Office is going to score it. But this is 1993. This is the black-and-white scary flowchart of what happens to our freedom if we turn our health care over to the government.

Madam Speaker, this is the modern flowchart. This is the flowchart that was created at the direction of Congressman KEVIN BRADY of Texas, a Ways and Means Committee member who drilled down into this language word by word, line by line, sentence by sentence, concept by concept to verify that this flowchart is accurate, that it does reflect H.R. 3200, it does reflect the bill that passed out of committee in the House.

When you look at the chart, Madam Speaker, you will see these organizations in white, these are existing, with the blue letters—the President, the Congress, Treasury, HHS, Veterans Administration, Defense Department, Labor Department, all of this exists. Any of these white boxes here exist, and those in color are all new. This is all new government agencies:

The Advisory Committee on Health Workforce and Evaluation, new. Insurance mandate, health affordability credits, the Health Insurance Exchange Trust Fund, the Clinical Preventive Services Task Force; new ideas that people get in there because they've got some leverage. Health Benefits Advisory Committee, the Public Health Investment Fund here. Anything in color is all new, Madam Speaker.

So when the President says—and many of the Democrats say—that we need to provide competition in the health insurance industry, I would remind them, Madam Speaker, that this

competition would be—the Federal Government would be one new health insurance company.

Today, we have 1,300 health insurance companies in America. Now, some of them may be operating under multiple labels in multiple States, but we have over 1,300 health insurance companies in America, and they offer approximately 100,000 different varieties of policies that one can purchase. Now, that is a lot of choice and it is a lot of competition.

So the President's argument that we need more competition in the health insurance industry, I think that is a legitimate criticism, especially in some of the States where there is almost, let me say, a de facto monopoly where one insurance company might provide 70 or 80 percent of the policies in that State. And so where that exists, it would be good to see more competition to help keep those prices down. But there is also a reason why a single company has gotten such a large market share, and that's because they have the leverage to be able to negotiate lower compensation rates because of the volume that they have.

But the best solution to this is not for the government to create an insurance company and to write new insurance policies, Madam Speaker. The best solution for this is to adopt the JOHN SHADEGG policy, his legislation, which allows for people in America to buy insurance across State lines. Some of the data that came out used New Jersey, for example; very, very high insurance premium rates and a lot of unreasonable mandates have to be included in New Jersey's premiums. But a young man about 25 years old—in fact, exactly 25 years old—that would buy a policy in New Jersey that would be comparable—and I put that comparable, it has to be a qualified statement—but a comparable policy in Kentucky, a young 25-year-old man would pay $6,000 in annual premiums in New Jersey and $1,000 in annual premiums in Kentucky.

Now, as it's envisioned by the federalist philosophy, each of the States would be incubators that would experiment. And in the real world, in an ideal world, people would look at the cost of that premium and they would move from New Jersey to Kentucky. JOHN SHADEGG's bill bypasses that and it recognizes that Congress has the constitutional authority to regulate interstate commerce and to break down those barriers and allow people in New Jersey to buy insurance in Iowa or Kentucky or wherever they may decide. If we open this up so people can buy insurance across State lines, then you have all 1,300 health insurance companies competing against each other and you have all 100,000 policies that are all available for everybody in the United States. A simple fix.

The legislation is here. It has a good number of cosponsors. I will say the lion's share of the Republicans, I am confident, are on that bill. Why couldn't we do the simple solution to this complex problem of how you create competition and allow insurance companies to sell health insurance across State lines? Fix this problem of some States that have a little bit of competition and others that have a lot of competition. Give everybody the same competition. That will drive insurance prices down.

□ 2115

We don't have to create a government entity and stock it with billions of dollars in capital to get it jump-started and then undersell the premiums so they can pick up a market share in the Federal insurance plan; all we have to do to put competition in. If that's what the President sincerely wants, competition, then all he has to do is give the nod and tell the people who tend to follow whatever he might suggest, that he would like to see JOHN SHADEGG's bill move. We could do that in this House in a day, send it over to the Senate, and I think it could be passed over in the Senate in a short period of time, too.

Although I won't say it's an emergency like a war, it's something that has come to the point where the American people understand the necessity of allowing Americans to buy insurance across State lines.

Well, instead, here is what Democrats in Congress and liberals want to do instead. If you look at these boxes of private insurers—those are the 1,300 insurance companies that I mentioned, and they're producing to this box. These are 100,000 health insurance policies, traditionally health insurance plans. Well, if H.R. 3200 becomes law, or many of the versions that we've seen, including, I believe, the version in the United States Senate, then you get a Health Choices Administration commissioner. This commissioner will write the rules for all of the insurance companies and for all of the insurance policies in America.

That just can't stand. That just can't hold, Madam Speaker, because then you have one of the competitors, which would be the Federal health insurance, this Health Choices Administration and the public option people, writing the rules to regulate their competition.

Now, I would have liked that. Let's just say you're a football coach and you get to go out and recruit the players in the fashion you'd like and get to offer the scholarships that you'd like and get to keep as many people on the roster and on the team as you'd like and get to spend any amount of money for indoor practice and for travel and recruiting, but you get to write the regulations for your competition, which would be that you can't do any of these things. Who is going to win the tournament? Who is going to win the national championship? The entity which is competing and writing the rules for the people it's competing against.

It goes on here. It's ever thus in this Congress. People come to this Congress, and they say, I seek a level playing field, but in fact, many of them are seeking an advantage. Well, I suggest the advantage needs to go to the people who are seeking more freedom, and that's what's being diminished by this health care endeavor which is unfolding.

So briefly, Madam Speaker, before I yield to my good friend from Texas, who has been a relentless and undaunted opponent of, let me say, this government option that is coming at us, here are the things that unfolded in the Senate.

Just to recap, at the press conference at about 3:15 today which was held by the majority leader in the Senate, HARRY REID, he said that, in the proposal that he has put together—and he has pretty much had an ability to mix and match and write his own bill in the Senate—the States would have the choice of opting out of the program. They would have the choice to opt out. I think I know how that works. Then the States have to pass legislation to opt out. There could be a debate in the State House and in the State Senate. They'd have to get a Governor's signature to opt out. Then let's just say, for example, a State like, oh, Texas or Minnesota or Iowa decided to pass legislation to opt out of the government option.

Well, they don't get to opt out of the taxes that will be funding the government option. They would just opt out of being able to tap into the benefits that would be funded by the taxes. So it's unlikely anybody is going to opt out, because it's giving away something to other States, and it's subsidizing the other States.

Then he also leaves it open for nonprofit co-ops to sell insurance in competition with private companies. We know how that will work. Nonprofit co-ops, I presume that's open by the State-by-State version again, and it's not the co-ops that we understand. These would be set up as nonprofit organizations, and they would still be, eventually, a camel's nose under the tent.

Another component of this says it would require most individuals to purchase insurance, and large businesses would not be required to provide insurance to their workers, but they would face penalties of as much as $750 per employee if their employees qualified for Federal subsidies. Huh. So, if you don't provide the insurance and if you don't pay enough money to your employees so that they qualify, then an employer would be penalized $750 per employee who qualified for public benefits. It's a little murky, but it sure looks to me like this is a high amount of leverage.

Then it also says that HARRY REID had a virtual free hand to craft this new measure.

So, as I look at the things that unfold, they have a filibuster proof majority in the Senate. I've continually heard, Madam Speaker, the criticism

from Democrats that Republicans are obstructing and are holding up the show. Well, I would like to do that. I would like to kill this bill—dead, dead, dead. I'd like to tell the American people that the entire framework is wrong-headed, that it's rooted in socialized medicine and that it's not rooted in freedom. I'd like to obstruct this bill. I will try to do that. If I can, I'll surely take the blame or even the credit, and I'd be happy to share that credit with all of the others who might step up.

Truthfully, it's the Democrats' obstruction going on within their own caucus that's the problem. It's not a problem to me. I'm happy when they reach indecision because they will make a bad decision. They are determined to go down the path of socialized medicine, but they have a 79-vote advantage in the House of Representatives. There are 79 more Democrats than Republicans, and they're pointing their fingers at Republicans. The Democrats can't get their act together to pass legislation, but they point their fingers at Republicans.

The Senate is the same way. Obstructing Republicans—with what?—40 votes on a good day? There are 60 votes of Democrats in the Senate. This scenario has never been reached in the history of the United States of America—massive majorities for either party.

With Democrats in the House and with a filibuster-proof majority for Democrats in the Senate and with the most liberal President in the history of America, what possibly could come out of this that would be good for America's freedom? I pose that question not just rhetorically but literally, Madam Speaker.

I would be very happy to yield so much time as he may consume to my good friend, Doctor and Congressman MIKE BURGESS from Texas.

Mr. BURGESS. I thank the gentleman for yielding.

You know, I was on a conference call a little while ago when you started, and I saw you going through those charts. They do look terribly complex, and lest anyone who is watching your discussion of those charts thinks that, well, perhaps the good gentleman from Iowa is just engaged in a little political hyperbole or perhaps that he is overstating the case for the purposes of discussion, when you look at the bill, H.R. 3200, there are a lot of words contained in here.

We had this bill in my Committee on Energy and Commerce. It was also debated and voted on in the Committee on Ways and Means and in the Committee on Education and Labor. We all had the same bill. We all ended up with a little bit different product at the end. Well, this bill ended up being about 1,000 pages in my committee, so you could just imagine, with 1,000 pages, there is room for lots of twists and turns and rabbit runs and dead ends, as the gentleman from Iowa so eloquently expressed. That was July 31, and here we are near the end of October. So we have volume 1 and volume 2 of the same bill.

I would submit that the gentleman, if anything, is guilty of, perhaps, not having a graph that's complicated enough, because this bill has expanded beyond anyone's reasonable belief of what this bill should be.

Now, Madam Speaker, I would submit to you that 1,000-page bills scare people, and they scare people for a good reason. They scared people when we were in charge, and they scare people now. They scare people because they don't think we're going to read this. They don't think we're going to take this insurance ourselves. They know that their taxes are going to go up and that their freedoms are going to go down. So 1,000-page bills scare people.

We all agree that something needs to be done. Reform is necessary.

It would be so straightforward to pick those things that need attention, to work on those problems, to deliver for the American people, and not to scare them so close to Halloween with now a 2,000-page bill—or actually, it turns out to be about 2,400 pages. I realize parts of this are duplicative and that parts of this are even contradictory because no one has really gone through and has sorted out what Ways and Means did and what Energy and Commerce did. It's just kind of a merged product that we have now.

It really doesn't matter because this bill that was delivered to me on Friday afternoon really could go straight into the round file. The actual bill is being written in the Speaker's rooms even as we speak. I suspect the gnomes who work on bills are over there, crafting away on the legislative language, probably with heavy doses of input from down at 1600 Pennsylvania Avenue. Certainly, if you looked around the room, I'll bet you wouldn't find any Republicans, and I'll bet you wouldn't even find any backbench Democrats.

Isn't it ironic that the President, who stood on the floor of this House and who said he'd be open and straightforward with the American people and who said that all of these processes would be aboveboard—in the daylight, on C–SPAN—has this all being conducted in the dark in the Speaker's office? The doors are closed and locked. Mr. KING is not allowed in the room. I'm not allowed in the room. No Republicans are in the room. Again, I rather suspect many of the rank-and-file Democrats are not allowed in the room as well.

What will happen now is this bill, which will be written in the Speaker's office, will come to us at some point. They have graciously consented 72 hours for us to read the bill. Will it be this big? I don't know. It certainly could be. It was 1,000 pages when it left our committee. It was 1,500 pages when it left the Senate committee. It's not likely that it has diminished in size with all of these people working on it. We have 72 hours to review the bill. Madam Speaker, the people of America will have 72 hours with the bill up on Thomas to review what's in there. Then we'll vote.

We'll vote, and it will be a vote we will cast not just to affect the rest of health care in the rest of our natural lifetimes but in the rest of our children's natural lifetimes and in the lifetimes of our children's children. That is the implication of what is contained herein. The American people don't trust us with a 1,000-page bill. They don't trust us with a 2,000-page bill, but there are some things they want fixed.

Isn't it ironic we've got over 50 pages in this bill which are dealing with the types of language services you must offer in hospitals and in doctors' offices, but there is not a single word about liability reform? Yet the Congressional Budget Office, in a letter to ORRIN HATCH last week—or in a letter to a member of the other body last week—said that we could save $54 billion if we would enact the right kind of liability reform. Why wouldn't we do that?

We also had the event last week where the Nation's doctors were told, Sorry, we can't help you. You're going to get some bad pay cuts over the next 10 years, but there's just nothing we can do to stop it because we don't have the money to do so.

Well, why not take that $54 billion? There's also other money we could find in other places. Why not find that money and why not help the doctors rather than say we can't do it?

So here we're going to ask our Nation's doctors to be our partners with us as we go through this. They're going to have to live with whatever we pass for the next two or three generations of physicians, and we won't do those two simple things that are so important to the Nation's physicians—liability reform and payment reform in Medicare. It seems so simple. I would just have to ask:

Why is that too much trouble with all the king's horses and all the king's men working on this legislation?

I yield back to my friend from Iowa.

Mr. KING of Iowa. Reclaiming my time, as I listen to my friend from Texas talk, it occurs to me that I had one of those last weekend. I sat down, and I did an odd, surrealistic thing. I read through President Obama's campaign speeches, as Senator Obama, which went through the summer of 2008 right on up to the election on November 4 of last year. It was soaring rhetoric. It was moving. I didn't quite have a tingle go up my leg, but I was moved by the language. I had to stop sometimes and mentally pinch myself to ask: What has happened now compared to what I heard then?

Well, one of the things that really stands out is Barack Obama's pledge to unconditionally sit down with the Iranians—with Ahmadinejad. Without conditions, you know—dialogue is progress. That's what they think. So he

made that pledge during his campaign. He has not backed off of that pledge to unconditionally sit down with Ahmadinejad. Yet I just ask the question:

Is anybody sitting down with President Obama who has an ''R'' behind his name and talking health care? Is there anybody in the House of Representatives, out of 178 Republicans, who is in negotiations with President Obama and who is having a discussion on health care? Is there anybody really reaching across the aisle from over there to look for some Republican components and solutions? Is there anybody in the United States Senate with an ''R'' behind his name who has been invited to the White House or who is sitting down with HARRY REID, or is it all NANCY PELOSI's office, HARRY REID's office and the Oval Office—all Democrats—all clustered together?

They do have the votes, you know, but this was the President who was going to bring in a new era of bipartisanship. When he found out that he didn't need Republican votes and that he didn't need Republican philosophy either, we ended up with this lurch to the left that continually comes at us over and over again out of this administration.

The gentleman spoke about liability reform and the proposal of $54 billion in savings.

□ 2130

Here are some numbers that stand out to me. I think those numbers are conservative. The lowest numbers that I have seen, as the percentage of the overall health care costs that are attributable to malpractice premiums, the litigation and defensive medicine that's a component of this, the lowest number I have seen is 5½ percent of the overall medical cost. Health insurance underwriters place that at 8.5 percent. That's $203 billion a year. Now you won't save it all, but that's how big the pot, I think, likely is. Other numbers go on up to 10.1 percent; and then talk to your orthopedic surgeons and they will take you right on up to 35 percent because they are faced with it, and the OB/GYNs, the highest level of malpractice.

And we're losing places for women to have babies. The access to health care has been diminished because of the liability, but it's in the tune of hundreds of billions of dollars driven by the trial lawyers, and we can't find $1, not one mention of lawsuit abuse reform in any of the legislation that's passed out of the committees here in the House or in the Senate. I think that's the starkest component of this. It's the most obvious that this isn't legislation that's designed to be good for the American people, it's designed to be good for the American Democrat politicians and the people who are brokering this behind those closed doors.

Again, I would yield to the gentleman from Texas.

Mr. BURGESS. I think you are accurate in your assessment. I spent the weekend talking to a good number of doctors back in Texas, and I will tell you there is a great deal of concern, a good deal of anxiety on the part of America's physicians as they watch us go through this process and recognize that at the end of the day their two biggest problems are no closer to being solved than they were when the President came to the American Medical Association and spoke to them in June of this past year.

It is, the gentleman mentioned, the monetary issues involved with liability reform. Those are truly significant, but there is no way to calculate the emotional toil, the emotional wear and tear that it takes on physicians and their families as they go through every episode of litigation. It is an unfortunate by-product of our system and, again, it is something where the Nation's doctors thought if nothing else, we'll give up a lot of our freedom, we'll give up a lot of our autonomy, but at least we'll have these two problems solved. It looks like at the end of the day they get to give up all that autonomy and all that freedom, and their problems are no closer to being solved than they were when we started this process.

Mr. KING of Iowa. As I mentioned on Medicare reform, just briefly before I yield, and that is, the President and the White House have identified—well, they haven't identified, they have alleged, that there are billions of dollars that can be gathered together in savings in Medicare fraud and abuse. In order to gain those kinds of savings, they insist that the legislation be passed, H.R. 3200 or some version of that legislation. They also want to cut $500 billion out of Medicare reimbursement rates; and nationally, Medicare is underfunding the cost of delivery by, they pay about 80 percent of the costs of delivery.

I happen to represent, I believe, the most senior congressional district in all of America. Iowa has the highest percentage of its population over the age of 85 of any of the States. In the 99 counties in Iowa, of those 99, 10 of the 12 most senior counties are in my district. I believe I represent the most senior district in America, and our Medicare reimbursement rates are last in the Nation. The President proposes to cut them another half a trillion dollars in order to pay for and fund this growth in this huge national health care plan that they have.

Madam Speaker, America's seniors will not sit still for that kind of draconian cut into the health care that we have pledged to them. By the way, I will add one more point, and I think Congressman BURGESS will recognize this. Essentially it is the President's position, you'll find out what the savings will be in Medicare fraud when you pass my legislation. Then we'll use that to fund it.

That's what you call holding a right hostage to an ultimatum. We have a right to legitimate government. The ultimatum is pass my socialized medicine plan, and then we'll give you a legitimate government. We know where the secret is to all of this, but they won't happen to tell us. It's holding a right hostage to an ultimatum.

I would be happy to yield to the gentlewoman from Minnesota, who has made her mark on this Congress and on this country, MICHELE BACHMANN.

Mrs. BACHMANN. I thank the gentleman from Iowa and appreciate all that he has contributed to this conversation this evening, as well as my colleague, MIKE BURGESS from Texas, who did the very kind favor of coming to Minnesota and speaking as an expert on the health care issue. I know my constituents still tell me how much that meant to them, and I appreciated it as well.

I was very interested when the gentlemen were speaking about the lack of bipartisanship on this current bill. I would agree. I recall when all of us were filling this Chamber during the President's joint session to Congress, and he stood here in this room, addressed us, and he said if any of us have suggestions, we should come in and sit down with him, and he wants to hear those suggestions.

I was so pleased, I took him up on that. I wrote him a letter, told him about positive alternatives that I had, bills that I had presented. I still haven't had the courtesy of a reply yet. I know there are a number of other Members that took the President up on that offer as well. I don't know what the President would be waiting for. I'm here. I'm ready. A lot of other Members have been anxious to go and meet with the President and give our positive alternatives. There's one that is actually fairly simple that we can do and it's this: Rather than the government owning our health care, rather than our employer owning our health care, we could change the Tax Code so that every American could own their own health care.

Quite simply, we would erase the boundaries between the various States. People could purchase any health insurance policy from any State in any amount. People could do that with their own tax-free money that they have set aside, and any expenses over and above what's in the tax-free account that they fully fund themselves, they can fully deduct on their income tax return. People can take their tax-free money, roll it over year after year and, upon their death, will it to their children.

Then we have true lawsuit abuse reform. That takes care of over 95 percent of the people in this country without spending trillions of dollars and getting our country more bankrupt than what it already is. Those who truly, through no fault of their own, can't afford to purchase health care, that's something we can take care of. Not a problem.

But why not offer and why not embrace first, before we build yet one

more big government bureaucracy, why not try a simple, positive alternative that is free market oriented, that makes sense to people. Everywhere I go in Minnesota and talk to people about this option they say, Yes, why not offer that? Why not do it? Why not? Why not do that first before we embrace something that will cost so much money?

There are really two questions that we need to ask ourselves. With the current Democrat proposals that are before Congress, we just ask ourselves this: Will this bill give me more control over my health care? Or will it give government more control?

The bill that Dr. BURGESS held up in the air was about this thick. What was that, about 6 inches, perhaps, thick? That bill would give government almost all, virtually all control over a person's health care, rather than the individual. Then let's ask ourselves this question, and I think Congressman KING alluded to this: Will this cost me more money or less money?

Well, the government plan we know will cost more money. Estimates that have come out so far have said people's health insurance premiums could be estimated to rise by as much as $4,000 a year; $4,000 a year more.

How is this going to benefit the average family? The average family would be getting less health care, more rationing of care, and they would spend $4,000 a year more. What about senior citizens? Senior citizens are paying attention to this debate. They're hearing that the Democrats that control the Senate, the Democrats control the House, the Democrats control the White House, they control every lever of power in Washington as Congressman KING rightly said. The Republicans aren't the one holding this bill up. We don't have the votes.

The Democrats have the majority of votes. But what do they plan to do? They plan to cut Medicare. That's right, Mr. Speaker, they plan to cut Medicare by $500 billion. What does that mean for citizens? Less care, more cost, less care, rationing. That is not the future that they want to have.

What about people under 30? What do they have to look forward to in this bill? People under 30 are looking at having, perhaps, 8 to 12 percent of their income taken away to go to pay for health care. That's a direct new cost that government would impose on young people.

What about businessmen? Businessmen are looking at an 8 percent payroll tax. Most businesses don't even have an 8 percent profit margin. They don't know where they are going to get that 8 percent to pay for that additional amount.

What about the job creators in our country? They are looking at a 5.4 percent surtax on their income. That won't help right now and also, a 40 percent tax on insurance premiums. How do you like them apples?

That doesn't do anything to help anyone in this country bring down costs and expand care because here's the context of our time. Congressman KING had mentioned we are currently sitting at 9.8 percent unemployment, and the White House has told us that we will see probably 10 percent unemployment by the end of 2009, and we will see this level of employment on into next year.

The White House is telling us, high unemployment is the new normal. Well, maybe for this White House it's the new normal, but not for those of us on the Republican side of the aisle. We know it's possible to have lower unemployed and to create jobs in this country, and we can do it by having government spend less money and cut taxes.

Well, this bill would add 5½ million to the unemployment rolls if it goes through. Also, we have seen that the dollar has dropped 16 percent in the last 7 months in value. We have seen China, Russia, the United Nations call to take the dollar away as being our international currency and create some new form of currency. That's going to increase the lowering of our dollar.

We saw this year that the government has spent $1.4 trillion more than what they took in. That's more debt than all previous 43 Presidents put together. President Obama increased the size of the spending in the Federal Government 22 percent this year. In fact, he is increasing what we are spending on welfare next year by a third. How big is that number? That increase is more than what we spent on 8 years of the Iraq war. In fact, it's 25 percent more than what we spent on the Iraq war. We are burying ourselves and our kids in debt, and we are getting nothing to show for it. In fact, the Inspector General said in a report last week that there are untold billions of dollars that he can't account for out of that $700 billion bailout that went to the banks and the auto companies and AIG. Billions. They can't even account for it.

In this context, we are going to give Members of this Congress 3 days to read the bill, and it might be over 6 inches high. This is not only an insult to Congress, this is an insult to the American people. We should have 3 months to read this bill so that we can truly debate and see, will this help America or will this hurt America? Will this take us out of debt? Will this put us more in debt? Will this give the average American more control over their health care or less control? Will this cost the average American more in their income or will it allow them to save? That's the context that we need to discuss this in and not just Republicans in the Chamber, but Democrats working together to truly craft the best possible solution that we could have.

But right now what we need to do is fix our economy and get people back to work. The rest of this will take care of itself. There are people out there tonight, Madam Speaker, who are suffering. They don't know if they are going to have a job tomorrow. They don't know where they are going to go to find food for the table. Well, let's rev up this economy. We can do that with our positive solutions, and let's move forward in the debate.

I will now hand it back to Stunning STEVE KING of Iowa.

Mr. KING of Iowa. I embarrassingly, modestly thank the gentlewoman from Minnesota for that delivery that covered so much territory and laid out so many facts.

I would like to take us back to a couple of principles, Madam Speaker, and that is this: Why did we start down this path? What has been the objective? What was the objective back here when it was HillaryCare, and what is the objective here when it is the color coded jellybean chart that we have from the Ways and Means Committee? The objective was two things. Here are the problems that they wanted to address.

□ 2145

The problems being—this is the President's position—health care costs too much money in America as premise number one; and as premise number two, we have too many uninsured in America.

All right, let's take first the subject of health care costs too much in America. Well, it costs around 14.5 percent of our gross domestic product. Some have numbers that go a little higher, maybe 16 percent, or maybe a little more. Then we are advised, the most consistent data we see, the average for the industrialized world is about 9.5 percent of the GDP.

Well, we get the best results, so it isn't too expensive when you need it to save the life of a loved one. And we produce more than anybody else, also, and once that is indexed back to the overall average gross domestic product of the American people, that adjusts that number a little bit.

But be that as it may, Madam Speaker, do we spend too much money? That is debatable. Maybe we do, maybe we don't. But the solution is not, as the President proposes, to throw 1 or 2 trillion dollars at the problem. If you have a problem of spending too much money, it would go without saying that the solution is to spend less money, not more.

So I will submit that they premised the analysis on spending too much money for health care. That, supposedly, is worthwhile to transform the entire health insurance industry and the health care delivery system in America, because they allege we are spending too much money. They have a point on the money that is being spent. We can discuss that. We can save a lot of that just within the lawsuit abuse reform.

But, the American people know, if you are spending too much money, the solution is not to spend more. That should have never gotten a pass. As soon as a statement like that was uttered, it should have been cut off at the

beginning, cut off at the pass, so-to-speak. So I hope that has dispatched that erroneous idea. If we spend too much money on health care, if that is the President's position, then let him propose a policy that spends less, not more.

Then, the second premise is we have too many in America that are uninsured. Well, everybody in America has access to health care. Somehow we have traveled down this road where a position has been taken that everyone in America has a right to first-class, high-quality health care.

Now, that is nice. If we decide to do that, then we should have an open, legitimate debate about it. But it is not a right. It is not a right. It is a benefit that Congress has agreed to make sure it was available for humanitarian reasons. We spend billions overseas in humanitarian aid, and we spend billions in this country to provide health care to anybody that shows up, because we don't want to turn someone away and have them get sicker or die. That is the policy in America, but it is not a right.

Our rights are enumerated pretty clearly in the Bill of Rights. But when FDR, Franklin Delano Roosevelt, gave his famous ''four freedoms'' speech, he was stretching the rights; the freedom of speech, freedom of religion, freedom from want, and freedom from fear.

The freedom from want and freedom from fear are not rights. They never were rights, and they never can be turned into rights, because if they do, can you imagine freedom from want? Well, if we lose all of our wants, we lose all of our desires to make the world a better place. We lose our desire to make our life a better life and that of our family. If you don't want for anything, you sit around and whatever you need shows up. Who is going to provide that? Our entire economy would collapse around that kind of thing.

Freedom from fear. Fear of what? Freedom from want, perhaps. But those two were erroneous components of FDR's philosophy. But they live today, somehow, in the minds of the majority of the United States Congress and, it looks like, the majority of the United States Senate, but I don't believe the majority of the American people.

But even though everyone in this country has access to health care, no one has a right to it. They are trying to argue that everybody has a right now to a health insurance policy of their very own. Now, imagine a society that gets to that point and what that does to a society. But the argument is too many in America are uninsured.

So, Madam Speaker, here are the real numbers about those in America that are uninsured. This little pie chart shows the chart of 306 million Americans. Eighty-four percent, in this blue, those are those that are insured, that have a policy through their employer or they take care of it personally, whatever it might be. But they are insured. Then these little slots are the other categories.

One would think that we were trying to address uninsured Americans without affordable options. Well, here is the list of those Americans that are in this 47 million uninsured. That is the number we constantly see, 47 million.

In yellow, illegal immigrants, about 5.2 million. In black are the legal immigrants that are barred by law for a 5-year period. So you end up with 10.2 million of those.

Then you have individuals earning more than $75,000 a year without health insurance that didn't bother to write a check for their premium. Presumably they could manage that with the money they are making. That is about 6 million.

Then you have those eligible for government programs. That is in green. That is 9.7 million.

Then you have those eligible for coverage under the employer but didn't sign up or opted out. That is 2 percent here. That number is actually 6 million.

Then the other category, eligible for government programs, 9.7 million.

We get down to this number. When you subtract from the 47 million all these categories that I have listed, those that would be covered under their employer if they would just sign up; those that are insurance eligible for government programs but don't bother to sign up; those that earn more than $75,000; those that are immigrants, that are legal and illegal, disqualified for one reason or other; you add that all up and subtract it from 47 million, you get over to this red.

This would be the list, Madam Speaker, of the Americans without affordable options. That represents 12.1 million Americans, less than 4 percent of America's population, and that less than 4 percent are the people that presumably the President and the majority party, and in fact the minority party, would like to encourage that they get insured.

But they would upset and transform and overhaul 100 percent of the health insurance in America and 100 percent of the health care delivery system in America for the purposes of reducing this 4 percent number down to what, 2 percent? Maybe on a good day. That is what is going on here.

So, I believe it was Socrates that said if you start with a flawed premise, you end up with a flawed conclusion. If he didn't say that, Einstein did, or some other smart person. You don't have to be very smart to figure out that if you put the wrong formula in, you are going to get the wrong results out. Garbage in, garbage out.

We have, Madam Speaker, we have got garbage here. The idea that first we spend too much money on health care, and being able to spend more, 1 to 2 trillion dollars more is a solution, that is garbage. The garbage underneath it, certainly there is truth to spending too much money on health care in America. Let's debate that. Let's debate how we address that. We don't address it by spending more money. We address it by ending the lawsuit abuse that takes place in this country. We have got to reform that.

We passed that out of the House here in 2005. It came out of the Judiciary Committee where I and Mr. GOHMERT sat. We passed that here on the floor, and it was limited, the noneconomic damages, to $250,000. That was a policy that was modeled after California at the time. Since then, Texas has adopted it and has seen their doctors that were leaving Texas turn around and come back, because now they can practice in Texas without a penalty.

So, just the tort reform component of this would save at least $54 billion. But I am suggesting the numbers I am looking at show that lawsuit abuse costs in the neighborhood of $203 billion a year.

Now, over a 10-year span where these bills are estimated, that would be over $2 trillion that goes to the trial lawyers and some of the plaintiffs, and also goes to the people that are doing the tests, the unnecessary tests that are part of the defensive medicine that takes place.

So, if health care costs too much money, Madam Speaker, the first solution would be to address lawsuit abuse. That is number one. We should be able to agree on that. But there is not one word in any of these bills about reforming the abuse of lawsuits that could be somewhere between the $54 billion savings that was identified by Dr. Burgess a little earlier, on up to what I say is $203 billion, and probably more, and $2 trillion over the life of the bill. But not one dollar is going to be saved. In fact, there will be more spent because of this.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the ordering of a 5-minute Special Order speech in favor of the gentleman from Texas (Mr. GOHMERT) is vacated.

There was no objection.

TALKING ABOUT TRUTH, HONESTY, AND INTEGRITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Thank you, Madam Speaker. I do appreciate this time, and I do appreciate the comments from my friend Mr. KING from Iowa, and I do want to follow up on that subject, a little different approach from a little different angle, because I think it is important that we talk about truth, honesty, and integrity.

It is inappropriate on the House floor to accuse anybody else of lying who is a Member of Congress or the President. We are not going to do that tonight. But we are going to talk about what

the truth really is, and people can compare the truth to things that have been said both here in the House and around this country by our leaders and let them figure out for themselves what is truth.

In fairness to the President, we heard him say repeatedly, ''You have heard their lies. Where is their solution? Well, they don't have one.''

Well, actually we have many, and we tried to get his attention. I know he said if we have proposals, if we have solutions, there is always an open door, and I have no doubt that he is correct about that. I just have not been able to get past all those massive gates and armed guards in order to talk to the President about that. I am sure the door is open, just like he said. It is just I haven't been able to get there. One of my friends from Georgia has indicated he called for weeks and weeks to see if he could get an appointment and had been unable to.

So this is our opportunity to come to the floor and actually speak without all of the craziness and the hoopla and the political bantering.

I did notice last week on the floor right over there at that podium with an easel behind some friends across the aisle, Democrat after Democrat got up, and they had a poster and they kept pointing out and finishing their comments by saying, it has been so many days, where is their solution?

I would like to point my Democratic friends to the fact that if they are looking for the Republican solutions, we have many of them. We have tried to give them to them. We have tried to get them to the floor. We have tried to get them to be brought up in committees, because there are really some excellent solutions to health care reform, some great bills that actually do reform, instead of this stuff that is being attempted now.

Anyway, I want my friends across the aisle to know that if you are coming to the floor of the House of Representatives and asking where is the Republican solution, well, even though there are dozens and dozens of excellent proposals, solutions in bills, and I have one myself, they will not find those here on the floor of the House, because they control the House.

The Speaker controls the House. The Speaker has unbelievable power to influence the Rules Committee in what she believes. No matter who is Speaker, that Speaker has fantastic power to influence the Rules Committee. Then the Rules Committee has absolute power, despite what the Speaker says, to do what they wish.

Unfortunately, the Democratic friends can come to the floor of the House all they want to and say where is the Republican plan, where is their solution, and there won't be one here, because they have been effective in preventing us from bringing our solutions to the floor.

So I hope that that spirit of political bantering that they continually brought here, speaker after speaker, where is the Republican solution, they still don't have one, when are you going to bring one; it won't be found on the floor while they are in the majority. If they would like to give the majority back, like they are apparently working on, we will be glad to take that and immediately bring so many of the wonderful solutions that have been proposed.

I heard a wonderful comment recently. Someone said the Democratic leadership say they want to reform health care. What they are trying to do is deform it. I would have to agree.

I note, also, that so much of the Democratic bills are proposing to have payment coming for those bills from cuts in Medicare that they say will be found in waste, fraud, and abuse.

□ 2200

Well, if they know there is that much in waste, fraud, and abuse in the health care system, then aren't the Congress, the House and the Senate, and the President being accessories if we don't bring that fraud to the attention of the other lawmakers so that we can immediately do something about it? Why would anybody want to allow fraud to continue unabated, costing taxpayers billions and billions and, they say, hundreds of billions of dollars, and they are not going to do anything about it unless we first give them this health care deform, or reform, as you may wish?

Now, for so long the only bill we had was H.R. 3200. This is half of it. The other half is in the other notebook I have here. And I divided it up so it was easier to carry. I was afraid that the way things have played out in the past with the crap-and-trade bill and also the stimulus bill and land omnibus that so much would be brought to the floor without the opportunity to properly review those things. And, of course, as we know in the crap-and-trade bill, it came to the floor the morning that 300 pages of amendments were filed around 3:08, 3:09 a.m. And right here from this podium, I had made a parliamentary inquiry, which we are allowed to do when there's a legitimate parliamentary question, I wanted to know where can I find a copy of the 300 pages of amendments.

Because, after all, normally right outside here in the Speaker's lobby, there are tables out there and they have copies of whatever we are taking up that day. There were no copies of the amendments out there. So I came on the floor, looked around at the Democratic whip table, the Republican whip table. There was no copy to be found anywhere. So I made a parliamentary inquiry as to whether or not we were supposed to have a copy of the amendments since we were actually voting on them right then. And I was told initially by the Speaker, well, there is a copy at the desk. And one of my Democratic friends came up and set four copies of something on the bottom level of the Clerk's table and then pointed to those. So I thought, well, I guess those are copies that they just brought in. So I went there, checked. They were not copies of the amendments. It was the minority report, two copies of that, and two copies of the thousand-plus-page bill, but none of the amendments.

So I came back, made another parliamentary inquiry, and was told that there was one copy of the amendments at the desk. I made further inquiry because I'd been to the desk and couldn't find them, and I was pointed to the chair of the individual who actually had the copy, and she was dutifully going through the original copy of the bill and had the only copy anywhere about these parts of the amendments. And where the amendment would say at page such and such, delete line so and so, insert line so and so, and it would have injected language, she was inserting the language, lining out those.

So we know that kind of stuff goes on, that we vote on things that nobody could read together in one bill because there wasn't even an official copy of the entire bill here.

I made a further parliamentary inquiry since there was not an assimilated copy of the whole because, as you go through these bills and they're constantly referring to other sections, unless you have the correct language of the other sections, you can't really effectively read the bill.

So, anyway, we got this bill, H.R. 3200. There's no telling how many hundreds or thousands of hours that have been spent by individuals across this country reviewing it. I think many more outside Congress have reviewed it than inside. And I didn't the first week or so start going through and reading the bill because I was afraid there would be another 3:08 amendment that would massively change the thing. But then I figured this would give us an indication of where things were trying to be taken. And we heard repeatedly from the President, from leaders here, that if you like your health insurance policy, you're not going to lose it.

Well, page 16 of H.R. 3200 deals with that issue. And so that I am not accused of playing politics, I will just read this section. It's the ''Protecting the Choice to Keep Current Insurance.'' That's section 102 of page 16 of H.R. 3200. Subsection (a), ''Grandfathered Health Insurance Coverage Defined: Subject to the succeeding provisions of this section, for purposes of establishing acceptable coverage under this division, the term 'grandfathered health insurance coverage' means individual health insurance coverage that is offered and in force and effect before the first day of Y1 if the following conditions are met,'' Y1 being the year that this health care plan kicks in. Subdivision (1), ''Limitation on New Enrollment. A, In general, except as provided in this paragraph, the individual health insurance issuer offering

such coverage does not enroll any individual in such coverage if the first effective date of coverage is on or after the first day of Y1.''

That means, of course, if an insurance policy adds an additional insured, someone else comes to work for the company who has bought this insurance and is added to the policy, the policy is gone. It's not grandfathered. It doesn't meet the exception here. And it does have B, Dependent Coverage, you can add a dependent if it's a dependent of someone already on the policy.

Then subsection (2) of A, ''Limitation on Changes in Terms or Conditions.'' This is a good one. ''Subject to paragraph (3) and except as required by law, the issuer does not change any of its terms or conditions, including benefits and cost-sharing, from those in effect as of the day before the first day of Y1.''

''Restrictions on Premium Increases,'' that's subparagraph (3). ''The issuer cannot vary the percentage increase in the premium for a risk group of enrollees in specific grandfathered health insurance coverage without changing the premium for all enrollees in the same risk group at the same time as specified by the Commissioner.'' That's about more Federal control for sure.

Anyway, look at number 1 and number 2. And I was talking to some constituents. One was quite proud of his retirement policy from a large company that's been very successful here in the United States, and he says, Our union was very effective in getting us a very good policy. They've been very reasonable; so our company is very profitable, doing very well, and we have got great health insurance as retirees, and it looks great for the future, so I'm not really worried about having health care coverage. It doesn't affect me what you guys do. I've still got good coverage.

Wrong. He had not read page 16 regarding the grandfathered health insurance that he would be allowed to keep.

So I asked him, Will there be any additional people retiring that will be added to your policy?

He said, Well, of course. They retire all time.

There goes your policy. Because on page 16 it says you can't add another individual. You can't enroll another individual. So if you have more people retire from your wonderful company, then they're added to policy, your policy is gone, and you're kicked over under the Federal plan. So that brings us to here. I thought people ought to know that.

And I have heard some friends, wonderful Senators down the hall who had the best of intentions who said, well, you know, if we take out the public option, I think we could get this agreed to. I have heard some other Republicans indicate similar things.

□ 2210

The problem is they must not have read the Baucus bill or the House bill because this bill is not about health insurance coverage, it is about a government takeover, whether there is a public option in it or not.

How about page 21 of H.R. 3200. This is section 113, B, Study and Reports, one study, commissioner in coordination with the Secretary of Health and Human Services and the Secretary of Labor shall conduct, that is shall, meaning they have to, conduct a study of the large group insured and self-insured employer health care markets. Such studies shall examine the following: the types of employers by key characteristics, include size that purchased insured products versus those that self-insure.

Key characteristics are not defined. The government will decide what is a key characteristic of the individual's particular business. Maybe they need to know how much you keep in inventory in your business; how much you are paying your best employees in your little mom and pop business, we are going to study those under this. It is going to be required. Shall study.

It will compare the similarities and differences between typical insured and self-insured health plans. It will study, under C, the financial solvency and capital reserve levels of employers that self-insure by employer size. So we are not just going to look at the big ones, we will look at them by virtue of size. We will look at their financial solvency; how are they doing.

And since the Federal Government has never balanced any business activity that it has undertaken, this is going to be a real stretch as we send Federal agents into businesses around the country to help them figure out if they are making good decisions that are going to help them stay solvent so they can be sure to provide for their employers.

How about D, the risk of self-insured employers being able to pay obligations or otherwise becoming financially insolvent. How do you like that? The government is going to send in somebody to analyze your business for you to help you figure out if you are at risk.

Ms. FOXX. Will the gentleman yield?

Mr. GOHMERT. I yield to my friend from North Carolina.

Ms. FOXX. I find it interesting that the government is going to do that to businesses that are being highly successful all across the country, and yet we find ourselves right now in a situation where we have the largest deficit ever in the history of this country, a debt so large it is almost incomprehensible, and yet our Federal Government is going to go out and analyze successful businesses to decide whether they are solvent. I find that—I can't even say the height of hypocrisy, it is beyond hypocrisy.

Mr. GOHMERT. If I can follow up on that point, the gentlelady raises a wonderful point. Here we are in the government. We are going to send out people to help examine businesses to see if they are making good decisions, and yet the biggest spender, the biggest risk to the entire country is the Federal Reserve. We can't even get a look at what they are spending, but they are going to come in. I mean, this is the kind of stuff that revolutions are started over. The government will not let anybody know what they are doing. The Federal Reserve is scared to death that this Congress and the people in America will find out what businesses, what banks, what guarantees they have made, what money they have spent.

There has to be some pretty scary stuff for them to fight so hard to not open up their books so we can see what the Federal Reserve is doing, and yet at the same time we want to help people examine their businesses. And it brings again the wonderful example of flood insurance to the fore. That is there were numerous private insurance companies who were selling flood insurance. If this sounds familiar, it should.

The Federal Government said we are going to add a Federal option because we are not sure that the private insurance companies are being fair enough in what they are charging for flood insurance. So the Federal Government provided a Federal option. Well, the Federal Government began immediately running into the red because it was willing to take very little to insure people whose homes were constantly blown away by hurricanes and floods. Yes, build back, we will pay again next year.

So what has happened, they drove the private insurance companies out of business because they cannot continue to operate in the red like the Federal Government does. And continues to do, but there will be a day of reckoning. Instead, it drove the private companies out. It didn't provide an option. What it provided was ultimately there was no option. There is where we are today. There is the Federal Government's flood insurance, and the others got out of the business. That is where we see this headed.

That is why when we hear about a public option, a federally funded co-op, and even if they say we can work a compromise, we will put a trigger in. We will put it back here, we're sure it won't happen, but just in case there will be a trigger and it will kick in. Give me a break. Those triggers always happen, and the Federal Government takes over that whole issue.

People need to know the kind of stuff that is in here.

One other unbelievable thing, and I say ''unbelievable'' because we can't say anybody is lying, I guess, but we are told that this Federal plan is about providing people more options. Well, go to page 84 of H.R. 3200. You want to find out about more options, page 84, this says the commissioner shall specify the benefits to be made available

under exchange participating health benefit plans during each plan year consistent with subtitle C of title I of this section. It sets out what plans the commissioner will set up the conditions for, the terms of, and there will be one basic plan. The entity offers only one basic plan for such service area. So many areas in the country may have one policy offered. One policy. Now initially there will be insurance companies that want to try to participate who can offer that one policy, but there will be no flexibility. There is one policy and that's what they have to offer or they can't offer any insurance.

So instead of having the big, thick booklet like all Federal employees, including Members of Congress, have, they give us these great choices. Many insurance companies, many different types of policies. Now what you will have is a little bitty pamphlet that says here is the basic plan, and here are the companies that offer it. Now if you offer one basic plan and you want to go further, you can offer one enhanced plan, but you have to make that comply. They will all be the same, meeting the conditions that the commissioner sets out. And if you offer a basic and an enhanced plan, then you can offer a premium plan for that particular area.

So there is a optional offering for premium plus plans if you offer those three. You could have some areas where they have four or five policies. That is possible. They will be the same policies. Now there are over a thousand policies. Then we will have—probably most areas will have two or three at the most. Some will have one policy with different people offering it.

But there are provisions in here, there is some good language for an ACORN-type group or ACORN because this requires the commissioner shall, on page 99 and page 100, assist exchange eligible individuals in selecting exchange participating health benefit plans and obtaining benefits through such plans.

□ 2220

And then it says, The commissioner may work with other appropriate entities to facilitate the dissemination of information in this subsection, provide assistance described in paragraph two.

So they can hire ACORN folks to go out and give people the information they want them to have—hopefully not telling them how to set up prostitution rings, but probably try to confine themselves just to the health care. But ACORN is paid to do so many different things, it's reasonable to figure that they may give advice on several things at the same time, perhaps would tell you how to avoid tax problems for your prostitution ring, and then we'll tell you about how to sign up for the Federal plan as well. But anyway, that's all in there.

This is not about choices, though. This is going to eliminate choices like have never been eliminated in our country's history.

Ms. FOXX. Will the gentleman yield?

Mr. GOHMERT. I will yield to my friend.

Ms. FOXX. I appreciate your being able to quote chapter and verse in the bill. When I have spoken to groups and have told them particularly about the part you were reading earlier, that once there is any change in any health care plan that plan goes away, I remember when I read that—you know, this is very boring reading. We all know it's very boring reading, but when I read that, I went, Whoa, what is this? Every plan will go away if one little change occurs? And, you know, when I've talked to people about that and told them it was in there, I think a lot of people didn't believe me. I think they just thought that couldn't possibly be the case.

Did you get that kind of reaction from people when you explained that to folks?

Mr. GOHMERT. Reclaiming my time, I absolutely got that reaction from people. They didn't believe it. And that's why I would carry my copy of the bill and say, Here, you read it. You figure it out, because these are smart people and they would figure it out.

But let me tell you, most people wouldn't even get this far. But if you could get clear over to page 828 of the bill, this does not impose a tax. I want to be clear about that. The President is right, there is no new tax here. This is called a fee. It's a fee, not a tax, according to the proponents of this bill.

Anyway, section 4375, There is hereby imposed on each specified health insurance policy for each policy year a fee—not a tax, a fee—equal to the fair share per capita amount determined under section 9511(c)(1) multiplied by the average number of lives covered under the policy. The fee imposed by subsection A to be paid by the issuer.

That means there will be a fee, or, the truth is, many of us do call fees taxes. Some like to call them contributions. And I think that's very noble that we have people out there that make contributions on April 15 of each year to whatever whims happen to come before the Congress. But anyway, that is there. There are fees. There are lots of other fees mentioned.

But I'll tell you one of the most astounding things that I heard. It came a few weeks ago, is we know that the President, in his speech in this room, right there at that second level—at the second level, not the top, because we all know in here, this is the people's House, the Senate joins us, the President is not allowed to come in here without an invitation. And so we extended a unanimous invitation from the House, a unanimous invitation from the Senate. I thought about objecting if he was just going to come berate us, but as a Christian, I got to thinking, you know, what if he's coming to extend an olive branch and since the first time since March allow a Republican to have some input into this bill—even though we've been shut out for so long. What if he's coming in and saying, You know what, I heard the American people during August. I saw them rise up. I saw how upset they were, and I heard them, as I said I would over and over and over and over when I was running, and you know what? I want to work with you. I'm going to reopen the White House, and we'll start tonight as soon as this is over. We can just have an informal sit-down downstairs over in the New Visitor Center somewhere. Let's talk about this, you know, something to indicate that we were really going to work together. But instead, the President came in—and these are all words that he used in his speech. He said that those of us who are critical of the Democrat proposal are not engaged in honest debate. He said we were using scare tactics. He said we were making bogus claims. He said we were making wild claims.

The President said we were engaged in demagoguery, distortion, acrimony. Those are all words he used and leveled at us. He said we were cynical and irresponsible, that facts and reason are thrown overboard, that we were robbing the country of this opportunity, that we were killing—he used that word, ''killing''—his good bill. And then two sentences before JOE WILSON used the ''L'' word, the President used the ''L'' word first when he said, That's a lie, plain and simple.

It's unfortunate that the President would come in throwing words around like that. We have rules against that kind of thing. The President doesn't have to play by the rules, as we saw by the Auto Task Force, doesn't have to play by the laws. You can always get the Congress to look the other way. You can always get judiciary to look the other way, find a lazy bankruptcy judge to sign stuff so he doesn't have to have all the hearings. And then one of the Supreme Court judges, bless her heart, Ruth Bader Ginsburg, put a freeze on for 24 hours. That was lifted off. All of the checks and balances the Founders put in place were completely emasculated, abrogated. There were no checks and balances. So the President's Auto Task Force was free to violate the law in so many ways, and did.

And here we're coming at it again, same kind of deal. But the unbelievable quote that I heard a few weeks ago, having been told by the President if we misrepresent his bill, he's going to call us out? I mean, those are fighting words. He's going to call us out? I'm not even sure I know what that means. In the old West, that meant you're going to have a duel. I guess that's what Alexander Hamilton and Aaron Burr did. And that was over the issue of candor and honesty and comments that had been made.

So I felt like I was being demonized by the President because I've been reading from H.R. 3200, and at the time we had no other Democratic bill. So in

a meeting with the Secretary of Health and Human Services, Secretary Sebelius, very gracious person, I had the opportunity to ask her in front of a number of other Members, since the President has constantly referred to this bill, my bill, this plan, my plan, used those words many, many times, said we would be called out if we misrepresented it, I said, Where can I get a copy of the President's bill so I can be sure not to misrepresent it? Her exact words were, I think he is talking about a set of principles. There is no bill. The President has no bill.

Now, they're working feverishly, apparently, behind closed doors. That does violate his promise that it would all be open, be covered on C–SPAN, all this stuff, that everybody would get to see the discussion so they could feel comfortable about the health care bill coming. None of that has happened. None of that has happened.

And so we come back to this point—that I know the gentlelady from North Carolina has looked into as well—about how many people don't have insurance, and we're told, at most, 15 percent. You're going to destroy health care as we know it, the best health care ever created in any country in the history of the world, because 15 percent of the population needs some assistance?

□ 2230

Are you going to change everything else?

Then we get down to brass tacks, and it turns out actually, if you take out illegal aliens and people who could afford the health insurance but who are young and who don't think they'll be sick so they don't buy it, then it may be as few as 3 to 5 percent that we're talking about. Dramatic drops. I mean it could be that 3 to 5 percent for which you're going to throw out the whole health care system the way we've come to know it when it just needs some serious things fixed. Throw out the whole thing?

I grew up in East Texas. I've lived in East Texas all my life, except for the 4 years when I was in the Army, because I love East Texas wisdom.

I had a guy in East Texas tell me—he said, You know, you're going to throw out the whole health care system because a small percentage of people don't have health insurance? He said, When my ice maker broke, I didn't remodel the kitchen. I fixed the ice maker.

That's pretty logical. Why don't we concentrate on those who need some help and concentrate on what needs fixing? Instead, the information that we've been able to get indicates we're still going to have a vast number of people who will not have insurance once this bill is passed.

Oh, there's one other thing I wanted to mention. I see the gentlewoman from North Carolina has some wonderful posters.

I've heard friends from across the aisle repeatedly come to the floor and talk about all of the money that lobbyists are spending on health care lobbying and that they're just all over Washington. Well, it's interesting because they don't call me or my Republican friends. In fact, I had heard that some of them—and it has been reported in the news—that they've been told, if you talk to a Republican, don't expect to talk to me, and we're the ones who are making the decisions.

So, when they talk about all of the lobbyists' efforts in Washington, they're not directed towards Republicans, because they know we've got some great bills and that we've got some things that will fix the problems instead of create more problems. They're not coming to us. They're going to the Democrats. That's who they're going to, and that's the way the Democrats want it. Don't go to Republicans, say some of them. Just make sure you come to us.

So, anyway, I want to yield to my friend from North Carolina.

Ms. FOXX. Well, I thank the gentleman from Texas for taking on this Special Order tonight and for laying things out so well from H.R. 3200, which, as you've said, is the only bill on our side of the Congress that is out there. As you said again so eloquently, what the Senate has been working on has been behind closed doors.

I was really busy today. I heard there might be a bill released today, but I don't think it has been. I do want to talk about what you were saying about the fact that we are about to turn our whole economy upside down to take care of a small number of people who are lacking health insurance and who can't afford it.

As we know, at the beginning, our colleagues across the aisle and the President were saying there are 45 or 47 million people in this country who don't have health care. When they were challenged on that, they said, Okay, there are 45 to 47 million who don't have health insurance. Even the President, on the night he spoke to us in the joint session, took that number from 47 million down to 30 million because we had kept talking about illegal aliens who were here in the country and who were counted in that number. So he got it down to 30 million, but the number is really much, much smaller than that.

The ironic thing is that, in all of the legislation we've been hearing about, it looks as though 28 million people are still not going to be covered by health insurance even if H.R. 3200 is passed or even if the bill out of the Senate is passed. So we're talking about, again, taking over the whole economy, putting us tremendously more in debt, spending $1 trillion to serve approximately 1 million people if the numbers they have been using are accurate. Of course, we know that, most of the time, they're not accurate, but they're using the numbers.

Let's talk a little bit about who these people are. We have a few variations of the exact numbers that people are using. For example, in noncitizens, I think this says that there are 10 million. A chart that I had said 9.5 million, but if you're talking about starting out with 30 million, then what we're talking about again is of the 10 million who are not citizens and then of the approximately 9 million people who earn more than $75,000 a year. I had the figure of 7.3 at $84,000, but again, different people use different numbers. These people can afford health insurance if they want it, but they choose not to purchase it.

There are 10 million people who are eligible for government programs but who told people when they were questioned that they didn't have any insurance but that they were on either Medicaid or Medicare. They don't understand that Medicaid and Medicare are health insurance programs. So we've got 10 million there who are eligible for employer-sponsored insurance but who are not enrolled. Six million of these are people who just don't want to pay for health insurance and who are not going to pay for it if we have a plan that says you've got to be on it or pay a penalty.

So, on the chart that the gentleman from Iowa, STEVE KING, has been using, he has got 12 to 15 million Americans who don't have affordable insurance options. The number I had been using showed about 8 million people.

So we've got a really small number of people. We could take care of those people easily with a subsidy to help them get affordable insurance. We want to help working people, the working poor. That's who most of these people are. They work, but they can't afford insurance.

Republicans have a plan. As you pointed out earlier, we have several plans, and our plans deal with the things that folks most want. They want portability. People want to be able to take their health plans with them if they lose their jobs. Well, the way to do that is to give individuals the opportunities to take a tax deduction or a tax credit and buy their own health insurance. We have a system now where we give that preference to companies, but we don't give it to individuals.

So a simple thing to do would be to simply say you, as an individual, can buy your health insurance, and you can take the same deduction that your employer has been taking all of these years. That won't cost the Federal Government a dime. We can also allow people to buy insurance across State lines. That can be done. It won't cost the Federal Government a dime. We can have across-the-board medical malpractice reform, and we can get rid of frivolous lawsuits. Texas, I know, has done that. California has done it. My own State of North Carolina has tried on several occasions to do it, but the Democrat-controlled legislature won't allow it to be done because they basically are beholden to trial lawyers.

So those are the three most important things that people want. They want accessibility and affordability. We can take care of those without spending any money whatsoever, but the Democrats seem intent on spending money.

This is really not about health care. I think we all know it. I think the examples my colleague from Texas was using from H.R. 3200 are very clear. This is about government control of our lives. This year in the House, we have already passed a bill that allows the government to take over all loan programs for students who are going to college. That's another takeover of our lives. The government has already taken over car companies, the car production companies. It's going to be having the government run every aspect of our lives.

I want to point out that part of the problem, again, is that we have a real difference in philosophy here in the United States. We have a difference of philosophy here in the House.

Republicans think that it's best for individuals to take care of themselves and to keep as much of their money as they possibly can.

□ 2240

Democrats want to take as much money from citizens as they can and let the government run their lives.

I just want to give a couple of examples of what's happened since the Democrats have taken control of the Congress. The spending has increased in 2009 alone, the stimulus funding and the budgets, we have looked at that and we have found that all Federal agencies will, on average, receive a 50 percent increase in appropriated funds from 2008 to 2010. At the same time, real family incomes fell by 3.6 percent last year.

The people in Washington in control of the purse don't act like there's any recession. They just keep spending, spending, spending. Another thing that's a real problem with this health plan that's being proposed here is that it's going to cause the loss of another 5½ million jobs.

Now I know many people who watch us, even when we read from sections of the bills, think this just isn't possible. How could you have people in charge of this Congress who are so anti-capitalism, who are so anti all of the values that have made this country a great country? I know it's hard to believe, but it happens every day, and it continues to happen.

We have, again, a deficit right now, for last year, $1.4 trillion. Yet since the year began, we are on target to have an increase of that next year of 12 percent. An article in today's Wall Street Journal points that out, and the increases are in what is called discretionary spending. I want to point out, in the mandatory spending programs, that's Medicare and Medicaid—and my colleagues know I hate those words mandatory spending, because there is no such thing. We simply allow things to go on automatic pilot, and they increase in spending every year because we've written it into the law. But we can change that. There is nothing mandatory about it. We allow it to be that way.

Medicare, this year, went up 9.8 percent, spending for Medicare, and spending on Medicaid went up 24.7 percent in the fiscal year that just ended October 1. We are to believe that by putting in a brand new health care program that purports to cover every citizen in the country, that we are going to reduce spending? Well, I have got some swampland in New Mexico I will sell you if you believe that story. It cannot happen. We cannot add people to the Medicare rolls and still spend less money. It just isn't going to happen.

I think it's incumbent on us here in the Congress, who understand the truth, who have read H.R. 3200, to come out here every night, every day, and explain to the American people we are not selling you a bill of goods, they are selling you a bill of goods, because all you have to do is read the bill, and you will see it and match up the numbers with what's been happening.

This is not rocket science, it's happening, and the American people are the poorer for it.

Mr. GOHMERT. I thank my friend from North Carolina for some wonderful insights. It does get very frustrating being a Member of the House of Representatives, because, I know, so much history, it never ceases to be an honor to get to serve here where so many wonderful, caring, selfless people have.

But at times you just wonder, do the American people not realize the power that they have to change what goes on in this body? The old adage is true: democracy ensures people are governed no better than they deserve. What breaks my heart is that the American people for too long have deserved a very poor government, apparently, because they have not gotten a very good government.

When my friend from North Carolina brings up the automatic increases in spending every year, that is an issue that crosses party lines. Of course, when the Republicans took Congress, the majority, in 1994, then they worked very hard and they pushed the President, President Clinton. There was a lot of friction between the Congress and the President, but the Congress prevailed. We got a balanced budget and the President ultimately signed on. We got some accountability.

Then the Republicans got the White House in 2000 and began to have both the House, Senate and the White House. Spending got a little bit giddy. It was unfortunate. I know in 2006, while Republicans were still in the majority, that I was pushing for a zero baseline budget. What that means is we eliminate the automatic increases in every department in the Federal Government, and you start with zero increase. Because the game that's played in this town is you increase automatically every year. If you decrease a little bit from the automatic increase, than you are considered mean-spirited, that you are hurting people by making these draconian cuts when actually it's a decrease to the increase but not a decrease overall.

In 2006, when I pushed my zero baseline budget bill, my Republican leadership friends did not allow that bill to come to the floor. It didn't get voted on. It didn't get fixed. That certainly was not allowed when I re-filed it in the last Congress, and it doesn't look like this Democratic leadership this time will allow it either. But that's the kind of thing we are talking about.

The games that are played around here, this is in page 149 of H.R. 3200, section 313 is entitled in bold letters, all capital letters, ''Employer Contributions in Lieu of Coverage.'' Most thinking people would call those tax, but this says it's an 8 percent tax, or it says it's an 8 percent contribution to the Federal Government.

In any event, we need transparency. The government, it seems these days, is rarely right. But the health insurance companies have not been right. As I explained to some folks in the health insurance business, they say they're in the health insurance business, but what we have in this country is not really health insurance; it's health management.

Insurance is what very few people had. When I was growing up in a small east Texas town, Mount Pleasant, very few people had health insurance. But some people did, and they would pay a little bitty premium, sometimes monthly, sometimes quarterly. That little bitty tiny health insurance premium would ensure against some unforeseeable event in the future, a catastrophic accident or illness that you just couldn't foresee, so you paid a premium just in case that ever came. That's called insurance.

When you buy car insurance, you are ensuring against an unforeseeable event, an accident that you might have someday, or somebody hit you and they're not covered with the insurance. Something you can't foresee, you pay a premium in order to have that.

But with health insurance over the years, that got adjusted. It became not health insurance, but it became health management, so that big health insurance companies began to manage health care. They would cut deals with doctors. And I know Blue Cross has just forced them down to where some of them are getting hurt, but they continue the threat of, Well, we'll include these other doctors over here if you don't sign on, and then you'll be out of the loop, and we're the biggest health insurance folks on the block, so you'll be out of our loop; and they are able to talk them down.

Well, it's good to talk people down in price if it's the fair thing to do. But normally all of that has to be transparent and above board to be effective

and to work. We don't have transparency in the health care business these days.

□ 2250

You can't just ask a hospital chief executive officer, as I have, how much a hospital room costs and get an answer, because they either don't know or it depends on whether it is the insurance company, the Federal Government, somebody paying cash, all these kinds of things. But I know from one personal relative, the bills they had for 2 days of hospital care was around $10,000, and the health insurance company satisfied every one of them, paid in full all $10,000 in costs, with $800 from the insurance company. That is the kind of transparency we need. But that kind of transparency right now is protected by contracts, and the State and Federal law have continued to allow that kind of thing to go on. We need transparency.

For those that wondered, I have mentioned a solution. The bill I filed, H.R. 3478, deals with these issues. First of all, when you heard the President talk about his health care plan, the Democrats down the hall have talked about their plan, and at first they were so excited because it was going to come to just under $900 billion. Then we find out we made a mistake; it is going to be over $1 trillion. Whether it is the President's plan, over $1 trillion, or the Baucus bill, over $1 trillion, whatever it is, even around $1 trillion, the last numbers we got from the census indicated there were about 119 million households in America.

If you divide 119 million households into $1.19 trillion in the Democratic health care bill, the cost, because it is going to be around there—some have said it might be closer to $2 trillion. They are probably right, but we don't know, they don't know, we don't know. But if you divide that by the number of households in America, then it is an extra $10,000 average per household for the Democrat new bill. And that doesn't even cover all the people they are saying need to be covered. It still leaves a gap, people uncovered.

So we need to get back to health insurance that people can afford that will get the health insurance companies back into the health insurance business. Of course, many of them came rushing to the White House and said they needed a seat at the table. I tried to explain, whether it is the AMA, the American Hospital Association, or individual health insurance companies, that you don't need a seat at the table when you are on the menu and your profession will be devoured. You may be able to negotiate it to be the third or fourth course, but are still going to be devoured. You don't want a seat at that table.

Anyway, my bill, when I saw that Medicare itself was apparently costing around $10,000 average for every household in America to pay for a very small percentage of our population who needed health insurance, our seniors, for Medicare and Medicaid, over $10,000 now apparently being paid per household average for that small part to have health care through Medicare and Medicaid, when I saw that, I thought, my goodness, this is outrageous.

I know my mother and other people pay all this extra money for supplemental coverage, wraparound coverage of Medicare. For what we are paying for Medicare and Medicaid, we would be better off to give them cash money, say, $3,500 for a household with more than one person in it getting Medicare and Medicaid and SCHIP, just give them $3,500 cash in a health savings account they control with a debit card that can only be used for health care, and then buy them health insurance that covers anything that is not elective. We can't be paying for people if they want liposuction, things like that. But if it is necessary health care, then provide insurance to cover everything beyond the $3,500, and buy them that insurance.

Now, I have a bill we have been trying to get scored since August 19th. We have been trying. We have had all of the Republican prominent people involved in the committees—the Joint Tax Committee and the Energy and Commerce Committee. They have all been begging CBO to give a value to my plan. It also deals with illegal aliens and with people coming in who want visas. They would have to have health insurance. It gives transparency. It is a great bill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and until 3:30 p.m. on October 28.

Mr. BACA (at the request of Mr. HOYER) for October 23 on account of legislative business.

Mr. BOYD (at the request of Mr. HOYER) for today.

Ms. GINNY BROWN-WAITE (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. CARTER (at the request of Mr. BOEHNER) for today on account of a travel delay.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of travel.

Ms. MCCOLLUM (at the request of Mr. HOYER) for today and until 3 p.m. October 27 on account of official business.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today on account of a scheduling conflict.

Mr. ORTIZ (at the request of Mr. HOYER) for today on account of travel delays due to inclement weather.

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. TONKO) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Ms. ROS-LEHTINEN, for 5 minutes, October 29.

Mr. MCHENRY, for 5 minutes, today, October 27, 28, 29 and 30.

Mr. JONES, for 5 minutes, November 2.

Mr. DANIEL E. LUNGREN of California, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today, October 27, 28, 29 and 30.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, today.

Mr. PAULSEN, for 5 minutes, today and October 27.

Mrs. MILLER of Michigan, for 5 minutes, today.

Mr. INGLIS, for 5 minutes, November 2.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. ELLISON, for 5 minutes, today.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker on Friday, October 23, 2009:

H.R. 2647. An act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 27, 2009, at 10:30 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

4267. A letter from the Co-Chair, Commission on War Time Funding, transmitting a report entitled ''Defense agencies must improve their oversight of contractor business systems to reduce waste, fraud, and abuse''; to the Committee on Armed Services.

4268. A letter from the Assistant Secretary of Defense, Department of Defense, transmitting lists of procurment priorities provided

by the Chiefs of the Reserve and National Guard components; to the Committee on Armed Services.

4269. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8091] received October 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4270. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8085] received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4271. A letter from the Assistant Secretary for Financial Stability, Department of Treasury, transmitting the Department's monthly report on its activities and expenditures under section 105(a) of the Emergency Economic Stabilization Act of 2008; to the Committee on Financial Services.

4272. A letter from the Assistant Secretary for Financial Stability, Department of the Treasury, transmitting the sixth major report entitled ''Trouble Asset Relief Program: Treasury Actions Needed to Make the Home Affordable Modification Program More Transparent and Accountable''; to the Committee on Financial Services.

4273. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Reference to Ratings of Nationally Recognized Statistical Rating Organizations [Release Nos. 34-60789, IC-28939; File Nos. S7-17-08, S7-19-08] (RIN: 3235-AK17, 3235-AK19) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4274. A letter from the Acting Assistant Secretary ESA, Director of OWCP, Department of Labor, transmitting the Department's final rule — Claims for Compensation; Death Gratuity Under the Federal Employees' Compensation Act (RIN: 1215-AB66) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4275. A letter from the Department Director, Regulations Policy and Management Staff, Deputy of Health and Human Services, transmitting the Department's final rule — Expanded Access to Investigational Drugs for Treatment Use [Docket No.: FDA-2006-N-0238] (RIN: 0910-AF14) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4276. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2009-0729; FRL-8430-3] (RIN: 2070-AB27) Recevied October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4277. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(b); to the Committee on Foreign Affairs.

4278. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 13-09 informing of an intent to sign a Project Agreement with Australia; to the Committee on Foreign Affairs.

4279. A letter from the Chief, Listing Branch, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Taxonomic Change of Sclerocactus glaucus (Uinta Basin Hookless Cactus), a Threatened Species, to Three Separate Species, Sclerocactus brevispinus (Pariette Cactus), Sclerocactus glaucus (Colorado Hookless Cactus), and Sclerocactus wetlandicus (Uinta Basin Hookless Cactus) [FWS-R6-ES-2009-0035, M09221050083-B2] (RIN: 1018-AW24) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4280. A letter from the Chief, Listing Branch, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing Lipidium papilliferum (Slickspot Peppergrass) as a Threatened Species Throughout Its Range [FWS-R1-ES-2008-0096, MO 922105-0008-B2] (RIN: 1018-AW34) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4281. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter [FWS-R7-ES-2008-0105] (RIN: 1018-AV92) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4282. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Final rule; approval of amendment with certain exceptions [SATS No. WY-035-FOR; Docket ID: OSM-2009-0003] received October 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4283. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fishery; Amendment 12 to the Coastal Pelagic Species Fishery Management Plan [Docket No.: 071106669-81372-03] (RIN: 0648-AU26) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4284. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States [Docket No.: 080410547-9274-02] (RIN: 0648-AW70) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4285. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Secretarial Final Interim Action [Docket No.: 080521698-91087-03] (RIN: 0648-AW87) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4286. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ18) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4287. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Limited Access General Category Scallop Fishery to Individual Fishing Quota Scallop Vessels [Docket No.: 070817467-8554-02] (RIN: 0648-XQ36) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4288. A letter from the Regulations Officer/Attorney Advisor, FHWA, Department of Transportation, transmitting the Department's final rule — Interoperability Requirements, Standards, or Performance Specifications for Automated Toll Collection Systems [FHWA Docket No.: FHWA-06-23597] (RIN: 2125-AF07) received October 13, 209, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4289. A letter from the National Adjutant, Chief Executive Officer, Disabled American Veterans, transmitting the 2009 National Convention Proceedings of the Disabled American Veterans, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 111—72); to the Committee on Veterans' Affairs and ordered to be printed.

4290. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Correction to Remove Obsolete Compliance Date Provisions from Electronic Cargo Information Regulations received October 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4291. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Customs Broker License Examination Appeals received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4292. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Happy Canyon of Santa Barbara Viticultural Area [Docket No.: TTB-2008-0008; T.D. TTB-82; Re: Notice No. 89] (RIN: 1513-AB52) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4293. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Field Directive on the Planning and Examination of IRC Sec. 263A issues in the Auto Dealership Industry [LMSB-4-0909-035] received October 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4294. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2009-29) received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4295. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2009-76] received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4296. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule

— Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2009-77] received October 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4297. A letter from the Deputy Secretary of Veterans Affairs, Department of Defense, transmitting recommendations concerning the extension of the Senior Oversight Committee; jointly to the Committees on Armed Services and Veterans' Affairs.

4298. A communication from the President of the United States, transmitting notification of his declaration of a national emergency with respect to the 2009 H1N1 Influenza Pandemic in the United States, pursuant to 50 U.S.C. 1621(a); (H. Doc. No. 111—73); jointly to the Committees on Energy and Commerce and Ways and Means, and ordered to be printed.

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. FRANK of Massachusetts: Committee on Financial Services. H.R. 3639. A bill to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, and for other purposes; with an amendment (Rept. 111–314). Referred to the Committee of the Whole House on the State of the Union.

Ms. VELÁZQUEZ: Committee on Small Business. H.R. 3854. A bill to amend the Small Business Act and the Small Business Investment Act of 1958 to improve programs providing access to capital under such Acts, and for other purposes (Rept. 111–315). 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 Mrs. BLACKBURN:

H.R. 3924. A bill to prohibit the Federal Communications Commission from further regulating the Internet; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT:

H.R. 3925. A bill to amend the Employee Retirement Income Security Act of 1974 to preclude preemption of a State cause of action relating to a denial of a claim for benefits under a health care plan; to the Committee on Education and Labor.

By Mr. BOSWELL (for himself, Mr. WALZ, Mr. HALL of New York, Mr. LOBIONDO, Mrs. DAHLKEMPER, Mr. BRALEY of Iowa, and Mr. LOEBSACK):

H.R. 3926. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a study on the incidence of breast cancer among members of the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CORRINE BROWN of Florida (for herself, Mr. FILNER, Mr. BUYER, Mr. RANGEL, Mr. JONES, Ms. KILPATRICK of Michigan, Mr. PAYNE, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, Mr. CLEAVER, Mr. MEEK of Florida, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. SNYDER, and Mr. MICHAUD):

H.R. 3927. A bill to grant the congressional gold medal to the Montford Point Marines; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself and Mr. EHLERS):

H.R. 3928. A bill to amend the provisions of the Elementary and Secondary Education Act of 1965 regarding school library media specialists, and for other purposes; to the Committee on Education and Labor.

By Mr. MELANCON:

H.R. 3929. A bill to provide an extension of the low-income housing credit placed-in-service date requirement for certain disaster areas; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 3930. A bill to extend for 6 months the maximum COBRA continuation coverage period for individuals who were involuntarily terminated between April 1, 2009, and December 31, 2009, and to amend the American Reinvestment and Recovery Act of 2009 to extend the eligibility period and maximum assistance period for COBRA premium assistance under such Act; 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 Ms. WATSON (for herself, Mrs. NAPOLITANO, Ms. CHU, Mr. FILNER, Mrs. CAPPS, Mr. BACA, Ms. ROYBAL-ALLARD, Mrs. BONO MACK, Mr. FARR, Mr. HONDA, Mr. ISSA, Mr. SHERMAN, Ms. WOOLSEY, and Mrs. DAVIS of California):

H.R. 3931. A bill to amend the Internal Revenue Code of 1986 to extend for 2 years the election to treat the cost of a qualified film or television production as an expense which is not chargeable to a capital account; to the Committee on Ways and Means.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. LOBIONDO, Mr. GEORGE MILLER of California, Mr. BERMAN, Mr. BISHOP of New York, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DELAURO, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Mr. ELLISON, Mr. FATTAH, Mr. GRAYSON, Mr. GRIJALVA, Mr. HARE, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINOJOSA, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KILDEE, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mr. LYNCH, Mrs. MALONEY, Mr. MASSA, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MEEKS of New York, Mr. MICHAUD, Ms. MOORE of Wisconsin, Ms. ROYBAL-ALLARD, Mr. SABLAN, Ms. SCHAKOWSKY, Mr. SCHAUER, Mr. SERRANO, Mr. SHERMAN, Mr. STARK, Ms. SUTTON, Mr. WILSON of Ohio, and Ms. WOOLSEY):

H. Con. Res. 205. Concurrent resolution recognizing and honoring America's labor movement, supporting the designation of a National Labor History Month, and for other purposes; to the Committee on Education and Labor.

By Mr. PRICE of Georgia (for himself, Mr. PENCE, Mrs. BLACKBURN, Mr. AKIN, Mr. AUSTRIA, Mrs. BACHMANN, Mr. BACHUS, Mr. BARTLETT, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mr. BONNER, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. CANTOR, Mr. CAMPBELL, Mr. CARTER, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CULBERSON, Mr. DAVIS of Kentucky, Ms. FALLIN, Mr. FORBES, Mr. FRANKS of Arizona, Ms. GRANGER, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GRAVES, Mr. HALL of Texas, Mr. HARPER, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. ISSA, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JORDAN of Ohio, Mr. KING of Iowa, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATTA, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCHENRY, Mr. MCKEON, Mr. MARCHANT, Mr. MILLER of Florida, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. OLSON, Mr. PAULSEN, Mr. PITTS, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROONEY, Mr. RYAN of Wisconsin, Mrs. SCHMIDT, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. WAMP, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H. Res. 870. A resolution expressing gratitude and appreciation to the individuals and families who participated in the Taxpayer March on Washington on September 12, 2009; 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. 197: Ms. MARKEY of Colorado.

H.R. 272: Ms. MATSUI and Mr. REHBERG.

H.R. 273: Mr. BROWN of South Carolina.

H.R. 391: Mr. LUETKEMEYER, Mr. SULLIVAN, and Mr. GARRETT of New Jersey.

H.R. 422: Mr. PAUL.

H.R. 600: Mr. CLAY.

H.R. 644: Mr. NADLER of New York.

H.R. 690: Ms. RICHARDSON.

H.R. 930: Mr. ROTHMAN of New Jersey.

H.R. 1126: Mr. FORBES.

H.R. 1159: Mr. LARSON of Connecticut and Mr. CROWLEY.

H.R. 1175: Mr. SPACE.

H.R. 1210: Mr. GOODLATTE.

H.R. 1239: Ms. RICHARDSON and Mr. BLUMENAUER.

H.R. 1255: Mr. BROUN of Georgia.

H.R. 1347: Ms. NORTON, Mr. TOWNS, and Mr. MASSA.

H.R. 1412: Mr. MEEK of Florida.

H.R. 1521: Mr. DOGGETT, Mr. ACKERMAN, and Ms. MCCOLLUM.

H.R. 1547: Mrs. MYRICK.

H.R. 1549: Mr. GUTIERREZ and Mr. PETERS.

H.R. 1551: Mr. SCOTT of Virginia.

H.R. 1691: Ms. RICHARDSON and Mr. DAVIS of Kentucky.

H.R. 1766: Ms. NORTON.

H.R. 1835: Mr. MEEKS of New York.

H.R. 1898: Ms. ZOE LOFGREN of California.

H.R. 2000: Ms. HIRONO and Mr. FRANKS of Arizona.

H.R. 2016: Mr. QUIGLEY.
H.R. 2021: Mr. GOODLATTE.
H.R. 2256: Mr. BISHOP of Georgia.
H.R. 2269: Mr. BERMAN.
H.R. 2279: Ms. SCHWARTZ, Ms. KILPATRICK of Michigan, and Mr. CLEAVER.
H.R. 2296: Mr. MOLLOHAN.
H.R. 2324: Ms. DEGETTE and Mr. HONDA.
H.R. 2373: Mr. HILL.
H.R. 2381: Mr. BOCCIERI.
H.R. 2404: Mr. THOMPSON of Mississippi.
H.R. 2452: Mr. ARCURI, Mr. COURTNEY, and Mr. BACA.
H.R. 2478: Mr. BOREN, Ms. TITUS, and Mr. CAMP.
H.R. 2502: Ms. RICHARDSON and Mr. CLAY.
H.R. 2504: Mr. PETERSON.
H.R. 2578: Mr. KENNEDY.
H.R. 2698: Mr. MOORE of Kansas, Mr. KENNEDY, Mr. FILNER, and Mr. CONNOLLY of Virginia.
H.R. 2735: Mr. MICHAUD.
H.R. 2807: Ms. ZOE LOFGREN of California.
H.R. 2817: Mr. CARSON of Indiana.
H.R. 2819: Mr. DELAHUNT and Mr. KILDEE.
H.R. 2866: Mr. CRENSHAW.
H.R. 2894: Mr. RANGEL.
H.R. 2897: Mr. DRIEHAUS, Mr. PETERS, and Mr. BOREN.
H.R. 3024: Mr. WOLF and Mr. ROGERS of Kentucky.
H.R. 3026: Ms. RICHARDSON.
H.R. 3027: Ms. RICHARDSON.
H.R. 3028: Ms. RICHARDSON.
H.R. 3076: Mr. DEFAZIO.
H.R. 3116: Mr. BRALEY of Iowa.
H.R. 3149: Mrs. CHRISTENSEN.
H.R. 3208: Mr. BOSWELL.
H.R. 3227: Mr. RAHALL.
H.R. 3259: Mr. HARE, Mr. WEXLER, Mr. PERLMUTTER, Mr. SERRANO, Mr. KUCINICH, Ms. KILROY, Mr. KILDEE, Mr. ALTMIRE, Ms. NORTON, Mr. ANDREWS, Mr. LARSON of Connecticut, Mr. GENE GREEN of Texas, Mr. BISHOP of New York, Mrs. NAPOLITANO, Ms. BERKLEY, Mr. GUTIERREZ, Ms. HIRONO, Ms. CHU, and Mr. SCOTT of Virginia.
H.R. 3277: Mr. JACKSON of Illinois.
H.R. 3321: Mr. LARSEN of Washington, Mr. STARK, and Ms. NORTON.
H.R. 3380: Mr. HINCHEY and Ms. NORTON.
H.R. 3439: Mr. HONDA.
H.R. 3448: Ms. FOXX.
H.R. 3491: Mr. HODES.
H.R. 3554: Mr. DENT.
H.R. 3560: Ms. SHEA-PORTER.
H.R. 3578: Ms. ZOE LOFGREN of California.
H.R. 3609: Mr. BOUSTANY.
H.R. 3633: Mrs. MILLER of Michigan.
H.R. 3639: Mr. ROTHMAN of New Jersey, Mr. MEEK of Florida, Mr. NADLER of New York, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. MARKEY of Massachusetts.
H.R. 3679: Mr. HINCHEY.
H.R. 3682: Mr. KAGEN and Mr. HILL.
H.R. 3691: Mr. KLINE of Minnesota.
H.R. 3721: Mr. ROTHMAN of New Jersey.
H.R. 3734: Mr. WEINER, Mr. CLYBURN, and Mr. MEEK of Florida.
H.R. 3750: Mr. RADANOVICH.
H.R. 3753: Mr. PAYNE.
H.R. 3767: Mr. MATHESON and Mr. CHAFFETZ.
H.R. 3773: Ms. NORTON and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3778: Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Mrs. MCCARTHY of New York, Mr. BOUCHER, and Mr. REYES.
H.R. 3790: Mr. DRIEHAUS, Mr. GRIFFITH, and Mr. DELAHUNT.
H.R. 3798: Mrs. CAPPS.
H.R. 3810: Mr. CONYERS and Ms. HIRONO.
H.R. 3813: Mr. THOMPSON of Pennsylvania.
H.R. 3827: Ms. SCHAKOWSKY, Ms. MOORE of Wisconsin, and Mr. ROTHMAN of New Jersey.
H.R. 3838: Mr. COURTNEY, Mr. HINES, Mr. STARK, and Mr. HASTINGS of Florida.
H.R. 3885: Mr. MARKEY of Massachusetts, Mr. KISSELL, and Mr. RODRIGUEZ.
H.R. 3916: Mr. POMEROY.
H.R. 3919: Ms. KOSMAS.
H. J. Res. 11: Mr. AKIN and Mr. CAMP.
H. J. Res. 23: Mr. WITTMAN.
H. Con. Res. 128: Mr. BISHOP of Georgia.
H. Con. Res. 170: Mr. WALZ.
H. Res. 22: Mr. MEEK of Florida.
H. Res. 440: Mr. FLEMING and Mr. HIMES.
H. Res. 711: Mr. HINCHEY.
H. Res. 715: Mr. MCCOTTER.
H. Res. 727: Mr. COURTNEY, Ms. SLAUGHTER, and Mr. SPACE.
H. Res. 759: Mr. NEUGEBAUER, Mr. TIBERI, Mr. SOUDER, Mr. CRENSHAW, Mr. STUPAK, Mr. BRADY of Texas, Mr. BOUSTANY, Mr. SHADEGG, and Mr. BLUNT.
H. Res. 764: Mr. PITTS and Mr. FRANKS of Arizona.
H. Res. 783: Mr. HEINRICH and Ms. SUTTON.
H. Res. 784: Mr. CONNOLLY of Virginia.
H. Res. 787: Mr. JACKSON of Illinois.
H. Res. 790: Mr. SPRATT and Mr. HEINRICH.
H. Res. 812: Mr. SHULER and Mr. MCINTYRE.
H. Res. 817: Ms. BORDALLO, Mr. CARSON of Indiana, Mr. CARNEY, Ms. CLARKE, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. HARE, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mr. MAFFEI, Mr. PAULSEN, Ms. RICHARDSON, Ms. SPEIER, Ms. TSONGAS, and Ms. WATSON.
H. Res. 831: Mr. GORDON of Tennessee, Mr. PENCE, Mr. CASSIDY, Mr. FOSTER, Mr. LYNCH, Mr. LEWIS of Georgia, and Mr. MORAN of Kansas.
H. Res. 835: Mr. GINGREY of Georgia, Mr. FRANKS of Arizona, Mr. INGLIS, Mr. ROONEY, and Mr. AUSTRIA.
H. Res. 847: Mr. WOLF, Ms. GINNY BROWN-WAITE of Florida, Mr. PENCE, Mr. MICA, Mr. KIRK, Ms. GRANGER, Mr. CHAFFETZ, Mrs. BIGGERT, and Mr. SMITH of Texas.
H. Res. 852: Mr. PENCE.
H. Res. 856: Mr. NYE, Mr. AKIN, Mr. PLATTS, Mr. LOBIONDO, Mr. SHUSTER, Ms. LORETTA SANCHEZ of California, and Mr. ABERCROMBIE.
H. Res. 858: Ms. CLARKE, Mr. DELAHUNT, Ms. GIFFORDS, Ms. LEE of California, Mr. REYES, Ms. FOXX, Mr. FALEOMAVAEGA, Mr. LEWIS of Georgia, and Mr. HINCHEY.
H. Res. 861: Ms. GIFFORDS, Mr. SPRATT, Mr. SNYDER, Mr. WILSON of South Carolina, Mr. SHUSTER, Mr. MCKEON, Ms. SHEA-PORTER, Mr. BRIGHT, and Mr. TURNER.
H. Res. 869: Mr. BURTON of Indiana, Mr. PENCE, Mr. CHAFFETZ, and Mr. PAULSEN.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, OCTOBER 26, 2009 No. 156

Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Gracious God, we confess our need of Your presence and Your help for the journey ahead. You have promised that You will never fail or forsake us, so we place our trust in You, come what may.

Today, show Your will to the Members of this body in the maze of paths their feet may take. Lead them through the perplexity of issues to reach Your desired destination. Meet them in the thorny questions they confront, through the encircling gloom of indecision, as You open their ears and hearts to hear and heed Your guidance. Lord, keep them from embarking upon a path that is less than Your best.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 26, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

Mr. REID. Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will turn to a period of morning business. Senators will be permitted to speak for up to 10 minutes each. As announced earlier, there will be no rollcall votes today. The next vote will occur at about 2:15, Tuesday, October 27. That vote will be on the confirmation of the nomination of Irene Berger to be U.S. district judge for the Southern District of West Virginia. Upon disposition of the nomination, the Senate will immediately proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 3548, the unemployment compensation extension. In addition to considering the unemployment bill this week, we hope to consider the Commerce-Justice-Science appropriations bill and the Military Construction appropriations bill. We also need to pass a continuing resolution before the end of the week because the current CR expires Saturday night. We also expect to pass the 6-month highway extension bill.

MEASURE PLACED ON THE CALENDAR—S. 1858

Mr. REID. Mr. President, I am told that S. 1858 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1858) to require Senate candidates to file designations, statements, and reports in electronic form.

Mr. REID. Mr. President, I object to any further proceedings with regard to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

WALL STREET NARROW-MINDEDNESS

Mr. REID. Mr. President, the global economic crisis is very complicated. It was born of both brazen, unabashed abuses and elaborate schemes alike. It brought complex concepts such as ''mortgage-backed securities'' and ''credit default swaps'' and ''derivatives trading'' into our everyday vocabulary. Prior to this financial meltdown, rarely did we hear the words ''mortgage-backed security,'' ''credit default swaps'' or ''derivative trading,'' but now they are in every newspaper we read. They are all over the television, all over radio. But when we peel back all the layers of this crisis, its foundation is nothing more than a simple concept: greed. When we cut through to the root causes of why so many families are hurting and why so many businesses are suffering, the core elements are evident: excess, irresponsibility, and reckless risks.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Wall Street ran wild, then it ran out of steam. Last year's emergency required an urgent dose of medicine, and we supplied it. Our entire national economy was on the brink. Our entire world economy was on the brink. Our swift action prevented a terrible situation from getting even worse. For the past year, we have continued to act in strong, sensible, and prudent ways. We taxpayers did what we needed to do to help keep the economy afloat and didn't ask much from Wall Street in return. We would have gladly accepted a simple ''thank you.''

So one can understand America's disgust upon realizing in recent days that Wall Street has ignored the lessons of last year. Reckless Wall Street traders continue to write themselves checks for billions of dollars—much of it our dollars. The Wall Street Journal found that major banks and securities firms are going to pay their employees $140 billion this year. That is a record high, and 20 percent more than last year. But the greed is evident not only in salaries; it is in bonuses and other benefits also. The Washington Post reported that the Nation's biggest financial firms, including the firms that took nearly half the emergency TARP money, are actually increasing the perks they are handing out to their employees this year.

Here is what is happening on Wall Street today: CEOs are giving their traders huge incentives—usually cash bonuses—to swing for the fences and make deals that put their entire firms and the larger system at risk. That is the height of irresponsibility. It is the height of arrogance. Risky bets on exotic securities are precisely what sparked the financial crisis and fueled the housing crisis. These events devastated Nevada and many other States. But that same carelessness continues, I am sad to say, on Wall Street today. A gluttonous glorification of the bottom line led to the credit crisis that has led so many hard-working families into bankruptcy and worse. But that same narrow-mindedness continues to guide financial firms today. Short selling and shortsightedness—rewarded with stratospheric salaries and bloated bonuses—contributed to a shameful culture of excess. Yet that same greed continues today.

A bonus that dwarfs an average American worker's entire annual salary is excessive. Doing so in a way that threatens our economy is dangerous, wrong, and a slap in the face to the American people. Main Street jobless rates and Wall Street bonuses should not rise at the same time. Seniors who rely on Social Security should not be shortchanged while the traders who threaten our economic security are rewarded. Taxpayer money that was supposed to keep our economic pillars from collapsing should not go directly from your savings to a brash broker's pocket.

If the executives who designed these windfalls came out of their corner offices, they would see how badly Americans are suffering. They would see how offensive these paydays are. They would see how desperately hard-working families are struggling to hold on to their jobs, to their homes, and to health care. And they would be ashamed.

We must put an end to the recklessness that got us into this mess. We cannot accept more of the same.

Last week, the Treasury Department announced that it would reasonably limit the excessive paychecks of the top executives at companies in which you and I and every American now own an equity stake. I support that plan. Then the Federal Reserve announced it will rein in banks that reward the riskiest practices—gambles that endanger all of us. They should be reined in. I support that too.

In the near future, we will reform our financial industry through legislation commonly referred to as regulatory reform. We will make sure banks are compensating their employees in a prudent way. That means firms won't be able to throw cash at a trader who closes a big, risky deal—one that puts the whole bank at risk and that threatens taxpayers and the greater financial system as well.

The Treasury, the Fed, and the Congress will play their parts. Regulation has its role, but I have never believed government is the answer to everything. That is why Wall Street has to take responsibility for its own actions also.

This industry, more than any other, knows the importance of sending signals. The stock market hinges on hints, the trading floors run on rumors, and these public companies live and die by the confidence they instill, the impressions they inspire, and the messages they send. So these firms—whether or not they owe the government for their survival—should be careful about what their actions say about them because the American people are listening closely. Greed got us into this mess; it will not get us out. If we are going to continue to recover and ultimately prosper, this perverse culture and destructive behavior cannot continue. How many more times must we learn the same lesson?

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT REQUEST—H.R. 3548

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 174, H.R. 3548, and that the following amendments be the only first-degree amendments in order, except in the case where the second-degree or side-by-side amendment is indicated, with the majority amendment to be voted first in any sequence of a second-degree or side-by-side amendment; that general debate time on the bill be limited to 1 hour equally divided and controlled between the leaders or their designees; that debate time on any first-degree amendment be limited to 60 minutes equally divided and controlled in the usual form; and that debate on any second-degree or side-by-side amendment be limited to 30 minutes equally divided and controlled in the usual form:

Reid-Baucus substitute amendment No. 2668, to be modified, and that any debate time on this amendment be within the parameters of time available on the bill; Baucus side-by-side amendment regarding home buyer tax credit/net operating loss/tax relief; Isakson-Dodd amendment regarding home buyer tax credit—Mr. President, for everybody here, I note that the Baucus side-by-side relates to the Isakson-Dodd amendment and another amendment that was given to us earlier by Senator BUNNING; this covers both of those—McConnell amendment regarding tax relief; Johanns amendment regarding alternative substitute; Corker-Warner amendment regarding TARP; that upon disposition of the listed amendments, the use or yielding back of all time, the substitute amendment, as amended, if amended, be agreed to; the bill, as amended, be read the third time, and the Senate then proceed to vote on passage of the bill.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, and I will have to object, I am going to offer a counter unanimous-consent request that includes a universe of eight amendments. The majority leader has six.

We would be happy to accept short time agreements. It strikes me that under my consent agreement we would finish about as rapidly as we would under the consent agreement the majority leader just propounded.

With that, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, I say to the senior Senator from Kentucky that I think the amendments we have suggested are in keeping with what we are trying to do. We deal with a first-time home buyer tax credit. We deal with the loss carryback, which people talk about being very important. We talk about another bipartisan amendment offered by the Senator from Virginia and the Senator from Tennessee, setting up a program where there would be trustees to oversee the ownership we have in various TARP properties. I think we have been so reasonable.

I understand my friend, the Senator from Kentucky, not being able to agree

at this time. I hope we can get this done. I do not want to have just a vote on cloture. I think probably on this we could do it, but I think it is the wrong message that we cannot work out some amendments.

I see no reason that we have to do immigration on this bill; that is what E-Verify is about. I don't know how many more times we have to pound on ACORN. We have voted on that many times already. I think we are being reasonable.

I think Senator BUNNING, if he would look at the amendment we have suggested, which is out of the Finance Committee—and it is my understanding it is bipartisan—which would cover net operating losses, then Senator BUNNING would get everything he asked for under his amendment. It is just where the money would come from. It is all paid for.

UNANIMOUS-CONSENT REQUEST—H.R. 3548

Mr. MCCONNELL. Mr. President, again, the two consent agreements have a universe of six amendments on my friend's side and eight on our side. We are willing to agree to short time agreements on each amendment. I am fairly confident in saying it would not take much more floor time, if any, to pursue the underlying bill, which almost everyone supports, in a form that would encompass the opportunity to offer eight amendments.

With that, I ask unanimous consent that the Senate proceed to immediate consideration of H.R. 3548, which was received from the House, and that the following amendments be the only amendments in order:

Reid-Baucus substitute; Baucus side-by-side amendment for housing tax credit; Isakson-Dodd, home buyer tax credit; Johanns, alternative substitute; Vitter, ACORN; Bennett-Thune, TARP sunset; Corker-Warner, TARP; Sessions, E-Verify; Bunning, operating losses.

I further ask unanimous consent that following the disposition of the above-listed amendments, the bill, as amended, be read the third time, and the Senate proceed to a vote on passage.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, frankly, I think it is unfortunate that we could not just vote on extending the unemployment benefits for the masses in our country who are out of work and are desperate. There are thousands and thousands of people who are waiting for us to get something done.

The issues that are brought up are issues we can deal with, but it should not be at the expense of wasting all this time. We have been trying to get this done—the unemployment extension—for weeks. With each day that goes by more people in America have less money. If we want to talk about stimulating the economy, try giving a check to somebody who is out of work. They spend that money.

I will continue to try to be fair and reasonable with the Republicans, who are so bound and determined to slow us up on everything, including checks for people who are desperate for work. I hope we don't come to a point where we have to just vote on extending unemployment benefits. That would be unfortunate. The proposals they have made are unnecessary, but I am trying to go above and beyond what is fair. We are willing to step way in the other direction just to move things along. But to vote on immigration matters and on ACORN, which we have done so many times, is only dilatory.

Mr. MCCONNELL. Mr. President, as my good friend, the majority leader, knows, the easiest way to move it along is with a time agreement, as opposed to going through the normal processes in the Senate. I have a feeling the majority leader wants to object to my consent.

Mr. REID. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MCCONNELL. Mr. President, the reason for having a consent agreement is to expedite the process, do it more quickly. We have two competing consent agreements: one with six amendments and one with eight. Either one would move the process along. We will continue to talk about it and, hopefully, we can get this worked out in a way that is mutually satisfactory.

UNANIMOUS-CONSENT REQUEST—H.R. 3548

Mr. REID. Mr. President, these are not competing consent agreements. This is an effort to try to get something the American people should have—the most unfortunate people who have been out of work for an extended period of time—which is unemployment compensation checks.

I ask unanimous consent that we pass H.R. 3548 with no amendments; that is, benefits that will go to people who have been out of work for an extended period of time. This is an act to amend the Supplemental Appropriations Act of 2008 to provide for the temporary availability of certain additional emergency unemployment compensation. I hope we can move forward with that.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, we have just had a discussion about two consent agreements, each of which has a very limited number of amendments. There is no reason we cannot reach an agreement to take up the underlying bill, with a limited number of amendments, and finish the bill expeditiously.

Simply cutting people off and not allowing any amendments at all is not an acceptable approach. Therefore, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, it is not a question of having no amendments. We agreed to have six. I think that is unnecessary. My friends in the minority are continuing to slow-walk unemployment compensation, while people are desperate for these small checks that they get to keep the rent paid and pay for groceries for their kids. I think we should do this today, get it done now.

I understand there is an objection. I think it is unfortunate.

Mr. MCCONNELL. Well, Mr. President, the only thing that would slow this down would not be to reach a consent agreement. We will continue to talk to the majority leader and, hopefully, we can reach an agreement for a reasonable amount of amendments.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. There will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Tennessee is recognized.

THE PUBLIC OPTION

Mr. ALEXANDER. Mr. President, I will let the majority leader make his own announcements, but there are a lot of discussions in the news media today that in a short period of time he intends to hold a press conference announcing that he will push ahead with the so-called public option in the health care legislation—one that currently includes an opt-out provision for States.

I don't know whether he intends to do that or whether he doesn't. He is entitled to make his own announcement, as I said. But it provides a good opportunity to talk about what we mean by a public option in health care, or a government-run health care plan, putting government in the health care business, and how it already works, and how it might work if States were allowed to opt out.

The reason it is easy to talk about this is—and the former Governor of Virginia, who is presiding, knows this as well as I do, and maybe better because he has been Governor more recently—we already have in existence in the United States today a public option health insurance program which States may opt out of. It is called Medicaid.

Medicaid is the largest government-run program we have in health care—even larger than Medicare. Medicare, for older people, has about 40 million persons who depend on it. Medicaid,

which sometimes offers confusion, is a different program. It is a program for low-income Americans. It started out for women and children, but it gradually expanded, and today it has nearly 60 million Americans who depend on it. The health care legislation, which is coming forward in the Baucus bill out of the Finance Committee and the HELP Committee, on which I serve, and the bills in the House of Representatives—all those pieces of legislation would expand the Medicaid Program—not Medicare for seniors but the Medicaid Program—and send part of the bill for that expansion to the State.

So let's talk about that a little bit, particularly if it is true that the majority leader is about to propose that we have yet another government-run insurance program, giving the States the right to opt out, which sounds pretty good. Let's see how this one works that we already have, especially since the health reform bill that is headed our way would expand Medicaid, and according to the Congressional Budget Office, cost States an additional $33 billion in State dollars and add 14 million people to Medicaid.

I guess the first thing to know about a government-run health insurance program which States can opt out of is that they can't. I mean, in the real world, they can't. Not one has. Every State in America has Medicaid. The Federal Government pays roughly 60 percent of it; State taxpayers pay the rest. Most of the rules are written in Washington. States can ask for exemptions from the rules, but it is a long and burdensome process. It is not realistic to say the States can opt out of the Medicaid Program for low-income Americans. I suppose it might not be realistic, therefore, to say the States would be able to opt out of a new government-run program—a government-run, public-option program—that may be suggested by the majority leader. We should wait and see what he proposes, but I think we would be wise to pay attention to the fact that in the current government-run program we have today, no State finds it realistic to opt out.

Expanding Medicaid, which is what the health reform bill coming toward us on the floor proposes to do, is not just an expensive item for the Federal Government and for States, it is a terrible vehicle for health care reform. The current Governor of Tennessee—Governor Bredesen—a Democrat—has said putting more low-income Americans into Medicaid is not health care reform. Why would he say that? Because it makes it worse for those Americans as they seek to get access to care from doctors and hospitals and as they seek to get good, quality care. Plus, the program is riddled with so much fraud and abuse that, according to the Congressional Budget Office, $1 out of every $10 is stolen or wasted.

Most Governors who have struggled with Medicaid—and I am one of them—agree that its expansion is a bad idea. They unanimously have said to us in Congress that if you in Washington want to expand Medicaid, then you in Washington need to pay for Medicaid. That is the theory of no more unfunded mandates that every Governor whom I know about has agreed with for years. In fact, there was nothing that used to make me angrier as a Governor than for a distinguished politician in Washington to stand, make a speech, come up with a good idea, hold a press conference declaring a problem solved, and then send the bill to the States. So what does the Governor and the legislature and the mayor and the city council have to do? They have to cut services, they have to raise taxes, they have to run up tuition, they have to cut out some classes because somebody in Washington thought it was a good idea to do this. Well, that is what we are proposing to do with Medicaid. We are saying to the States: We have a great idea. We want to expand Medicaid by dumping another 14 million low-income Americans into this program, but congratulations, we are going to send you the bill to help pay for it.

The Washington Post quoted my home State Governor, Governor Bredesen, to whom I just referred, this way in regard to health care reform:

> I can't think of a worse time for this bill to be coming. I would love to see it but nobody is going to put their State into bankruptcy or their education system into the tank for it.

One of the most painful letters I have ever read was from Governor Bredesen, which he sent on October 5, when he wrote about Tennessee's fiscal situation—similar to the condition in most States. He said:

> By 2013 we expect to return to our 2008 levels of revenue and will have already cut programs dramatically—over $1 billion. At that point we will have to start digging out—we will not have given raises to State employees or teachers for 5 years. Our pension plans will need shoring up. Our rainy day fund will be depleted . . . we will not have made any substantial investments for years . . . There will be major cuts to areas such as children's services. On top of these, there are the usual obligations that need to be met—Medicaid, for example, will continue to grow at rates in excess of the economy and our tax revenues.

Our idea of health care reform is to expand Medicaid and send Governor Bredesen a bill for $735 million over the next 5 years, which we can't afford.

The other legislation, from the HELP Committee, would cost the States even more. According to an actuarial report from the Centers for Medicare and Medicaid Services, Medicaid represented 40 percent of the Federal Government's cost expenditures for health care; 41 percent of State health care costs. It is the largest source of general revenue-based spending in health services—larger than Medicare.

I can vividly remember, 25 years ago, 30 years ago, as Governor, every time I made up a budget, I would start with roads. That comes from the gas tax. I would go to prisons. The court said to fund that. I would go to K–12 grades. Our Presiding Officer, the former Governor of Virginia, has had this experience. That is pretty much a set thing. Then you get down to the end and what are you choosing between? You are choosing between higher education—the University of Tennessee or the University of Virginia—and Medicaid. What is happening? Medicaid is going up like a rocket and State spending for higher education is flat. Our great higher educations systems across this country are under great stresses because of poor State funding because we have allowed Medicaid to grow out of control.

Not only do we do that, we are now about to expand it—about to expand it and send more of the bill to the States. The Governors are saying: Don't do that. Their revenues are down 17, 18, 20, 35 percent in some States. If you are going to pass it, they say: Pay for it. That is a question Governors should have a chance to ask and get an answer to.

According to the Texas Medicaid office, the current proposal to expand Medicaid will cost the State $20 billion over the next 10 years. We are passing it, they are paying for that much of it. According to the South Carolina Governor's office, $1.1 billion over 10 years. Governor Schwarzenegger has said for California it could be as high as $8 billion a year.

A New York Times article, in late September, said this:

> The recession is driving up enrollment in Medicaid at higher than expected rates, threatening gargantuan State budget gaps even as Congress and the White House seek to expand the government health insurance program for the poor and disabled . . .

The New York Times went on to say:

> . . . enrollment in state Medicaid programs grew by an average of 5.4 percent in the previous fiscal year, the highest rate in 6 years. . . . In eight states, the growth exceeded 10 percent.

So States have headlines such as this: ''State Looks at $1 Billion in Cuts.'' Their Medicaid is already growing at a rate faster than they can pay for, and we are sending them more bills than they can pay for.

Mr. DURBIN. Will the Senator yield for a question?

Mr. ALEXANDER. I will be happy to yield.

Mr. DURBIN. We had a bill considered earlier this year—a stimulus bill—that sent $80 billion to the States so they could deal with the expenses of Medicaid during the recession and also, obviously, their State's declining revenue, an attempt for us to help Governors facing the horrible decisions which the Senator described.

If I recall correctly, only three Republicans voted for President Obama's stimulus package to help these States with $80 billion in aid. Would the Senator like to factor that into his conversation about sensitivity to what the States are facing?

Mr. ALEXANDER. I thank the distinguished assistant Democratic leader for raising the point. It is a point I would be delighted to address.

I voted against that proposal. That proposal was a backdoor effort in what was a so-called jobs bill to spend $85 billion over 2 years for Medicaid. That is one reason why we have 10 percent unemployment today, because the money that was supposed to be for the stimulus was borrowed from the biggest deficits we have ever run up in history and spent on something other than jobs.

What it also did was it unrealistically lifted the level of Medicaid spending in Tennessee and every other State, forcing an expansion of that program, which I will go on to show in a minute is nearly cruel to the people who are dumped into the program because doctors and hospitals will not serve them.

So I was glad to vote against that program. I was sorry it passed because it borrowed money we don't have to spend on programs that didn't create jobs, and it artificially lifted and expanded Medicaid, which is already bankrupting the States.

Medicaid expansion is not real health care reform. One reason is because 40 percent—according to a 2002 Medicare Payment Advisory Committee survey—of the physicians restrict access for Medicaid patients; meaning they will not take new Medicaid patients because reimbursement rates are so low. Only about half of U.S. physicians accept new Medicaid patients compared with more than 70 percent who accept new Medicare—those are the seniors—patients.

According to a 2002 study in the Journal of American Academy of Pediatrics, the national rate for pediatricians who accept all Medicaid patients was 55 percent. In Tennessee, it was lower than that. Why is that? It is because reimbursement rates are so low. Today, doctors who see patients who are on Medicare get paid about 80 percent of what private insurers pay. Doctors who see patients who are on Medicaid get paid about 61 or 62 percent of what private insurers pay. For doctors who see children, it is sometimes lower than that. So doctors don't see those patients. What is going to happen if we dump 14 more million low-income Americans into a system such as that? Those patients—especially those children—are going to have a harder time finding doctors and hospitals to take care of them. It would be akin to giving somebody a ticket and a pat on the back to a bus line that only operated 50 percent of the time.

Further, the quality of care for Medicaid patients is significantly lower than those with private insurance and even those with no insurance. According to a survey by the National Hospital Ambulatory Medical Care, Medicaid patients visit the emergency room at nearly twice the rate of uninsured patients. A 2007 study by the Journal of the American Medical Association found that patients enrolled in Medicaid were less likely to achieve good blood pressure control, receive breast cancer screening, have timely prenatal care than similar parents in private plans, and they had lower survival rates.

I mentioned this a little earlier. According to the Government Accountability Office, Medicaid—the program we are seeking to expand, the government-run insurance program that sounds so good, the so-called largest public option plan we have to date, the plan where about half the doctors will not take new patients who are on the program—had $32.7 billion in improper payments in 2007 alone; 10 percent of the program's total spending is wasted.

So as we consider a so-called public option, I hope we will look at the public option we already have—called Medicaid—one which already has an opt-out provision for States, one which already has 60 million low-income Americans in it, one into which we plan to put 14 million more Americans, so that 50 percent of the doctors will say to new patients: I can't see you because the reimbursement rates are so low. Medicaid is the public option we have right now. States could opt out of it, but quality is low, fraud is high, costs are up, and Governors of States on both sides of the aisle are saying: We are headed toward bankruptcy at the present rate. If you are sending us more bills, if you want to expand it, pay for it. And doctors are turning away patients.

The American people deserve better than that. I am a cosponsor of a bipartisan bill that would actually reduce the number of patients on Medicaid. It is called the Wyden-Bennett bill. It adds no cost to the government. That bill is not being seriously considered.

The other approach that we Republicans believe we should take is focusing on reducing costs to the government, focus on reducing the cost of premiums; take four or five steps in the right direction and expand services to uninsured patients as we go. One way to do that, of course, would be the Small Business Health Insurance bill, which has broad support in both Houses, which would permit small businesses to come together and pool their resources. The estimates are that at least 1 million more Americans would be covered by employer insurance if that were to happen. Some estimates say many more millions.

But especially on a day when the press has it rumored that the majority leader may offer a new government-run insurance program with the States having the opportunity to opt out, I hope Americans will look carefully at the current government-run insurance program which States have the option to opt out of, but none do, and note that it has 60 million Americans—it is soon to have 74 million; half the doctors won't see new patients because of reimbursement rates; and $1 out of $10 is wasted. It is not a solution to health care and neither is a new public option.

I yield the floor and thank the Senator from Illinois for his question.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

HEALTH CARE REFORM

Mr. DURBIN. Mr. President, I think we ought to step back and take a look at this health care debate. The Senator from Tennessee has raised some interesting questions that we should consider and discuss.

The reality in America today is that the cost of health care is out of control. We know it as individuals because the health care premiums keep going up. In fact, the health insurance industry not only announced but threatened 2 weeks ago that if we pass health care reform, premiums are going to go up again. Businesses are now reporting they anticipate the cost of health insurance premiums to cover their employees to go up at least 15 percent next year.

This is not new. Unfortunately it has become a pattern, a pattern that continues to raise the cost of health insurance across America. Fewer businesses offer protection, fewer individuals can afford to buy health insurance, and that is the reality, where we are today.

We have put forward now five different proposals, and the sixth is coming, to deal with health care reform. President Obama challenged this Congress to work together on a bipartisan basis to solve this problem, to bring costs under control. During the course of our debate on it, we identified some other serious problems in our health care system. We know what the health insurance companies do to people across America. They hire literally hundreds if not thousands of employees to sit in front of computer terminals with a sign above them that says just say no, so when the doctor calls and says I wish to admit Mrs. Smith for surgery or I wish to keep her in the hospital an extra 2 days, the answer is no and the battle is on. I know this because I have been in the hospitals of my hometown of Springfield, IL, standing with doctors at the nurses desk as they call the health insurance clerks in faraway States and beg them to allow a person to stay in the hospital so she will be there the night before her surgery. They were turned down and one doctor turned to me and said, ''I cannot in good conscience send this woman home. I am going to have her stay and we will fight them later on.'' I said, ''Does this happen often?'' And he said, ''All the time.''

Fighting health insurance for coverage when you need it the most, as they go through your application and find out that you did not put in some minor medical experience that you had—you know, it is not a fanciful story. In fact, it is a sad story. People have been turned down for coverage for health insurance when they need it the most for surgery because they failed to

disclose they had acne when they were teenagers. It sounds as though I am making that up, but I am not. That is a fact. When they want to turn you down, any excuse will do. We know this is happening. People, because of preexisting conditions, are being denied coverage. When they need their health insurance the most, after paying into it year after year, here comes that diagnosis that is going to require expensive treatment or a surgery or hospitalization or missing work, they find out the coverage is not going to be there or there is going to be a cap on the coverage.

We know these stories. We live with these stories. People are calling us, saying the health insurance company says no, they won't pay for it. And the battle is on. So part of health care reform is to deal with this health insurance reform too.

I have to say in all candor to my Republican colleagues, they have yet to come forward with any proposal for health care reform. They just say no. Whenever we come up with a proposal, it is not good enough, it doesn't reach the goals they want to reach. But when we ask them what would you do, they have nothing. When the HELP Committee, which is the Health, Education, Labor, and Pensions Committee of the Senate, now under the chairmanship of Senator HARKIN and then under the temporary chairmanship of Senator CHRIS DODD of Connecticut while Senator Kennedy was going through his cancer therapy—when they considered this bill they had literally hundreds of amendments, 500 amendments in open hearing as they went through this bill.

It is not a surprise. This is a big undertaking. Health care reform is the biggest domestic issue we have ever faced in this country—ever. It comprises one-sixth of our economy. There were 500-plus amendments, day after day, hour after hour, debating back and forth. At the end of the day, the bill was finished. The committee had adopted over 150 Republican amendments they had offered to the bill. Senator DODD believed it had a fair hearing—it is a bipartisan bill with input from both sides—and he called the roll in the committee to see if we could move the bill forward to the floor. Not one single Republican Senator would vote for it. Even after adding all those amendments they would not stand up and vote for the bill to move forward to the floor. Again, faced with the challenge of writing a bill, it is easier to stand back and say here is what is wrong with what you are doing. But in good faith they should step forward and be part of it.

Senator MAX BAUCUS in the Senate Finance Committee had one of the toughest assignments. He had to deal not only with policy but also with paying for it. That is what the Senate Finance Committee is all about. So what Senator BAUCUS did, for months, was to engage three Republican Senators on his committee: Senator GRASSLEY of Iowa, Senator ENZI of Wyoming, Senator SNOWE of Maine. Three Democratic Senators sat down with three Republican Senators and said let's come up with a bipartisan bill. Let's try to reach agreement among ourselves as to how to do this in a bipartisan fashion. Eventually, after literally months of trying, two of the Republican Senators left, leaving only Senator SNOWE of Maine, who ultimately supported the committee bill that came forward.

She is an unusual profile in courage in the Senate. She is the only Republican in the House or Senate who has ever voted in committee as a Republican to bring a bill forward on health care reform. It showed extraordinary courage on her part. But it also showed that despite the best efforts in both of these committees in open session and in closed meetings, we could not get Republican buy-in for health care reform. They are opposed to everything.

Unfortunately, to be opposed to everything is not a way to solve a problem. The current health care system in America is unsustainable. It costs too much. The costs are going up too fast—not just for individuals, families, and businesses, but for government as well. The health insurance companies are running roughshod over people who, when they need it the most, cannot count on the health insurance protection they thought they had purchased. It is a reality that in the bankruptcy courts across America today, two out of three people filing for bankruptcy in America are filing because of medical bills. It has grown over the last few years from one out of three to two out of three. Sadly, that percentage is going to continue to grow because you know what happens—a person goes in after an accident, a diagnosis, goes into the hospital for what appeared to be a brief stay and the next thing you know a bill comes rolling through for $80,000 or $100,000 or more. These bills pile up in an amazing fashion and you have no control over them. You are there at the instruction of your doctor, receiving the care the doctor said you should receive. You don't stop before the nurse leaves the room and say how much do those pills cost? It is the reality that we are helpless, defenseless, when we are in that position.

So people have these medical bills stack up in an attempt to find a cure or to save a life. At the end of the day, the health insurance doesn't cover them. They file for bankruptcy. But here is the statistic you should remember. In addition to 2 out of 3 people in bankruptcy because of medical bills, 74 percent of those people filing for bankruptcy because of medical bills have health insurance. They are not uninsured. They have health insurance that was not there when they needed it; health insurance that cut them off when they thought they had coverage; health insurance that had a limit on how much it would pay and they were left in a position where they were about to lose everything. They may be able to hang onto a truck or a toolkit or maybe even a small home, but their savings are gone, wiped out, because of a diagnosis or an accident.

That is the reality of where we are today and why we continue to engage this issue, despite the controversy that surrounds it.

Senator HARRY REID is the majority leader in the Senate and he has a tough job. He is in the process of taking the two bills prepared by the Senate committees, bringing them together into something that can pass the Senate. It is hard. There are a lot of policy questions and a lot of strong feelings. Within the Senate Democratic caucus are members who are very conservative, moderate, and liberal. We have it all, a wide range. We agree on some things but there is disagreement when it comes to other things. One of the questions that came up, one of the issues of controversy, was about the so-called public option. In shorthand, the public option is an attempt to create some form of health insurance protection that is a not-for-profit plan—it doesn't have to worry about paying profits to shareholders; isn't going to buy a fortune's worth of advertising; doesn't have to hire a lot of clerks to say no but tries to keep costs under control and compete with private health insurance companies.

We should be concerned about this because, without a public option—and it is only an option—without a public option, these health insurance companies have virtually no restrictions on what they can charge us. I say that because health insurance—insurance in general but health insurance companies—enjoy special treatment under American law. There are only two businesses in America that are exempt from antitrust law. One happens to be organized baseball; the other, the insurance industry. You say: What does that mean? It means that back 110 years ago when they took a look at the insurance industry, they argued that because it was subject to State regulation in every State, it was not interstate business. Students of the Constitution know there is an interstate commerce clause there that gives the Federal Government authority when we are dealing with interstate business. So health insurance companies and insurance companies in general were judged to be State businesses and exempt from antitrust law.

Then fast forward about 50 years. The Supreme Court took a look at insurance companies and said this has changed. These are no longer small insurance companies regulated State by State. They are now doing business nationwide, and so the Court decided in the 1940s that the exemption from antitrust law would no longer apply. A Senator from Nevada serving at that time, Senator McCarran, offered the McCarran-Ferguson bill, which became law and exempted insurance companies from antitrust laws.

That is a long lead-in to where we are today. What it means is that the insurance companies, unlike any other businesses in America, can literally meet in a closed room and decide to fix their prices. They will decide what premiums they will charge for insurance policies all across America. They can decide to allocate the market. One insurance company X, you take Chicago; insurance company Y, you take St. Louis; insurance company Z, you get New York. Any other business that tried to do that would be sued by the Federal Government for restraint of trade, for killing competition. But they are exempt and that is a fact.

So when the insurance companies, health insurance companies, tell us they are going to raise premiums, mark their words; they are going to do it and they have the power to do it and they can do it speaking as one and we cannot stop them under the current law as it exists. That is the reality.

The public option says there at least will be a choice out there for everybody who is in an insurance exchange, looking for a choice. There will at least be a choice out there that is not a private health insurance company: a not-for-profit company, not subsidized by the Federal Government, that is going to deal with providers across America to try to bring costs down.

The Senator from Tennessee said this public option is what Medicaid is but he is mistaken. Medicaid is different. Medicaid is a government insurance plan. What is the difference in this situation is there would be no government subsidy to this public option and the public option entity, the insurance company, the not-for-profit insurance company, would have to negotiate arm's-length transactions, negotiate with doctors and hospitals on the rates they would be paid. There is no government mandate on the rates paid. That is not the case in Medicaid at all. So the analogy falls apart. When the Senator from Tennessee says public option is basically Medicaid, it is not. Medicaid is a government plan, public option is not a government plan. Medicaid has government command and control when it comes to the amount they are paying. This plan has to negotiate arm's-length transactions. It is totally different.

I might say a word about Medicaid. I asked the Senator from Tennessee, earlier this year because of the recession, President Obama said: We think the States are in trouble. We think the governments are in trouble. With the recession, fewer people are working, fewer people are paying taxes, and the demand for government services is going up. So we need to help them. We came up with $80 billion, $85 billion to send back to the States in a rescue fund so they could get through this recession. Unfortunately, we didn't have the support from the other side of the aisle. So when the Senator from Tennessee comes in and says these governments are facing hard times, it is true they are, but the times would have been much harder for these governments without President Obama's stimulus package, which tried to help these States get through this rough period.

In the stimulus bill, the State of Tennessee received almost $760 million in FMAP, which is basically Medicaid payments. There are only three Republican Senators who voted for it, not including the Senator from Tennessee. So when we tried to help the States deal with the expenses they face, many of those who are coming to the floor today did not vote for it. I think that needs to be part of the record.

Let me also say the costs are going up for health care in general, and that affects the cost of Medicaid. Medicaid is for the poorest people in America. Medicaid, by and large, when it comes to those under the age of 65, covers children. These are the children of poor families. The only compensation to the doctors and hospitals when they show up, if there is any, comes from Medicaid.

Also, it covers those who are elderly and very poor. You find some of them living in nursing homes across America. They have lost everything. They have nothing left. They have their Medicare and the help of Medicaid.

The argument that Medicaid is a bad system and poor system—it is easy to criticize that system, and it should be improved. What would we do without it? What would happen to these elderly people who have nowhere to turn and no savings, who are living the last months and years of their lives because of Medicare and Medicaid?

The States, of course, say the Federal Government should give them more money for Medicaid. I wish we could. In my State, incidentally, it is about a 50–50 split in Medicaid. For every dollar in Medicaid, 50 cents comes from the Federal Government and 50 cents from the State government. Other States are more generous with more money coming in.

The fact is, I know it is tough on governments to keep up with the expenses. What is the alternative? Is the alternative to ignore any health care for poor people? They will still get sick. As sick as they turn out to be, they will still show up at the hospital, and in our compassion we will treat them and the cure will be paid for by everybody else who has health insurance.

I might also say I believe the opt-out provision, which is being discussed as part of our approach, says we are going to create these public options, these not-for-profit health insurance companies in States across the Nation. But if a State decides through its Governor and its legislature they don't want to be part of it, they can opt out of the system.

I cannot think of a fairer approach. It will be tough for some States to do that because the public sentiment is pretty strong, almost 2 to 1 in favor of a public option. People understand they want to have a low-cost alternative and not be stuck with the premiums the private health insurance companies decide to charge.

So I say in response to my colleague from Tennessee, whom I respect and call a friend, I don't believe characterizing the public option as the same as Medicaid is a fair characterization, and I don't think opt out is an unfair approach. I think there is fairness to it, allowing each State to make the decision what it will do based on the needs of the people who live in that State, and the people in the State will have the final say at the next election as to whether the legislature and the Governor made the best choice.

EXTENDING UNEMPLOYMENT INSURANCE

Mr. DURBIN. Mr. President, it has been 18 days since the Senate Democrats tried to pass a strong unemployment insurance extension only to see the bill blocked by the other side of the aisle. Since that time, over 125,000 Americans trying to find work have lost their unemployment benefits; 125,000 families across America now have the hardest possible question to answer: How are we going to keep food on the table? How are we going to keep a roof over the heads of myself and my family? Unfortunately, we have been unable to move an extension of unemployment benefits on the floor of the Senate.

This is unusual because in times gone by, this was never even controversial. Extending unemployment benefits was expected. If the economy was in recession and jobs were lost, we stepped up, both parties, and said: We can debate a lot of things, but let's understand there are a lot of Americans in very difficult circumstances who need a helping hand. That is not this time. Unfortunately, at this point in time, it has become a politically controversial issue about whether to extend unemployment benefits to people.

I have heard from a lot of people back in Illinois. A week ago in Chicago, I met with a room full of unemployed people and talked with them about their expenses first hand—people who have been out of work for long periods of time and are desperate to find a job. These people were all in training to improve their skills to get a better chance at employment. They told me about losing their health insurance. They worry about losing their homes. They are depleting their savings. They don't know which way to turn.

That is the reality. Any image anyone has of people on unemployment enjoying it and lazily waiting for the next check I think would be completely obviated by a visit with people who are unemployed.

I hope all my colleagues on both sides of the aisle will sit down with these families who are asking us for unemployment benefits.

A 50-year-old woman in Machesney Park wrote me recently:

I have worked steadily since I was 16. I am now 51 and have only had to collect unemployment once in those 35 years. I received my last unemployment check the first week in September [of this year]. I [look for] work every day. If I could just find a part-time job at 25 to 35 hours a week, I could get by. . . .

[Our families] have exhausted our retirement accounts just to keep [paying the bills]. Now we fear not being able to survive when retirement comes. So I do want to thank you and wish to stress the urgency in getting this bill passed. Do not give up on us hard-working American citizens.

A wife and mother in Fox River Grove wrote me and said:

I am a 59-year-old educated woman who lost my job in April 2008. I was just informed that my unemployment benefits will run out in [30 days]. I have been actively looking all this time but there is little out there for me.

I can't believe that people are going to be turned away for benefits when there is nothing out there for us to do. . . .

After years of working, putting two kids through college (MBA and [another master's degree]), we thought at last we could save for our retirement. I guess now keeping our house should be [a higher priority]. My 94-year-old mother has moved in with us because she lost her house so we are trying to [help her get along].

Please convince Congress to extend unemployment [benefits] until we can see a light at the end of the unemployment tunnel.

A young lady from Chicago wrote me:

I have been out of work since January 2009. I am currently collecting unemployment benefits, but am nearing the end [of eligibility for benefits].

I don't have crazy outstanding bills, actually, I have no debt other than a $300 credit card that has fallen into arrears. I'm just trying to get by living in the city of Chicago. I have $12.58 in my checking account and $5.81 in my savings account.

I don't have a mortgage. I don't eat out. I don't even have cable. No kids in school. No health club membership. I also don't have insurance. I know you're working on that for us now, and I appreciate that. But this unemployment bill needs to pass quickly because as I understand it, 20,000 Illinois residents will lose their benefits in the next few months and I am one of [them].

I spend 10 [or more] hours a day dividing my time between job searching and trying to drum up business for a small business I am trying to get started. . . .

Senator, please, please, please pass this bill. If not for me whose credit has been ruined by nonpayment of a $300 bill, then for the 20,000 other Illinois residents who have much larger bills, mortgages and families counting on them.

How are we supposed to justify to the people we represent across America that we cannot take up and pass this extension of unemployment benefits? These unemployment benefits are paid from a fund that is collected from workers and their employers during the course of their work career. We put a little bit of money away each week on the chance that someone facing unemployment will need that money to get by.

These people are asking for an extension of their benefits from a fund into which they paid. It is deeply troubling to me that we can't help these people and thousands like them.

The Senator from Kentucky, Mr. MCCONNELL, the Republican leader, came earlier and said the reason we can't do this is because we need to consider a few amendments to it.

Last week, the No. 2 man in the Republican leadership, Senator Jon Kyl of Arizona, said his side, the Republican side, wanted amendments to the unemployment compensation bill on ''stuff that pertains to the subject—how do you pay for it, for example.''

I will tell you that the list of amendments given to us to add to the unemployment bill go far beyond what the Senator from Arizona said. For example, there is a group of Senators over there who want to get into a debate about immigration. This is an important issue, don't get me wrong, and it is one we should take up and will take up, probably not this year but the beginning of next year. But to hold up unemployment benefits for these hard-working Americans whose citizenship has never been questioned so we can debate immigration? I don't believe that meets the test Senator KYL said we had to meet: that he would want amendments that pertain ''to the subject—how you pay for it, for example.''

Secondly, the Senator from Louisiana wants to offer an amendment about an organization called ACORN. You remember ACORN. Those are the folks who were caught on the videotapes counseling people on conduct that if it is not criminal should be criminal. Those employees of ACORN have been dismissed. I am sure they are being investigated, and they should be. What we saw on those tapes is not only troubling but could be actionable. I am not saying hold back at all with regard to ACORN.

In response to that, I offered an amendment calling for the GAO to do an investigation of all the Federal expenditures related to this agency. I want to find out if there is any other wrongdoing, whether we should cancel work that is being done, investigate payments that are being made. I want to get to the bottom of this. The House went further to cut off ACORN from any business with the Federal Government. They voted for that.

So to say this organization has been ignored is wrong. There is a lot that has been said and done about ACORN. The Obama administration cut them off on work on the census, and they are investigating their work in a lot of other areas. But to hold up this bill on unemployment benefits so we can again debate ACORN, how do you explain that to people in Louisiana and Illinois, folks who have lost their unemployment benefits? You have to say: Just hang on. We sure would like to send a check to take care of your family, but first we have to revisit the ACORN debate and go through all this all over again at some new level.

That, to me, is irresponsible. It is wrong for us to deny basic benefits that people need when they are out of work so that people can come to the floor of the Senate and argue about issues that have nothing to do with these poor unemployed people and the struggles they are going through.

There are literally six unemployed people in America for every open job. It is no wonder they are having a hard time finding employment. It is starting to turn around ever so slightly, and I hope it turns around quickly. That is the reality.

In the meantime, could we not come to agreement, Democrats and Republicans, that this safety net is critically important; that the people affected by it couldn't care less what our party labels are, couldn't care less about another debate about ACORN? All they want to do is get by another day, week, or month in the hope they can find that job.

Time and again the Democratic leader has offered our Republican friends an alternative coming forward: doing this bill, passing it quickly, and sending it out so we can extend up to 20 weeks coverage of unemployment benefits in some of the States hit hardest by unemployment. But time and again the Republicans on the other side of the aisle have said no, as they have on so many other issues.

They don't have an alternative to paying unemployment benefits. They know we have to do it. We should do it. But they want to debate other issues. They don't have an alternative to health care reform. They don't like what we are proposing, but they don't have an alternative. They basically want to stay with the current system in America, which is not good for us in the long run.

What we need is more positive efforts toward cooperation, and I hope we will achieve it. For the people and families in Illinois, they have my assurance that I will continue to work to extend unemployment benefits so more and more Americans, not only in my State but across the Nation, will have the peace of mind knowing they can get through this tough recession.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. I ask unanimous consent to speak for up to 15 minutes.

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

THE PUBLIC OPTION

Mr. CORNYN. Mr. President, I listened to the majority leader, Senator REID, talk about his melded bill, the combination of the Finance Committee bill and the HELP Committee bill that he has now completed merging behind closed doors. He said he is going to

send it to the Congressional Budget Office to get a score or a cost estimate. My hope is we will all be able to see it soon. We have not been able to participate in the process since it has been a process taking place between the majority leader and presumably Senators DODD and BAUCUS, the chairmen of the two committees, without Republicans being present. So we don't know what is in it, and we don't know how much it costs. Certainly those are two critical questions the American people are asking and those of us who will be required to vote on this legislation at some point would like the answers to. When will we be able to see it? When will the American people be able to see it? How much will the bill cost?

Today, I wish to focus on another question: Why is it that some people in this country think another government-run health care plan is the answer? A government-run plan goes by a lot of different names. It is an attempt, in part, to obfuscate what people are trying to do. Sometimes people like to call it the public option because it sounds innocuous. Who could be against a choice, an option, if it is not mandatory? Others say they are not for a public option unless it has a trigger. Others talk about opting in, and we heard the majority leader talk about a bill he intends to introduce that provides an opt out for the States. The reality remains the same. We are talking about a brandnew entitlement program, a brandnew government-run health care program run out of Washington, DC, based on the fundamental and misguided belief that one size fits all for a nation of 300 million people.

Some of my colleagues believe a government plan is gaining momentum. I appeared yesterday on a Sunday television show with Senator SCHUMER, the distinguished Senator from New York, who said he thought Congress was right on the cusp of a public option or government-run plan. The more the American people find out about what is meant by the public option, the less they like it.

Last week, we saw the Washington Post-ABC News poll that supposedly said that support for a government-run plan was growing. In fact, support has fallen by 5 points since June. These numbers can be misleading. As the Presiding Officer knows, in politics and public opinion polling, he or she who gets to ask the questions or frame the questions, he or she who gets to decide what the sample is can have a dramatic impact on the answers given to a poll. It is absolutely the case that support for the so-called public option drops dramatically when we explain to people what it would actually do.

ABC News polling director Gary Langer wrote about this dynamic in June. He noted that while 62 percent initially favored a so-called public option, that number dropped from 62 percent to 37 percent once it was explained to people that it would put many private insurers out of business because they couldn't compete with the Federal Government and the so-called government plan.

In other words, support dropped when people realized they would not be able to keep what they have now—which is one of the President's promises—because many insurers would simply be driven out of business. Thus that promise President Obama has made time and time again would not be possible under the public option or government plan.

Today in the Washington Post, Fred Hiatt explained why a government plan would end up breaking President Obama's promise: A government plan would work like Medicare and Medicaid—those are two government plans—and they would, as Medicare and Medicaid do, pay providers at low rates.

As a matter of fact, last week we had a vote on a bill—actually, on a cloture motion on a motion to proceed—a technical vote but one that would have taken us to a bill to basically reverse the cuts in Medicare reimbursement rates to Medicare providers. But it was not paid for. It would have added $300 billion to the national debt. So 13 Democrats joined with Republicans to defeat that. Hopefully, we will go back to the drawing board and come up with a bill that will be paid for.

But the point is, any new government plan, as Fred Hiatt pointed out, would work like Medicare and Medicaid and pay providers much less than they could get under private insurers. So providers would, as they do now, make up the difference by charging private plans more for the same services. This is a so-called cost-shifting phenomenon. Then private insurance premiums—if you have private coverage now—would increase for people who have health insurance coverage now. Ultimately, some of them would be forced to drop their private insurance because it would be more expensive, not less, which is what I thought the object of this exercise was about: how to bring down costs, not how to drive them up, and the cycle would continue until all private insurers would go out of business, and all Americans would find themselves on a single-payer, government-run health care plan. So much for the option in the public option.

So the fact is, the government plan would not be just a competitor; it would, in fact, act as a predator by calling the shots. Even as it takes the field, the government plan would undercut the private market and create another Washington monopoly.

Some people have described the so-called public option as a Trojan horse. I have used that phrase myself. But the person who actually devised the public option said this—his name is Jacob Hacker, and he is a professor at Berkeley—he put it this way last year:

> Someone once said to me, ''This is a Trojan horse for single payer,'' and I said, ''Well, it's not a Trojan horse, right? It's just right there.''

Professor Hacker said:

> I'm telling you, we're going to get there, over time, slowly.

The truth is, we should not be creating another government plan when the ones we have now are not working very well at all.

As Robert Samuelson wrote in today's Washington Post:

> Why would a plan tied to Medicare control health [care] spending, when Medicare hasn't?

He noted that from 1970 until 2007, Medicare spending had risen by 9.2 percent annually. Let me say that again. From 1970 to 2007, Medicare spending had risen by 9.2 percent annually. He says this is just one reason the so-called public option is what he called a ''mirage.''

We know there are current entitlement programs that have major unfunded liabilities. Medicare has a $38 trillion unfunded liability and will effectively go bankrupt in 2017. Yet this bill, at least the Finance Committee bill—I presume the bill coming out of Senator REID's office will do the same—takes $500 billion from Medicare to create a new entitlement plan, a new government-run health care plan, when Medicare itself has $38 trillion in unfunded liabilities. It just does not seem to make any sense.

Medicaid, which, of course, primarily helps pay health care costs for the poor, reduces access to health care in many communities because reimbursement rates are so low that many providers simply cannot take new patients. As ''60 Minutes'' reported just last night, fraud and abuse in government health care programs cost taxpayers about $90 billion a year. Does this sound like a model we want to hold out—a new government-run plan—when the ones we have now are broken and need fixing?

On the Medicare fraud and abuse, according to FBI special agent Brian Waterman, Medicare fraud is a bigger problem in South Florida than the drug trade. He said:

> There are entire groups and entire organizations of people that are dedicated to nothing but committing fraud, finding a better way to steal from Medicare.

One former Federal judge looked at his Medicare statement and found that someone had billed the government for two artificial limbs on his behalf even though he still has the ones God gave him. In other words, he did not need any artificial limbs, but somebody charged them to Medicare on his bill without his knowledge.

I agree with our colleague, Senator LANDRIEU from Louisiana, that a government plan would just replicate the same kinds of problems we have seen in Medicare and Medicaid. As she said:

> Why don't we fix the two public options we have now instead of creating a [new] one?

Well, supporters of a government plan say we need to have more competition and give consumers more choice. I could not agree more. But this

is not—this is not—the way to do it. Competition occurs when we have more private insurance companies competing in marketplaces, which would happen under some proposals made by our side of the aisle—if we would simply create a system where individuals could buy health insurance in any State across the Nation and were not just confined to buying health insurance in their own State. Competition increases when we get more insurance carriers to enter the market, not by creating a government plan that will drive them out of it.

We have proposed ways, as I have said, to increase the number of private insurance options in every State. We think if that is the goal, certainly we ought to be able to come together in a bipartisan way to accomplish that goal. But I do not know why in the world we would settle for a health care proposal that would ultimately drive people to a single-payer, government-run health care plan, would raise taxes on the middle class, raise premiums on those who have insurance now and depress the wages of those who have that health insurance now, and would cut, as I mentioned a moment ago, $500 billion from a Medicare Program that is scheduled to go bankrupt in 2017. Why would we settle for something that would make things worse instead of better for more than 100 million Americans? Why would we vote to spend $1 trillion or more on a new entitlement program without fixing the ones we have now?

Well, it is not just me saying that this so-called public option with the opt-out the majority leader has now proposed—which he admits does not have 60 votes, and the one Republican, Senator SNOWE, who said she would vote for the bill said she would not vote for a bill with a public option. So I am not sure why, with one Republican supporting the Finance Committee bill, they have now apparently rejected Senator SNOWE's support and opted for a strictly partisan proposal coming out of Senator REID's conference room.

But I also checked, and another health care expert whom I respect shares some of my views about the dangers of the so-called public option.

Secretary Mike Leavitt, who is the former Secretary of the Department of Health and Human Services, said:

> Advocates for a public health-care plan continue to look for a way to give political cover to moderates while advancing their goal of implementing a government-run health-care system.

He said:

> [Ultimately,] it is designed to undercut private insurance.

He said it is ''dangerous for three reasons.'' He said:

> One, it would be cheaper for employers to stop offering private [coverage to their employees and to] funnel their employees into the government-run plan. Employers, not employees, would get to make that choice.

Secondly, he said:

> [A] government-run plan would use the coercive force of government to dictate the prices that [are going to be] charged by others—by doctors, nurses, and hospitals—in a way that private entities cannot.

Third, he said this proposal is dangerous because a ''government-run plan would be subsidized by American taxpayers, while private plans are not.'' In other words, he says, if, in fact, States will be given a chance to opt out of the so-called public option, they would not have a chance to opt out of the tax dollars their taxpayers would spend in order to subsidize the so-called public plan.

As he concludes, he says:

> The state ''opt-in'' is a transparently false choice. It is just another gimmick to try to find votes for an unwise policy that would increase the federal government's control over health care.

We can do better. We must do better. I urge my colleagues not to take the bait on this so-called public option, whether it has an opt-out or not, because it is just another disguised way to try to end up with a single-payer, government-run health care system out of Washington, DC.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, let me say to my friend from Texas, the wake-up call is out there. People are fully aware of what is going on right now—the fact that you have a government option; you have a form of socialized medicine; you have something that has proven not to work in areas such as Canada and Great Britain and elsewhere. It is kind of interesting to me that we see those countries trying to emulate something we are doing at the same time we are edging over in their direction. I do not think that is going to work.

CAP-AND-TRADE

Mr. INHOFE. Mr. President, I will tell you something else I do not think is going to work. During the August recess, people were upset mostly about—because it was the most visible issue at the time—the prospect of socialized medicine for America. But at the same time, as a close second, there was another issue that was very much of concern; that is, a cap-and-trade bill.

Just to refresh your memory, this goes all the way back almost 10 years when we had the Kyoto Treaty. That was back during the Clinton administration, and we were supposed to be ratifying the Kyoto Treaty, which would have been a big, massive cap-and-trade or tax increase. In fact, the analysis of that was done by the Wharton Econometric Survey, from the Wharton School of Economics.

The question put to them was, What would it cost if we ratified the Kyoto Treaty and lived by its emissions standards? The answer was it would be somewhere between $300 billion and $330 billion a year. I always go back, when I am trying to figure out what that would mean to individual families, and I recall that the Clinton-Gore tax increase of 1993 was the largest tax increase in three decades, increasing marginal rates, capital gains, inheritance taxes, and all other taxes. That was a $32 billion tax increase. So that would be 10 times larger. That was the Kyoto Treaty. We did not ratify it.

Then along came the McCain-Lieberman bill in 2003 and then again the McCain-Lieberman bill of 2005, and the same thing was true. Other universities' analyses came in and tried to determine what the cost would be. I remember MIT came in and did an analysis of those bills, and it was somewhere in excess of $300 billion a year. Then along came the Warner-Lieberman bill—not the current Senator WARNER but the past Senator Warner—and that was essentially the same.

What I am saying is, it does not really matter whether we are talking about Waxman-Markey or what we are going to be voting on sometime in the near future, I would assume, that is going to be a form of Waxman-Markey. By the way, I say that because when several Senators were trying to get information to analyze what it is we are going to be starting to have hearings on tomorrow and then ultimately marking up, they said the bill is a lot like Waxman-Markey, so just go look at the analysis of Waxman-Markey. If you want to do that, at least we now know there is a target out there. We have something we can talk about.

While I have serious problems with EPA's analysis of Waxman-Markey and its 38-page ''meta-analysis'' of Kerry-Boxer—that is 38 pages of a 923-page bill—the latter is not entirely EPA's fault. It is a drive to ram the Kerry-Boxer bill through the legislative process before people really know what it is. Now we know what it is because it is essentially the same thing we had in the Waxman-Markey bill that went through the House of Representatives.

It is kind of interesting. This massive tax increase called the Waxman-Markey bill passed the House after very little debate because it came up—in fact, they finished it at 3 o'clock in the morning the day they voted on it, so people had not had a chance to read any of it. So it passed by 219 votes in the House of Representatives. That is barely a majority. It is one that was—interestingly enough, the last time they had a massive energy tax increase such as this, it was called the Btu tax of 1994. That passed the House by 219 votes, the same margin. Obviously, that was killed later on in the Senate, as I believe this will be.

I come to the floor now to talk about this because tomorrow we start hearings, exhaustive hearings, on Tuesday, Wednesday, and Thursday. They are not going to be talking about the specifics of the bill; it will just be more propaganda. The main thing we want to do is make sure everybody knows it

is going to be a very large tax increase. It wasn't long ago that Representative JOHN DINGELL, who is a Democrat from Michigan—he said it right. He said: Cap and trade is ''a tax, and a great big tax at that.''

So we have something we know we are going to be faced with. We know we are going to have hearings. The question has to be asked: If we know there are not votes to pass it in the Senate, why are we having our hearings now? I would suggest to my colleagues we are having them because there is a big party that is going to take place in Copenhagen. Every year, the United Nations throws this party. You might ask: The United Nations? Yes, that is where it all started, the IPCC. It is going to take place in Copenhagen during the middle of December. I thought it was interesting last night when President Obama announced he probably was not going to be going to this party in Copenhagen because it didn't look as if they had the votes to pass something in the Senate.

So I would only say to get ready. We are going to have more of the same. We went through it back during Kyoto, 10 years ago, and since then with four bills on the Senate floor and we are going to be talking about it more and more.

I just came from my office. This is kind of interesting. This is a hat signed by the Young Farmers and Ranchers, which is tied to the American Farm Bureau or the Oklahoma Farm Bureau, in this case. It says: ''Don't Cap Our Future.''

When you stop and think about what would happen to the farmers—I hate to even single out farmers or any other groups because it is going to be just as punishing to the entire manufacturing base. It was interesting the other day, when we asked the question of the newly appointed Director of the Environmental Protection Agency, Lisa Jackson, as to what would happen if we were to pass the bill in the Senate and it would become law, as did the Waxman-Markey bill, how much would it reduce CO_2 emissions. She said: Well, it wouldn't reduce them. Because if we act unilaterally in the United States, then things happen where—this isn't where the problem is. In fact, we know we would have a massive exodus of our manufacturing base to such countries as China, Mexico, India, and others.

But nonetheless, here are the farmers who are concerned about this because, if you look at the cost of fertilizer, one of the major ingredients there is natural gas, and you look at the cost of diesel and everything else, it is very serious.

Bob Stallman, the president of the American Farm Bureau, just the other day said:

> Increased input costs will put our farmers and ranchers at a competitive disadvantage with producers in other countries that do not have similar greenhouse gas restrictions. Any loss of international markets or resulting loss of production in the United States will encourage production overseas in countries where production methods may be less effective than in the United States.

In other words, we can do it more efficiently in the United States, but if we don't have the energy, we will not be able to do it.

So I think the farmers, of all the people who should be concerned and are concerned, the wake-up call is out there. They better be ready when they come up with allocations. The allocations will not be available to us during the next 3 days of hearings. The allocations are something that are held back in secret so they can go to different elements of the society and say: Well, you are going to have an allocation where you can be a winner. They tried this with the Wheat Growers of America early on during the Warner-Lieberman bill, and they actually endorsed the bill until they realized it was a fraud and withdrew their endorsement.

I think Senator KIT BOND said it well. They did a study in the State of Missouri, and the study found that the proposed cap-and-trade legislation will cost the average Missouri farmer an additional $11,000 a year in 2020 and more than $30,000 a year by 2050.

So let me say to Tyler and to all my friends at the Oklahoma Farm Bureau: I have your hat, and I will wear it with dignity all the way to Copenhagen to make sure this thing doesn't pass.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Republican leader is recognized.

HEALTH CARE WEEK XV, DAY I

Mr. MCCONNELL. Madam President, as the debate over health care continues, I think it is important, once again, to remind the American people that every lawmaker in Washington recognizes the need for reform. Health care costs are rising at an unsustainable rate, and if we don't get these costs under control, we can't expect to maintain the quality of care or the access to care most Americans currently enjoy. This is the primary problem with our system, and it is the primary reason our Nation is so engaged in this debate.

One of the proposed solutions for increasing access is the expansion of Medicaid. This afternoon, some of my Republican colleagues have been discussing why we, and many others from across the political spectrum, believe this is a very bad idea. The proposal that is being considered would expand Medicaid to about 14 million new people by 2019, including nearly 250,000 in my own State of Kentucky. On its face, this seems like a potentially effective way to increase the ranks of the insured. The reality is, however, it would make current problems much worse.

First of all, Medicaid is already in serious trouble. Leaving aside its exploding costs, the program is increasingly unable to match doctors with patients because a growing number of doctors refuse to see Medicaid patients. This is a serious problem already. It would be a far worse problem if the program is expanded to include millions more without any expansion in the number of doctors willing to see Medicaid patients.

So while the need to expand coverage is real, Medicaid is exactly the wrong program to choose as a foundation for achieving that goal. Senator ENZI, the ranking member of the Health Committee, put it best when he said:

> Instead of trapping poor Americans in a substandard health care plan, we should be giving everyone more options to find the care they need. Senators get to choose between competing private plans; so should low-income Americans.

Another reason we shouldn't be looking to Medicaid as a solution to our problem is the States, which run the program, are begging us—begging us—not to. There is a simple reason why: The States simply don't have the money. The recession is hitting the States particularly hard, and expanding Medicaid would make their problems far worse. That is because, unlike the Federal Government in Washington, every State except one is either constitutionally or statutorily required to balance its budget. In other words, while lawmakers in Washington continue to ring up everything on the government credit card, States actually have to pay their bills at the end of the year. So if Washington tells them they have to expand Medicaid by $1 billion, that is $1 billion less they have for something else. For States, expanding Medicaid would almost certainly mean shrinking services or raising taxes in the middle of a recession.

It is easy to see why the bill writers would propose Medicaid as a solution. It is a lot easier for Washington to push its problems onto the States, but in the context of reforming health care, this makes no sense at all. Expanding Medicaid would worsen the quality of care for those who already have Medicaid, and new enrollees would be entering a system with even fewer doctors per capita than there already are. Additionally, States could very well be bankrupted by the additional cost imposed by Washington, and even if they weren't, there is no doubt services would be reduced.

This is why Governors of both parties are insisting Washington not use Medicaid as a vehicle for expanding health care. Here is a sample of what we have heard. Governor Rendell, Democrat of Pennsylvania, put it this way:

> We just don't have the wherewithal to absorb it without some new revenue source.

Gov. Bill Richardson, Democrat of New Mexico, said:

> We can't afford [it] and [it's] not acceptable.

Bill Bredesen, a Democrat of Tennessee, called the plan:

> The mother of all unfunded mandates.

Ted Strickland, the Democratic Governor of Ohio, summed it up like this:

The States, with our financial challenges right now, are not in a position to accept additional Medicaid responsibilities.

Senators who have worked in State government also recognize the problem. That is why so many of them from both parties are expressing serious misgivings about forcing States to expand Medicaid. Take one example. Senator NELSON of Nebraska, the former Governor, has explicitly said he would not support the new mandate. As he put it:

I will not support saddling the states with further obligations . . . you can take me out of the governor's office, but you can't take the governor out of me.

Even Senators who haven't said they oppose the idea are acknowledging the problem by working behind the scenes to have their States exempted from the mandate or to have it softened, a tacit admission of what the rest of us are saying; that expanding Medicaid is bad for States and bad if the goal is better health care.

Republicans tried to keep the idea out of the final health care bill, but those attempts were rejected. It is a shame, since there are a good many ways to increase access without expanding Medicaid—ways that would lead to better care and which wouldn't harm States financially. Increasing competition would lower costs and enable those who are currently uninsured to get good private coverage, private coverage that would provide them with far greater access to the care they need than Medicaid would and which would help lower overall costs for everyone. We should look to these ideas rather than looking to Medicaid as a solution to our problems, especially since so many people from both parties are massing against the idea of expanding Medicaid.

It is not too late to seek commonsense solutions to the problem of access. All of us acknowledge the problem. Now is the time to come up with a solution that all of us—Republicans and Democrats alike—support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

HEALTH CARE REFORM

Mr. KYL. Madam President, first of all, let me associate myself with the remarks of the Republican leader just now. I came to the floor because I wanted to reflect a little bit on what the majority leader said a few moments ago at a press conference. He announced that as a result of the efforts of a couple weeks of discussions behind closed doors—namely, in his office—he and a few other Democrats in the Senate have decided on what will be in the health care reform legislation. That is the first matter I wished to discuss, briefly.

The American people were told by the President they would be a full participant in the development of the legislation. They would know what it says. They would all be on C–SPAN. They would get to see everybody hash out all the details, and they would understand what the Senate was about to do. On the contrary, what has happened is, a small group of Senators on the Democratic side went behind closed doors in the Democratic leader's office, and they have been working now for many days to put together this piece of legislation. We still don't know exactly what it says, but the majority leader has described it very generally, and he has described one of the most contentious pieces. It will have government-run insurance, he assures us. Well, government-run insurance is a very controversial concept. Obviously, that is going to be the subject of a lot of debate. But the American people have a right to understand what this is all about, what it means.

I think the first thing I would like to do is to say that Republicans are going to stand for certain principles in the consideration of this legislation. The first thing is we are going to want to know what it says. The American people have a right to know what it says. So as we find out, little by little, as the majority leader trickles out details about what is in here—or maybe one of these days we will actually get a written copy and we can read it and understand what is in it—we will share that information with the American people.

They have a right to know what it says. They have a right to know what it costs. Obviously, one of the things that has to happen is that the Congressional Budget Office or CBO, which has this responsibility, needs to examine the legislation, do all of its cost estimates and revenue estimates, and tell us what they think it costs. The American people have a right to know because they are very concerned about passing on the costs of this legislation to the next generation—to our kids and grandkids.

That brings up the third thing: How much will this increase the deficit? Does anybody believe that a $1 trillion health care bill is not going to increase the deficit? I don't know of anybody who doesn't believe that it is going to increase the deficit. But by how much? A week ago, we had the first vote on the health care debate, and it was on a bill to borrow $247 billion in order to ensure that physicians fees would not be cut. I am all for paying physicians. We need to pay physicians. My personal view is we need to pay them more, not less. But this legislation should have been part of the health care reform debate, because it is part of the overall cost of Medicare—for example, how much we reimburse physicians to take care of Medicare patients. No, that was going to be inconvenient because it would actually result in creating a larger deficit and, therefore, adding to our national debt. So we take that piece out and try to run it through as a separate bill—and by ''we'' I mean the majority leader. And he got a rude surprise. All of the Republicans said, of course, no, we should not do it that way, and 13 of his Democratic colleagues agreed. They cared about the deficit. They said: We don't want to add to the debt and, therefore, this is the wrong way to go about it. We need to find a better way.

Another question the American people need to have answered is not only how much will it cost but how much will it add to the deficit, and then how much will it add to the debt that our children and grandchildren will have to pay? Republicans believe that any legislation should provide protection to all patients, whether they be seniors on Medicare, folks relying on Medicaid, or people in the private sector. Nobody should interfere with their physician or get between them and their physician. That is a very sacred relationship—the doctor-patient relationship—and the government should not get in between that. But that is what government-run insurance is all about.

Republicans are going to insist on protection of the American people from a delay and denial of care. Why do we raise delay and denial of care? Throughout the legislation considered by the committee so far, there have been numerous provisions that will result in the delay and denial of care and, in the long run, rationing of health care. I have talked about that on the Senate floor. We will examine the legislation that has now come out from behind the majority leader's closed doors and see what kinds of protections they have built in. If it is not much different than the bills already considered, my guess is there won't be any protections. Republicans will have to again present better ideas, our alternatives, that include protections for patients from having their care delayed and denied to the point that it is even rationed.

Another thing Americans are going to want to insist on with this new spending is they are not going to pay for it indirectly in the form of higher taxes or premiums. I think No. 5 or 6 on my list is that Republicans will want to provide protections so that the increased costs of the legislation are not passed on to the American consumer in the form of higher taxes or in the form of higher premiums.

Why am I concerned about that? Because, again, the CBO, which examined the legislation before the committees already, has said that the costs imposed on the insurance companies and others in the form of higher taxes will be passed through to their customers, to the beneficiaries, in the form of higher premiums. It is inevitable that when you have these taxes imposed among competing companies, in order for them to stay in business, they are going to have to pass some of these taxes on, and they are going to pass some of the increased fees on, and they are going to pass on the premium increases that will be required for them to satisfy the various government mandates.

Another question is, exactly what are the government mandates here? What

are people going to be required to do that they don't have to do today? Most people have insurance today. It works for them and they don't want it interfered with. Under this legislation, every single American will be required under law to buy a product, an insurance product—not just any product, but the product defined by the Federal Government. If the government has the authority to make you buy something and has the authority to tell you what has to be in it, it also has the authority to tell the people who create that what they can and cannot put in their product. Sure enough, that is what they have done with the insurance companies. They have said to them that you all have to offer the exact value—four different kinds of policies; you have to offer at least the middle two, and you may offer the other two, but you cannot offer any less or any more, and they all have to have the same value, and we will mandate what they have to cover. Since we are going to have a ''one policy includes everybody'' product, the same insurance policy will have to provide the benefits I need, the benefits you need, the benefits the occupant of the chair needs, and the benefits the American people watching this need. Some of us are old, some are young, some are male, some are female, some have illness, and some don't. You have all kinds of conditions. If we can buy our own insurance, usually we can find a policy tailored to fit our needs, and it doesn't cost as much money because it doesn't cover as many things. When you have to have one policy that covers everything for everybody for any conceivable issue, you will have a huge policy with all kinds of things covered and with the concomitant costs—namely, costs that cover all of those things—meaning a premium. That is one of the reasons premiums will be increased.

I think another thing we are going to have to find out about this legislation is, does it do what the other bills do, which is cut Medicare? This is important, because we have made a promise to America's seniors, and a lot of us have a lot of seniors in our States. I certainly do in Arizona. We have made a promise to seniors that we will provide basic care in the form of Medicare. They will have to pay a certain amount and the government will pay a certain amount, and it will provide certain benefits. Well, the seniors have said: But we think maybe our benefits are going to be cut. The President, Senator BAUCUS, and others have said: No, no, don't worry, your benefits will not be cut. The people who tell you that are trying to scare you.

Let me quote a couple of things. Last week, a USA Today-Gallup poll showed that Americans overwhelmingly oppose cutting Medicare to pay for health care reform. Sixty-one percent of Americans oppose it—almost 2 to 1 in opposition to cutting Medicare in order to pay for health care reform.

How do we know it will cut benefits and that, therefore, seniors do have a right and a reason to be concerned? Let's go again to the nonpartisan CBO. What does it say about the legislation that has been debated so far? It estimates that the cost of the most moderate bill—and there are five bills all told, and now we have a new one coming out of the leader's office we have not read yet. But of the five bills, the most moderate is the so-called Baucus bill. According to the CBO, it would cut Medicare by nearly $½ trillion—about $450 billion. What do these cuts go to?

Here are the specifics: $162.4 billion in permanent reductions for most Medicare-covered services, such as services supplied by hospitals, nursing homes, and hospice. Those are real benefits; $117.4 billion in cuts to private Medicare plans, known as Medicare Advantage. Well over 30 percent of the people on Medicare in Arizona have this Medicare Advantage-type plan. And $32.5 billion in cuts to home health care. This is something a lot of people count on, and that is a significant cut. There will be $22.3 billion in savings from a new Medicare commission that will propose automatic cuts. A lot of people laugh and say these commissions always propose cuts and Congress never ends up adopting them. That may well happen here. I know that one of two things will happen: Either we are not going to reduce expenses and we won't have enough money to pay for the new entitlement programs created by the legislation, because Congress won't follow the recommendations and adopt them, or it will and there will be real cuts in Medicare benefits. One of those things is true, and neither is a good result.

Here is what CBO said about Medicare benefits. Remember, $117.4 billion is being cut from Medicare Advantage. CBO spoke to that. It confirms in writing, and also to the members of the Finance Committee when Dr. Elmendorf appeared before us, that the value of the extra benefits offered by Medicare Advantage will drop from $135 per month to $42 per month by 2019. It gradually goes down from $135 to $42 per month. What are these benefits? They include dental care, vision care, preventive screenings, chronic care management—a whole host of things that are important for America's seniors.

What is the annual value of the reduction in benefits per enrollee? It is only $1,116. We are not cutting benefits for seniors? Only to the tune of $1,116. We are cutting benefits, and seniors have a right to be concerned.

Those who argue that Republicans should not be pointing this out to seniors—those who want to muzzle or gag us from telling seniors this will happen I suggest should consult CBO and realize that what they are asking seniors to do is beyond what they should be required to do, which is to take these kinds of cuts for a new entitlement.

Let me share some comments from some of my constituents who have actually written to me about the kinds of cuts they will suffer under this legislation. I have gotten a lot of letters. I asked my staff to compile a few so that I could share with my colleagues where they are concerned about losing drug coverage, preventive care, and a decline in the overall quality of their care. This is what they talk about. They realize you cannot cut nearly $½ trillion dollars and not cut care. That is what it is all about.

One patient wrote that the Medicare Advantage plan helps him afford the seven medications he takes every day. He said:

> I have been on Medicare now for four years and . . . my Medicare Advantage plan is the best deal around for seniors. The benefits for my prescriptions are a lifesaver. I could not afford my prescriptions without my Medicare Advantage plan. Having numerous medical problems and taking over 7 prescriptions per day—that can add up.

Another senior wrote this, again, talking about the savings and preventive care that would be lost under the plans for Medicare Advantage:

> Please do not cut Medicare Advantage. It provides me with so many savings on doctor visits and prescriptions, including preventive care and the Silver Sneakers fitness program.

Let me digress for a moment. We hear a lot of talk about trying to get people healthier, to take care of their own bodies, as it were, and to provide incentives for people to eat better, have a better diet, to lose weight, not to smoke, and to go to the gym and work out a little bit. When we have a program that incents seniors to do these kinds of things, we should be happy to support that program and cut it only after great consideration, if at all. I suggest that we don't cut it. This constituent talks about that kind of preventive care. He says:

> I will be 77 in a few weeks. I have not had any major surgery or hospitalization (thank God) and go to the fitness center three or four times weekly—something I could not do if Medicare Advantage is cut. I urge you not to cut this very important aid to senior citizens.

Another Medicare Advantage patient wrote to explain how the extra benefits she gets help her. She said:

> I have never written to anybody in Congress because I didn't feel it necessary. Now I do because of the threat to cut my Medicare Advantage Plan.
>
> When I turned 65 three years ago, I opted for a Medicare Advantage plan. I have been well taken care of and truly like my Health Net Ruby 3 plan and want to continue on it. For a small amount of $38 extra a month, I not only get dental coverage, but also vision and benefits for a fitness program. These extra benefits have been a great savings for me, and I do not want to have them taken away. Please do not vote for a cut to my Medicare Advantage plan. I want to keep my benefits.

One more letter. This one, I thought, was especially touching. It is from a gentleman whose wife has pulmonary fibrosis and relies on Medicare Advantage for her treatments. They worry that the quality of her treatments will

decline if Medicare Advantage is cut, as proposed by this legislation.

Here is what he said:

If we lose Medicare Advantage, we are in trouble. United Healthcare Secure Horizons has provided us with great doctors that understand the disease. . . . It would be disastrous if she got a lung infection and had to go on a bureaucratic waiting list rather than being able to call our primary doctor as we do now. Please do not let them cut this great program.

The reason I quoted that letter is because another one of the things that is touted as a way to bend the cost curve and provide better care in the process is to coordinate the care from the primary physician right on through to any specialists and, Heaven forbid, if an individual has to go into a hospital, have surgery, or even have posthospital care in some kind of a facility. One can see how that kind of continued or coordinated care could be a real advantage to people and also end up saving money in the long term for the individual, for the insurance company that may take care of them, or the U.S. Government if we are paying for it as we do under Medicare Advantage, for example.

So here is a woman who talks about the fact that this kind of plan has been made available to her and why would we want to take it away. It has always been puzzling to me that because Medicare Advantage is actually administered by insurance companies, there seems to be something evil about it that a lot of our friends on the other side of the aisle would like to get rid of. They talk about having a government choice or a government option in their health care bill, but when it comes to options or choices for Medicare patients, they are not for that. They just want government only. They don't want the Medicare Advantage plan because it is actually administered by insurance companies.

What these companies do is provide a health maintenance organization-type of coverage where we have the continuum of care from the primary physician all the way through to whatever care may be required. This individual is talking about his wife being benefited by that kind of care. Why would we want to do away with that simply to save money so we can create a new entitlement? At the very time Americans are asking for better care, to ensure their care is not taken away from them, that is precisely what is being proposed by the other side.

Maybe I will be very surprised. Maybe we will finally have a chance to read the Reid bill or however the distinguished majority leader wishes to characterize it, and we will find they decided not to cut Medicare after all. If there are no Medicare cuts in the legislation, then I will be the first to come to the floor and say: Thank you. Thank you for not cutting seniors' Medicare. But if, in fact, as with the other bills that have been considered, this legislation ends up cutting Medicare anywhere from $450 billion to $500 billion, then I think the concerns that have been expressed to me by my constituents need to be taken into account, and Republicans will insist on protection for our constituents. People should not have to go through the difficulties that are projected by these real people if this legislation ends up cutting their benefits.

We just talked about a few of the things. We have additional things we are going to talk about later on this week, about the tax increases and how the tax increases are going to be passed on to all Americans, even though they may, first of all, be levied against a device manufacturer.

For example, if you have heart surgery and there is a stint that is used in your treatment, that is a very sophisticated device. There is going to be a tax on that device. You are going to get taxed on that device. It may be placed on the device itself. It will be in your bill. When you look at your hospital bill, I guarantee you they are going to be passing it on to you.

There are other taxes. By the way, if you don't buy the insurance they require you to have, you are going to get a tax on that, too, administered by the friendly IRS, which raises a whole host of other problems. To have the Internal Revenue Service endorse a provision of this law is going to require a lot more folks down at the IRS to have the authority to look into your records and talk to your doctor and figure out whether you have bought insurance. If so, is it the right kind of insurance? Is it the kind of insurance the government says you have to have? If so, they will be happy to slap a tax on you, and you will have to pay for it. That is another tax you will be required to pay. There are others. As I said, we will talk about that later this week.

Then there are the premium increases. There was a real dispute about this issue. Folks said: We are not going to increase premiums after all. The whole exercise is to reduce the cost of health care, to cut premiums.

We said: That is a wonderful goal. We said: Let's see if you can come up with a goal that actually reduces health care premiums for people.

After all this time, it turns out they cannot do it. The Congressional Budget Office—again, the nonpartisan group of accountants we in the Congress have hired to analyze the cost of all these things and the effect of them—concluded that under this legislation that has been considered in the committees, the cost of the legislation, the cost of insurance is going to go up for the average family, not go down, compared to what it is costing them today.

There have been numerous studies on this issue. One of the studies broke it down by States and by region. They said the overall national increase, by the way, would be about $3,300 per year increase cost in premium. Think about that. We are sporting a bill, the idea of which is to make health care less costly, but our insurance premiums are going to go up $3,300 and our taxes are going to go up. Do you know the reason? You cannot spend $1 trillion and add a whole lot more people to the rolls and not have it cost more money, and it will cost more money. Should it?

I think we can achieve these objectives, as I have said many times from this podium, with targeted solutions to the specific problems that exist without increasing taxes or premiums. We have demonstrated how we can do that. The study I spoke of, though, said in certain States, such as the State of Arizona from which I come, the cost is going to be far greater than $3,300. In fact, it is going to be, I believe it was some $7,400 per family per year increase. That is astounding. That is as much money as some people pay for their insurance to begin with.

This study demonstrated that the increases could be as much as 95 percent. I guess that makes sense. If it costs $8,000 for a policy today, and it is going to be increased by $7,400, that is almost a 100-percent increase. It is incredible we would think about doing that on the American people. Yet that is the result of this absolutely nonpartisan study that was done by an entity that looked into all the different factors. They didn't cherry-pick the information. I know there was another group that was criticized because the insurance industry had hired them. That is not the study of which I speak. I am talking about the Oliver Wyman study.

There are so many things about this legislation we are going to need to know and that the American people are going to need to know. We are going to have to have plenty of opportunity to both read the bill and know how much it costs. Then we need to know how much it puts us in debt.

If the answer is it is not going to put us in any more debt or create a big deficit, we will just keep raising taxes until we have enough money to take care of it, that is not the answer either. It is not the way to get out of a recession, it is not the way to help hardworking families, and it is not the way to treat people we are trying to help by reducing their health care costs.

I hope as the next several days unfold, we will be able to read this product, this bill that was written in the majority leader's office. Maybe we will be surprised that it does not raise taxes, that it does not raise premiums, that it does not reduce care or ration care, that it does not cut Medicare. But I am not going to hold my breath. My guess is it will do all of those things, and when the American people confirm that is the result of this so-called health care reform, I am not going to blame them for saying: Absolutely not. We want no part of reform if that is what you are talking about.

I am reminded of a line. I haven't tracked down where it is, so I will not attribute it. I thought it came from Charles Dickens' ''A Tale of Two Cities.''

There was a character, Madame Defarge, who may have said this.

Again, the question of the French Revolution was on their minds. This person said: ''Reform? Sir, don't talk of reform. Things are bad enough already.''

That is apropos to this health care debate. We have costs going up right now. We don't need them to go up any more.

As another wag put it: You think health care is expensive now, wait until it is free. We all know there is no such thing as a free lunch. The money has to come from somewhere. As it turns out, in these bills, it is going to come from seniors, people who have private insurance and subsidize those on government insurance, and it is going to come from all taxpayers, including those who make less than $200,000 a year, who the President said would not be taxed. A large percentage of the money, I think 87 percent in one case, will come from people making less than $100,000 per year. Some of the tax provisions specifically impact primarily people who make less than $50,000 a year. Health care reform should be about making it better for the American people, not making it worse.

It is going to be very interesting when we finally have an opportunity to review the legislation that was created behind closed doors to see whether it is going to pass these tests. We want to read it. We want to know how much it costs. We want to know that it is not going to add to the deficit or the debt. We are going to want to know that it will not result in the delay and denial of our care. In effect, we are going to want to know that the protections that are important for our constituents are in place.

I think there are some better ways to do this. Again, we will talk about those another day. We have already talked about them.

In the event you are saying, what kind of ideas are the Republicans talking about, I will mention one and stand down here.

We have been talking a lot about health care premiums and health care costs because doctors have to practice defensive medicine because if they are not careful, if they do not order a lot of tests, send their patients to a lot of different specialists, they are liable to get sued for malpractice. With this jackpot justice system we have, it costs a lot of money. The defensive medicine some have said can amount to $100 billion or well over $100 billion a year. There are two studies that put it over $200 billion a year. Another study said just the cost of malpractice insurance premiums for doctors represents 10 cents on every health care dollar spent.

If we could reform medical malpractice laws, we could not only make the delivery of health care less expensive, we could make it less difficult for physicians to do what they consider to be the right thing without fear of getting sued, and we could dramatically reduce the cost of health care premiums. This is a way to solve three problems that need to be solved, not cost a dime and, in fact, generate a huge amount of savings.

Why wouldn't we want to do this? As former Governor Dean of Vermont, former chairman of the Democratic National Committee, said on August 17 of this year at a townhall meeting in Virginia: The reason we haven't tackled medical liability reform is that we don't want to take on the trial lawyers.

I understand that. He is right. The Democratic majority did not want to take on the trial lawyers. But that is exactly what is wrong with Washington today.

We know what the problems are, we know what a lot of the fixes are, but we wouldn't want to take on the special interests such as the trial lawyers because that would not be good for us politically.

Republicans are saying: Yes, we do. It is time to take on those special interests. It is time to focus solutions on specific problems rather than trying to reform the entire health care system, including with a big government-run insurance company, in order to solve a problem that can be solved in a less intrusive way, less government intervention, less government expenditure, more private freedom, more money left in our pockets, and a greater assurance at the end of the day that we are going to continue to receive high-quality health care and not have it denied to us because of someone sitting in Washington, DC.

I urge my colleagues, as the days go forward, not only to review this legislation for themselves but to share those results with our constituents. They are the people for whom we work. They are the people we represent. They need to know what is in it. They need to know how much it will cost. They need to know it will not add to the deficit. They need to know it will not affect their health care. They need to know they will be protected and their benefits will not be cut, and they will be protected. It is up to us to provide that protection for them.

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. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HATE CRIMES

Mr. SPECTER. Madam President, I have sought recognition, briefly, to talk about the legislation on hate crimes, which was passed last Thursday as part of the Defense authorization bill, and to note the very different attitude which is present today than was present in 1997, when Senator Kennedy first took the lead in introducing hate crimes legislation, which I cosponsored with him at that time as well as Senators John Chaffee, James Jeffords and Alfonse D'Amato, the only Republicans who appeared on the bill at that time.

There was some substantial opposition, very little appreciation of the effort to expand hate crimes to include sexual orientation and also disability. Even the Washington Post had an editorial on November 17 raising questions about the wisdom of the legislation which we had introduced.

One of the concerns raised by the Post was that:

> A victim of a biased-motivated stabbing is no more dead than someone stabbed during a mugging.

It seems to me, that missed the point. But even the Washington Post, at that time, challenged the rationale for expanding hate crimes. The Post also raised a comment about the disturbing aspect of the legislation is the lower threshold for Federal involvement, in any case.

Having had some experience as a district attorney, and knowing the practices of district attorneys having jurisdiction over a county—for example, my job was both the city and county of Philadelphia—that DAs do not have, in some areas, a very broad perspective.

Where the climate for a district attorney, an elected position, is not conducive to pursuing someone who has undertaken something which has a racial bias, a racial motivation or a motivation for a difference in sexual orientation, the cases are not brought.

That is precisely the kind of an area which warrants hate crimes legislation on the Federal level. But it has been a long battle, and the issue went through quite a few conferences. Thanks to the leadership of our distinguished majority leader, Senator HARRY REID, we have persisted. Senator REID has kept this issue front and center in the Senate, and Senator LEAHY, as chairman of the Judiciary Committee, and I in the past, in 2005–2006 in the 109th Congress, were pushing ahead on hate crimes legislation.

Senator LEVIN, as chairman of the Armed Services Committee, is to be commended for fighting it through and finally getting it through the conference. So it is quite a landmark move that the Congress has finally acted on it as we did last Thursday. There is a recognition that the Post was off base when it said:

> A victim of bias-motivated stabbing is no more dead than someone stabbed during a mugging.

That suggests a misunderstanding of hate crimes, as Senator Kennedy and I wrote in an op-ed that:

> Random street crimes don't provoke riots; hate crimes can and sometimes do.

A hate crime is broader than simply an attack against a victim, against the African American who was dragged through the streets in a small town in Texas which gave rise to the impetus for hate crimes legislation or the brutal attack on Matthew Shepherd in

Wyoming. So this legislation is highly significant.

I ask unanimous consent that the text of the Washington Post editorial of November 17, 1997, and the reply op-ed piece by Senator Kennedy and myself, dated December 1, 1997, be printed in the RECORD.

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

THE ''HATE CRIME'' PROBLEM

[From the Washington Post, Nov. 17, 1997]

Bill Clinton, at a White House conference last week, declared his support for a proposal by Sens. Edward Kennedy and Arlen Specter to broaden federal jurisdiction over that category of violence dubbed ''hate crime.'' Federal law already permits judges to lengthen the sentences of defendants convicted of such crimes, defined as those in which a victim is targeted because of a particular identity. The Hate Crimes Prevention Act would go a step further than merely toughening sentences; it would significantly widen the Justice Department's latitude to prosecute local violent crimes that were motivated by bigotry. The bill is a can of worms.

The proposal is crafted as an amendment to a civil rights statute that makes it a crime to interfere violently with anyone's exercise of certain federally protected activities because of that person's race, religion or ethnicity. This law sometimes has enabled the federal government to prosecute violent civil rights abuses when state authorities were unable or unwilling to do so. The new proposal would add a section explicitly including sexual preference, gender and disability status within the law and allowing the government to prosecute bias-motivated attacks even when the victims are not engaged in a federally protected activity. It would open the door, proponents concede, for certain rapes and domestic violence cases to be prosecuted federally as hate crimes.

Folding sexual preference into the protection of the existing statute is clearly a good idea. The civil rights of gays and lesbians, after all, are sometimes targeted violently, and the federal government's anachronistic lack of authority to punish perpetrators of these assaults should be corrected. The disturbing aspect of the legislation is the lower threshold for federal involvement in any case. The government has an abiding interest in preventing attacks on the civil rights of its citizens. On the other hand, rape, murder and assault—no matter what prejudice motivates the perpetrator—are presumptively local matters in which the federal government should intervene only when it has a pressing interest. The fact that hatred lurks behind a violent incident is not, in our view, an adequate federal interest. The other conditions for federal involvement outlined in the proposal could prove too malleable to the Justice Department's desire to involve itself in a given case. We don't suggest that the proposal would lead to widespread federal involvement in routine criminal matters, but it is too permissive—and for the wrong reason.

The president's White House Conference on Hate Crimes, as it turned out, was less a discussion of these offenses than a kind of pep rally against the dreaded emotion itself.

That's fine as a bully-pulpit exercise, but the federal focus on what are called hate crimes must not wander too far from criminality. While the government has a simple obligation to protect us from crime, its relationship with hatred is necessarily more complicated. Government officials can denounce hatred and pass anti-discrimination laws, but when push comes to shove, most expressions of ugly intolerance are protected by the First Amendment. Proponents of the new measure argue that a swastika painted on a synagogue has a deeper impact on a community than does a routine act of vandalism, and that's true as far as it goes. But the victim of a bias-motivated stabbing is no more dead than someone stabbed during a mugging. Ultimately, we prosecute crimes, not feelings. Guiding how people feel about one another is only marginally a law enforcement concern.

[From the Washington Post, Dec. 1, 1997]

WHEN COMBATING HATE SHOULD BE A FEDERAL FIGHT

(By Edward M. Kennedy and Arlen Specter)

The Post's Nov. 17 editorial criticizing the measure we have introduced on hate crimes reflects a misunderstanding of our proposal to close the gaps in federal law and a failure to recognize the profound impact of hate crimes.

Hate crimes are uniquely destructive and divisive because they injure not only the mediate victim, but the community and sometimes the nation. The Post's contention that a victim of a bias-motivated stabbing is no more dead than someone stabbed during a mugging suggests a distressing misunderstanding of hate crimes. Random street crimes don't provoke riots; hate crimes can and sometimes do.

The federal government has a role in dealing with these offenses. Although states and local governments have the principal responsibility for prosecuting hate crimes, there are exceptional circumstances in which it is appropriate for the federal government to prosecute such cases.

Hate crimes often are committed by individuals with ties to groups that operate across state lines. The Confederate Hammerskins are a skinhead group that began terrorizing minorities and Jews in Tennessee, Texas and Oklahoma a decade ago.

Federal law enforcement authorities are well situated to investigate and prosecute criminal activities by such groups, and the federal government has taken the lead in successfully prosecuting these skinheads.

Hate crimes disproportionately involve multiple offenders and multiple incidents and in such cases, overriding procedural considerations—including gaps in state laws—may justify federal prosecution.

In Lubbock, Tex., three white supremacists attempted to start a local race war in 1994 by shooting three African American victims, one fatally, in three separate incidents in 20 minutes. Under Texas law, each defendant would have been entitled to a separate trial in a state court, and each defendant also might have been entitled to a separate trial for each shooting. The result could have been at least three, and perhaps as many as nine trials, in the state courts, and the defendants, if convicted, would have been eligible for parole in 20 years. They faced a mandatory life sentence in federal court.

Federal and local prosecutors, working together, decided to deal with these crimes under federal laws. The defendants were tried together in federal court, convicted and are serving mandatory life sentences. The victims and their families were not forced to relive their nightmare in multiple trials.

Federal involvement in the prosecutions of hate crimes dates back to the Reconstruction Era following the Civil War. These laws were updated a generation ago in 1968, but they are no longer adequate to meet the current challenge. As a result, the federal government is waging the battle against hate crimes with one hand tied behind its back.

Current federal law covers crimes motivated by racial, religious or ethnic prejudice. Our proposal adds violence motivated by prejudice against the sexual orientation, gender or disability of the victim. Our proposal also makes it easier for federal authorities to prosecute racial violence, in the same way that the Church Arson Prevention Act of 1996 helped federal prosecutors deal with the rash of racially motivated church arsons.

The suggestion in the editorial that our bill tramples First Amendment rights is ludicrous. Our proposal applies only to violent acts, not hostile words or threats. Nobody can seriously suggest that the neo-Nazis who murdered Fred Mangione in a Houston nightclub last year because they ''wanted to get a fag'' were engaged in a constitutionally protected freedom of speech.

In addition, hate-crimes prosecution under our bill must be approved by the attorney general or another high-ranking Justice Department official, not just by local federal prosecutors. This ensures federal restraint and that states will continue to take the lead in prosecuting hate crimes.

From 1990 through 1996, there were 37 federal hate crimes prosecutions nationwide under the law we are amending—fewer than six a year out of more than 10,000 hate crimes nationwide. Our bill should result in a modest increase in the number of federal prosecutions of hate crimes.

When Congress passed the Hate Crimes Statistics Act in 1990, we recognized the need to document the scope of hate crimes. We now know enough about the problem, and it is time to take the next step.

As the Lubbock prosecution shows, combating hate crimes is not exclusively a state or local challenge or a federal challenge. It is a challenge best addressed by federal, state and local authorities working together. Our proposal gives all prosecutors another tool in their anti-crime arsenal. The issue is tolerance, and the only losers under our proposal will be the bigots who seek to divide the country through violence.

Mr. SPECTER. An additional comment or two. We have seen times change with respect to don't ask, don't tell. When this was put into operation, it seemed to me at the time—and I have said repeatedly in the intervening decade-plus that don't ask, don't tell has been in effect—that it has outlived its usefulness, its utility. I do not know that it ever had utility, but, if so, it certainly ought to be changed now.

There are men and women, regardless of sexual orientation, who serve with bravery and distinction in the military. Don't ask, don't tell ought to be repealed. There are limits as to what the President may be able to do through an executive order. So where congressional action is warranted, let it be enacted.

On a somewhat similar tone, times have changed with the Defense of Marriage Act since it was enacted back in 1996. Now we have seen the States of Connecticut, Iowa, and Massachusetts have legalized same-sex marriage. It is an issue where attitudes have changed very considerably. I think, just as we were finally able to get hate crimes legislation through, just as it is time to move ahead and move beyond don't ask don't tell, it is time to repeal the Defense of Marriage Act.

In the absence of any other Senator right now seeking recognition, 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. HARKIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

SMALL BUSINESS INSURANCE PREMIUM INCREASES

Mr. HARKIN. Madam President, yesterday I got a call from my friend and my colleague from Pennsylvania, Senator SPECTER. He said: Have you read the New York Times yet?

I said: Well, no, as a matter of fact I have not.

He said: Well, there was a front page story in the New York Times on Sunday about what was happening with small businesses, in terms of their insurance rates going up unduly, huge increases.

I said: Well, no, I have not read about it. I will get the paper and read it.

It struck a chord with me because somehow, over the last several weeks, I have gotten an influx of inquiries to me personally and also into my office from small businesses in Iowa, some elsewhere but mostly from my State, wondering what was happening to the huge increases in their premiums this year.

They have always been used to increases in premiums, but these seemed unduly large. Plus, a lot of copays and deductibles were going up. So I went out and got the newspaper and read the story in the New York Times that Senator SPECTER pointed out to me. It was alarming.

As I said, I thought about all the inquires that had come into any office. I said: Something is going on out there. Something is going on out there. So we have this health care bill now, reform, that will be going down to CBO, I guess today, for scoring.

I wish to commend Senator REID for his leadership. I was actually in Pittsburgh today giving a lecture on disability policy at the University of Pittsburgh law school, with former Attorney General Dick Thornburgh, who had endowed the law school with an endowment. They have a very strong legal scholarship program dealing with disability law at the University of Pittsburgh law school.

So I rushed back from there so I could be on the floor with Senator SPECTER to talk about this a little bit because there is something very funny going on.

When I was in the airport, I saw Senator REID had said he was sending the bill down to CBO for scoring. I commend Senator REID for his leadership and for putting in a strong public option. I am told it is basically the public option the Senator from North Carolina worked so hard on in the committee to develop. I guess he married that up with the provisions from the Finance Committee bill that would allow States to opt out by 2014. I commend Senator REID for putting that strong public option in the bill. The vast majority of the American people want that. They see it as necessary for trying to keep some control on cost and leaving more choice and more competition for policyholders.

As a matter of fact, this would be a great help to small businesses, because small businesses could go on the exchange, and they would have that public option also available to them. I have said many times: The two biggest winners I can see in the health reform bill are small businesses and the self-employed. Small businesses are at the end of the line. They have been whipsawed all over the place. They have no bargaining power. The same with the self-employed. This bill will turn the tables by providing the exchanges and providing more help for small businesses. They will be much better able to negotiate and to pick and choose among different policies rather than what they have now.

Now in many cases they get one or two, and that is about it in a lot of States, one or two different insurance companies. In the New York Times article, some suggest the insurance companies are raising their rates to generate as much revenue as possible before health reform obliges them to change the way they do business.

Isn't that interesting. They are anticipating health reform passing so they want to jack up their premiums as much as possible before that happens. Others assert the industry is responding to Wall Street's demands for ever higher profits in the health insurance industry, that Wall Street is putting pressure on them to increase profit margins.

Again, I always have to ask: Why are we doing health reform? Are we doing health reform to help the health insurance industry or are we doing health reform to help the American people? That had to be our first response, that we are here to help the American people, not to help the health insurance industry.

I have had many small businesses tell me how tough it has been. I have a small newspaper in Iowa with 12 employees. The owner Art Cullen recently turned 50. Their insurance premiums for his small business jumped by 58 percent in 1 year and more than 100 percent in 2 years. They have a $5,000 deductible.

I asked Art: Why don't you get another company? He said: I can't. I only have one in this area that will offer insurance. So that is why we need the exchanges, why we need health reform, so that Art Cullen and his small business can join with other small businesses on these exchanges to get a better deal.

Mike Landeaur owns a muffler shop. He has 10 employees. He offers insurance to them, but his premiums have jumped 66 percent in the last 3 years. His deductibles have gone from $4,000 to $16,000. Mike is expensive. He was born with a congenital heart disease, so he dropped himself from his company's policy. He is the owner, taking himself out of the pool. But he can't get any kind of individual insurance because of his preexisting condition. Now he is worried he will have to sell the small business, all because of excessive health insurance costs.

This is unconscionable. As we speak, the majority leader is sending his bill down to CBO. And make no mistake, the bill we are bringing to the floor will offer real solutions for small businesses. It will enable them to purchase insurance through an exchange so they can choose among multiple plans at lower costs than are now available in the small group market. Small businesses and the self-employed can go on the exchanges and, if they want, they also are eligible for the public option.

It will sharply reduce administrative overhead that drives up the cost of insurance through such practices and medical underwriting and preexisting condition exclusion clauses. We provide a new small business tax credit to make insurance more affordable for the most vulnerable small businesses. We make new investments in wellness and disease prevention for all businesses, including small businesses.

In addition, we will put a stop to the outrageous and unacceptable insurance industry practices that harm the ability of small employers to cover their workers. We will require that insurance companies document how much of each premium dollar is going for medical expenses. We will require that insurance companies document how much of each premium dollar goes for medical expenses, and we are going to require rebates for excessive overhead charges. We will end the broken status quo where insurance executives make tens of millions of dollars in salaries and bonuses while their small business customers go out of business because they can't afford health insurance. We will end the exceptional and unwarranted antitrust exemptions the industry has enjoyed without public benefit for far too long. We will end the ability of insurers to jack up premiums by as much as 160 percent, which is what they did for one small business, because they thought the group was ''getting too old.'' Therefore, they jacked up their premiums by 160 percent.

I thank Senator SPECTER for having a keen eye and for giving me a heads up on this yesterday. There is something happening out there right now all over this country. Small businesses are being inundated with higher costs and huge increases in their insurance premiums. To America's small business community, we have a simple message: Help is on the way. We will get this health reform bill done, and we are going to help small businesses and the self-employed.

I hope they can hang on long enough so we can get this bill through, hopefully before the end of the year, so that

next year when their policies are up for renewal, we won't see these kinds of huge increases and gouging of small businesses.

We need reform. We always think about it in terms of individuals and how this affects individuals. But we also think about how it affects the majority of workers who work for small businesses who don't have the kind of large group power that maybe big businesses and bigger industries have. That is why this health reform bill is so important for everyone, but none more so than the small businesses and the self-employed.

I am hopeful, along with Senator SPECTER, that we can bring some more of this to light. I encourage anyone who has any evidence, stories, anything we can document of what the increases are to small businesses, please get them in to us. I have heard about enough of these to know it is not just a few here and there. It must be more widespread. We need those. Hopefully, we can shed more light on this as we move forward to bring the bill to the floor.

I thank my colleague for his leadership and for bringing this out. I look forward to working with him to try to help small businesses in Pennsylvania, Iowa, and everywhere else.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Before commenting further on the article in the New York Times, some of the things the distinguished chairman of the HELP Committee has said, it would be my hope that we would proceed, as Senator HARKIN related. I got hold of him yesterday morning after noting the Sunday Times, and then we proceeded to talk about a hearing which I hope we can do promptly. One of the witnesses whom I would like to see called, subject to the approval of the chairman, is Walter Rowen of the Susquehanna Glass Company in Columbia, PA who sought to renew his company's coverage for 2,000 employees and found out that the premiums had gone up by 160 percent. I talked to Mr. Rowen this afternoon and got more of the details of his situation.

As Senator HARKIN has commented, this is typical of a great many. Right in the middle of where we are now on this debate on the public option, I believe the case for the public option, a robust public option, would be strengthened materially to document what the New York Times has said. Right now it is a newspaper article. It is a little different when there is a Senate hearing on the subject and you bring in people such as Walter Rowen who have demand for a 160-percent increase, and you question the insurance companies on what they are doing. If the New York Times is accurate, that small businesses will be asked to pay about a 15-percent increase for the next year—and this is substantially higher, and in a moment or two I will go through some of the specific quotations—and that they are responding to Wall Street because Wall Street is demanding more profits from their investors—that is specified in the article, and I will take it up in detail—and the comment is that the insurance companies are more frightened about Wall Street than they are about Congress. I suppose that was surprising to me that in the context of the times, the way Congress is moving ahead on comprehensive health care reform, insurance reform, that they at this point should be more concerned about Wall Street than Congress. I think Wall Street ought to be more concerned about Congress than insurance companies. I think Congress is finally going to act on quite a number of the abuses in so many lives. But if we are seeing here action by Wall Street pressuring the insurance companies to raise their profits before Congress acts, then we ought to find out. If there is any justification for insurance companies to raise their premiums, let's have them tell us. Let's bring in the insurance companies.

There are a lot of these famous pictures of a half a dozen corporate executives standing in front of a congressional hearing room, raising their right hands and swearing to tell the truth. And then we have some questions for them. I have questions for them. Why the increase? Is there an increase because health care costs have gone up?

One of the experts quoted in the New York Times article says 23 percent. Mr. Rowen faces 160 percent. Is there any justification except profiteering and acting ahead of congressional action?

I hope Senator HARKIN will have the hearing promptly. It will bolster the case for the public option. It will bolster the case to have alternatives to the private sector. What is often misunderstood is that the public option does not eliminate the private sector. The public option is what it says. It is an option, another course, another thing one can choose. It is precisely this kind of response to Wall Street—and I will not prejudge it until we hear the witnesses and have them sworn in and take their testimony—if it is true, that reemphasizes the need to have some competition, to have competition which will not knuckle to Wall Street. A public option will not knuckle to Wall Street. We have talked informally. It is not easy to get a hearing organized fast, but Senator HARKIN and I, as is well known, passed the gavel on the chairmanship of the Subcommittee on Labor, Health and Human Services, and Education. We can proceed. I submit that now is the time to do so.

Mr. HARKIN. Madam President, I thank the Senator again for bringing this to light and urging us. I think we do need information. We do need to bring them in and check on what is happening with small business. We need to bring in some small businesses, some representatives of small businesses. I think we need to bring in some of those insurance people, find out what is going on here. How come premiums are going up so much this year? I think we were in a recession, were we not?

Mr. SPECTER. Madam President, I have seen Senator HARKIN cross-examine, and it is a sight to see.

Mr. HARKIN. Madam President, I am not in the former prosecutor's league in that regard, I can say that. But we are working on that. As the Senator knows, sometimes it is tough to get these hearings put together. But hopefully we will have something we can pull together by next week.

Mr. SPECTER. Madam President, I thank the chairman for that statement. Next week would be about right because it would come right as we are considering this legislation. I think it would shed a lot of light on the legislation and be a big boost for the public option.

I thank my colleague.

Mr. HARKIN. I thank my friend from Pennsylvania.

Mr. SPECTER. Madam President, I refer to some of the specifics in the New York Times article. Again, I cite this as a newspaper article. It is hearsay in an article, but we will have the hearings to find out the facts. But this is what some of the details in the article say: that small businesses ''are seeing premiums go up an average of about 15 percent for the coming year—double the rate of last year's increase''; big employers ''have more negotiating clout.'' ''[S]ome experts say they think the insurance industry'' is ''under pressure from Wall Street'' to raise its ''premiums to get ahead of any legislative changes that might reduce their profits.''

Well, if that is so, we ought to find out about it. And if they have a justification for the price increases, let them tell us what it is. Let them produce their books and records if they have a justifiable basis for their increase.

The New York Times article goes on to point out that ''Edward Kaplan, a consultant with the Segal Company, said his clients were seeing renewals for coverage at prices 15 to 23 percent higher this year,'' where ''they typically faced increases'' in the past ''of 7 to 12 percent.''

Joshua Miley, a consultant with HighRoads, which analyzes benefit information for employers, said the ''undercurrent of health reform is driving part of the renewal increases.''

The article goes on to point out:

There is no question that insurers are under pressure from Wall Street . . . they have heard from angry investors disappointed by the companies' earnings.

The article further states:

While the industry is particularly vulnerable now in Washington, she said—

''She,'' meaning Sheryl Skolnick, an analyst for Pali Capital, referring to the insurance companies—

''it seems like they're more afraid of Wall Street.''

The article goes on to point out that:

In August, when Walter Rowen, who owns Susquehanna Glass [Company] in Columbia, Pa., sought to renew his company's coverage for two dozen employees, he said his insurer demanded a 160 percent rate increase.

I called Mr. Rowen today and found out that he has had a family business since 1910, and they have had health insurance for about 20 years, and they cover 50 percent of the premiums for their employees. As prices have risen, they have sought deductibles to lower the rate, and then they paid the deductibles for their employees. It is cheaper to have deductibles, have the company pay them, than to pay the increase in costs. That is another factor which we ought to analyze. That ought not to be so.

His policy expired in October—this month—and he corroborated the New York Times story that he was told there would be 160 percent more. He has found other insurance, but he is paying $22,000 annually. He hires invariably in the 28 to 32 category for small business, and between 20 and 24 of them are covered. Now he has been forced to go to the point where the employees are going to have to pay the deductible. If they do not have an illness, then there is no problem. If they do, then the deductible is obviously very, very expensive.

I join my colleague, the senior Senator from Iowa, in congratulating the—now he is the junior Senator from Iowa, pardon me, but close—he has been here since the election of 1984, a long time. I join Senator HARKIN in congratulating the majority leader for moving ahead with a public option in the legislation which he has melded together. I again thank Senator HARKIN for his initiative and willingness to move ahead and have a hearing.

Madam President, I have an excellent floor statement which I will not take the time to read, prepared by my expert in the field, John Myers, which I ask unanimous consent that the full text of the statement be printed in the CONGRESSIONAL RECORD, and I ask that the full explanation which I am giving now be included. Sometimes the written statement just follows the oral extemporaneous statement and people reading the CONGRESSIONAL RECORD wonder why the Senator has repeated himself. Well, let it be understood what I have said is an extemporaneous statement, and this is the text prepared by my able staff assistant, and would ask that these comments be the preface to be included in the RECORD in full.

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

Mr. SPECTER. Mr. President, yesterday the New York Times ran a front page article describing the difficulties faced by small businesses in the face of rising health costs [Small Business Faces Sharp Rise in Costs of Health Care; October 25, 2009]. Small business is the backbone of our economy and in today's economy we must ensure that small business has every opportunity to succeed.

The article highlights the plight of Walter Rowen, a constituent of mine. Mr. Rowen is the owner of Susquehanna Glass in Columbia, Pennsylvania. In August, when he sought to renew his company's coverage for his two dozen employees, his insurer demanded a 160 percent rate increase. He was told his work force was ''getting too old and very expensive''. He also found that any other health plan was likely to charge 30 to 50 percent more than he paid last year. Left with few options, Walter chose a less generous plan from a different carrier for 44 percent more.

Unfortunately, Mr. Rowen's story is not unique. Steep rises in insurance premiums are affecting small businesses across the nation. Small businesses are seeing renewal prices 15–23 percent higher compared to last year, according to Edward Kaplan, a benefits consultant with the Segal Company. As increases from 2008 to 2009 were considerably lower at 7–12 percent, it is hard to believe that a doubling of the rate of renewal costs in 1 year could be linked to medical costs alone. In the article Joshua Miley, a consultant who analyzes benefit information for employers, states that the undercurrent of health reform is driving part of the renewal increases. The idea that health insurance companies would increase rates to beneficiaries based on pending health care reform is disturbing. Michael A. Turpin, a former senior executive for United Health, and now a top official at USI holdings, an insurance brokerage firm, echoes Mr. Wiley's hypothesis: insurance companies are ''under so much pressure to post earnings, they're going to make hay while the sun is shining.''

Clearly the primary concern of health insurers is not whether their customers receive the best possible health care for their money; it is how much money can be generated for the insurers' investors. This objectionable action illustrates why there is a need for a public option as part of health care reform. Currently, there is a lack of competition in the health insurance market. Instead of individuals or businesses having the freedom to shop for coverage that works for them, they have to take what insurance companies offer. This translates to higher prices, preexisting condition exclusions and denials when insurance is most needed. A public option can help by introducing competition across the country. This plan could constrain costs and make the insurers think twice about passing down double-digit rate increases to customers.

The American people deserve a choice in health insurance to keep the private insurers honest. Without competition from a public plan, health insurance costs have skyrocketed. As health reform moves forward, I encourage Majority Leader REID to include a public option to bring affordability and competition back to the market.

A recent survey conducted by Intuit Inc. revealed that 44 percent of small business owners intended to hire new employees in the next year, an encouraging indicator in our economic recovery. This survey also noted that nearly 90 percent of those small business owners surveyed said that health insurance benefits are integral to attracting good workers. However, 58 percent of those small employers do not offer health insurance, with nearly 50 percent stating that they can't afford it. This is a sobering statistic and one we should do everything in our power to address.

I commend the efforts of Chairmen HARKIN and BAUCUS to combat this issue. Proposed health reform legislation will include a tax credit for small businesses that provide health insurance to their employees. The HELP Committee bill provides a tax credit for small businesses of up to $2,000 for a family or $1,000 for an individual. The legislation will allow small businesses to join health insurance exchanges so that they can group together and gain the same market power as larger companies currently enjoy. Currently, perhaps most importantly, small businesses pay up to 18 percent more than large employers. These exchanges will help relieve the problem of small risk pools, which due to their size can see their costs grow significantly if one employee suffers an illness such as cancer. By increasing the size of these risk pools, costs will become more predictable and more affordable for small businesses. Proposed legislation will also tighten insurance ratings to prevent costs from being disproportionately placed on older workers. This is of particular importance for small businesses that might employ older individuals, an important part of our Nation's workforce.

There is an undeniable need to address the health care problems we suffer from today. The inequities of the current system must be fixed, especially for the 70 million people that are employed by or operate a small business. The decisions of health insurers to drastically increase health insurance prices before health reform is enacted demonstrates the need to promptly move forward with legislation that includes a public option.

Mr. SPECTER. Madam President, I thank the Chair.

TRIBUTE TO ROZITA VILLANUEVA LEE

Mr. REID. Madam President, I rise today to honor Rozita Villanueva Lee for her many years of advocacy on behalf of the Nevada Asian American/Pacific Islander community. Asians and Pacific Islanders refer to her as the mother of their communities in southern Nevada. Lee started as a former special assistant to former Governors George Arioshi of Hawaii and Robert Miller of Nevada. She then began advocating for Nevada's Asian and Pacific Islanders. Her Hawaii Polynesian connection led to her being the producer of

''Drums of the Island,'' the longest running Polynesian show on the Las Vegas strip.

As cofounder of the Asian Pacific's Forum in 1993 in response to the growing Asian Pacific Islander population and their need for a voice and representation, she championed many causes to address the challenges faced by her community including social justice advocacy and political representation. She was often the first person called regarding issues of the APIA community in Las Vegas. Lee helped facilitate the reorganization of a dormant Pacific Asian Chamber to what is now the Las Vegas Asian Chamber of Commerce serving as its founding chairperson. She also served as chairperson for the Philippine American Youth Organization, PAYO, helping the younger generation of Filipino ancestry establish a voice and an avenue to learn more about their culture and heritage. She fulfilled all these roles while serving as the conduit for many organizations including the Hawaiian Civic Club, Japanese American Citizens League, Organization of Chinese Americans and National Federation of Filipino American Association. In addition, she empowered cultural organization and their leaders within the Korean, Thai, Vietnamese, Indian, Pakistani and other APIA ethnic communities.

Rozita has been politically active also. She was the president of the Women's Democratic Club of Clark County and was leading her fellow Democrats to help bring about change. As a result, President Obama turned Nevada blue by winning Clark County with 380,765 votes. Mrs. Lee championed the Asian American Studies Bill in the Nevada State Legislature which was instituted by the Clark County Commission and became law. She has been actively serving as the chairperson for the Asian Pacific American Labor Alliance—APALA—in southern Nevada and has been the prime mover of political activism with the APIA for more than a decade. She initiated the first outreach to establish an APIA voting block through education and voter registration and was the liaison between the Philippine Ambassador and the Senate on behalf of the Filipino World War II Veterans. It is clear that Rozita is a dedicated community activist.

Rozita Villanueva Lee was named on the most influential women in Las Vegas by the Women of Diversity, and one of 100 most influential Filipina women in the U.S. by Filipina Women's Network. The OCA Asian Pacific American organization awarded Rozita the Lifetime Achievement Award in 2007. I congratulate Rozita Lee on her success as a businesswoman, a Democratic activist, and as an advocate for Asian and Pacific Islanders.

CONSUMER CREDIT

Mr. UDALL of Colorado. Madam President, I rise today to discuss an issue of importance to all American consumers who rely on credit cards, especially during our economic downturn. More specifically, I would like to address two pieces of critically important legislation that would help consumers.

First, last week I introduced legislation to move up the effective date of credit card reforms outlined in the Credit CARD Act, which was signed into law by President Obama in May. The act gave credit card issuers nine months from the date of enactment to phase out their most egregious practices, including arbitrarily raising interest rates, raising interest rates on existing balances, and charging interest on debt paid on time—the latter a particularly underhanded tactic known as double-cycle billing.

Rather than phasing out these practices before the new requirements take effect, credit card issuers have increased them, squeezing as much as they can out of American consumers prior to the date the reforms are scheduled to go into effect. A Pew Charitable Trusts study to be released later this week will reveal that through the first 6 months of this year, the 12 largest credit card issuers raised interest rates an average of 20 percent, with many cardholders seeing rate increases in excess of 20 percent. This is happening despite the fact that these credit card companies, many of which received taxpayer bailout funds, are reaping the benefit—some might say government subsidy—of Federal interest rates at or near zero percent.

The bill I introduced last week, the Expedited CARD Reform for Consumers Act of 2009, will move the effective date of enactment for all reforms required under the Credit CARD Act to December 1, 2009. The majority of reforms are currently due to go into effect on February 22, 2010, with a few other reforms due to go into effect on August 22, 2010.

We all know how important short-term credit is to families and small businesses, especially during hard economic times. And we have all heard stories of people who have been victimized by the kind of unfair practices that the Credit CARD Act will end. But the truth is I have heard more stories from my constituents about these unfair and deceptive practices since the President signed the Credit CARD Act into law, than I did in the months leading up to the bill's passage. And that's saying something.

Through no fault of their own, many Coloradans have been victimized by their credit card issuer. For example, a constituent named Jean from Commerce City wrote to me:

> Recently, CitiBank raised my [credit card] APR to 29.99 percent. I called and found out that they did not raise my rate because I'm late, or have a bad FICO score, but because they sent me a letter with the option to opt OUT of a higher interest rate. I've had this card for over 15 years and never been late. I don't understand how taxpayers gave banks taxpayer money, banks report record profits, and banks still feel they can [take unfair advantage of] the common Joe. Basically our credit card companies took away our available credit and then raised our credit card rates even though we made payments on time. Please help the citizens of this country instead of helping the few executives at these banks. We really need your help, and in the long run this will help our country.

Likewise, northern Colorado small business owner Ginny Teel, whose company 10 til 2 helps pair businesses with professionals looking for part-time work, recently took to the airwaves to tell a similar story. In a Denver television news story, Ginny reported how her credit card company is doubling her interest rate, from 11 percent to 22 percent, for no reason. Like many small businesses, Ginny relied on her credit card to get her business up and running. In the letter to inform her of the rate increase, Wells Fargo states: ''These changes are not a reflection of how you managed your account with us or your credit score.'' In other words, her credit card issuer is saying it is doubling her interest rate because it still can.

I have heard from hundreds of Coloradans with similar stories since the Credit CARD Act was passed.

For many American families and small businesses, credit cards are more than a convenience, they are a necessity. Short-term credit is sometimes the only way that families can pay for necessities or that small businesses can function. And a well-functioning credit card industry that treats its customers with fairness is absolutely essential to rebuilding our economy.

I first introduced legislation to end unfair and abusive credit card practices in 2005 as a Member of the House of Representatives, and I was honored to be a part of finally passing real reform earlier this year. But I am equally disappointed that credit card issuers would now bleed American consumers for as much as they can prior to the reforms taking effect.

My legislation is supported by consumer advocate organizations, including the member organizations of Americans for Fairness in Lending, as well as the National Small Business Association, whose members, like Ginny Teel, increasingly rely on credit cards for their small business needs.

During debate on the Credit CARD Act earlier this year, credit card companies told Congress they needed more time to implement the bill's reforms, and Congress accommodated them. Rather than phase out these practices, however, credit card companies have used this extra time to declare open season on their customers. If credit card companies can increase abuse on a moment's notice, then surely they can end consumer abuse in short order.

Credit card issuers have shown they cannot be trusted to act in the interest of the American consumer. It is time to force credit card companies to finally deal honestly with American taxpayers and comply with the reforms passed earlier this year.

I thank Senators SCHUMER, HARKIN, LEVIN, BINGAMAN, TESTER, and

MERKLEY for cosponsoring the Expedited CARD Reform for Consumers Act. In addition, along with Senate Banking Committee Chairman DODD, today I cosponsored a bill that would immediately freeze interest rates on existing credit card balances. This is an important bill that will allow consumers to pay off their credit card debt at the interest rate they consented to when they took on that debt. It is a matter of fairness. I look forward to working with Chairman DODD and colleagues from both parties to pass these important bills as quickly as possible.

FIREARM DEATHS

Mr. LEVIN. Madam President, according to the latest data from the Centers for Disease Control and Prevention, CDC, 3,184 children and teens died from a firearm in the United States in 2006, a 6 percent increase from 2005. This breaks down to the life of an American child being taken every 2 hours and 45 minutes by someone wielding a gun. More than five times as many, or nearly 17,500 children and teens suffered a nonfatal gun injury that year, a 7 percent increase from the previous year.

The 2009 Children's Defense Fund's report ''Protect Children, Not Guns'' illustrates the problem even more pointedly. The report, which provides key findings on children's gun deaths, states that more preschoolers were killed by firearms in 2006 than were law enforcement officers in the line of duty.

This type of violence is preventable. It only requires action. The Children's Defense Fund's report makes a number of recommendations about how to protect children from gun violence. Among other things, they recommend schools provide nonviolent conflict resolution courses for all students and communities create positive activities for children and teenagers to reduce the influence of gangs and drugs. They also recommend passage of such common sense gun safety legislation as closing the gun show loophole, strengthening the Brady background check system and reauthorizing the assault weapons ban.

We cannot afford to sit and watch as so many young lives are irrevocably destroyed by gun violence. Passage of commonsense legislation would help end these types of tragedies.

REMEMBERING SPECIALIST JACOB WILLIAM SEXTON

Mr. BAYH. Madam President, I rise today to honor the life of Army SPC Jacob William Sexton. A member of Company A, 2nd Battalion 151st Infantry of the Indiana National Guard, Jacob was only 21 years old when his life came to a tragic end on October 12, 2009, while on leave from active deployment in Afghanistan.

Today, I join Jacob's family and friends in mourning his untimely death. Jacob will be remembered as a loving brother, son and friend to many. He is survived by his parents, Jeffery and Barbara; his three brothers, Joshua, Jeremiah and Jared; his paternal grandparents; maternal grandmother; and a community of friends and family members. Like two of his brothers, Jacob followed in the footsteps of his father, an Army veteran. His brother described Jacob as his father's best friend.

A native of Farmland, IN, Jacob enlisted in the National Guard after graduating from Monroe Central High School in 2006. He served his first tour in Iraq with the Winchester guard unit as a humvee driver. Upon returning home, he continued to serve his country by training other military humvee drivers and keeping charge of weapons and ammunition at Camp Atterbury. More recently, he was deployed near Kabul, Afghanistan, where he was described by his superiors as a model soldier with good morale and an excellent sense of humor.

While we struggle to express our sorrow over the loss of Jacob, we can take pride in the example he set as a soldier, a son, a grandson, and a brother. Today and always, he will be remembered by family, friends, and fellow Hoosiers as a true American hero, and we cherish the legacy of his service and his life.

It is my sad duty to enter the name of Jacob William Sexton in the record of the Senate for his service to this country and for his profound commitment to freedom, democracy and peace.

I pray that the Sexton family can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

ADDITIONAL STATEMENTS

RECOGNIZING THE I HAVE WINGS BREAST CANCER FOUNDATION

• Mr. BUNNING. Madam President, today I would like to recognize the I Have Wings breast cancer foundation in Erlanger, KY. October is National Breast Cancer Awareness Month and I Have Wings has dedicated its efforts to the ongoing battle against breast cancer.

According to the American Cancer Society, this year over 190,000 new cases of invasive breast cancer will be diagnosed in our Nation and an estimated 40,000 Americans will lose their fight with breast cancer. At the same time, today there are millions of women in our country who have been treated for breast cancer.

Throughout my tenure as a U.S. Senator, I have supported legislation to increase awareness, prevention, and funding for breast cancer. Too often we hear about a case of breast cancer that is caught at a late stage, leaving the patient and families with little hope. These stories remind us why we must continue to support and expand National Breast Cancer Awareness Month efforts.

The I Have Wings foundation is a leader in the fight against breast cancer. It strives to educate individuals, provides encouragement for those in need, and generously supports research efforts in Kentucky. And while efforts by I Have Wings and other breast cancer foundations often go unnoticed in the ongoing battle against this deadly disease, we must remember that they play an important role as an activist and educator in our communities.

Again, I commend the efforts of the I Have Wings foundation as our Nation continues to spread breast cancer awareness.•

REMEMBERING DANIEL MELNICK

• Mr. DODD. Madam President, I wish to speak in honor of a good friend and a friend to American cinema, Daniel Melnick, who passed away recently at the age of 77.

Those who know Hollywood will remember Daniel as a successful producer of film and television, and as a studio executive who believed in audacity and creativity—a filmmaker's studio executive, if you will.

He was a prodigy, becoming the youngest producer at CBS Television at the age of 19, where he worked on such series as the legendary ''Get Smart,'' and producing his first feature film at MGM, the thrilling ''Straw Dogs,'' before he turned 40. Over the next decade, he played a role in the development of films ranging from ''Network'' to ''Kramer vs. Kramer'' to ''The China Syndrome,'' while serving as head of production at both MGM and Columbia.

As a film producer, Daniels's credits include ''All That Jazz,'' ''Altered States,'' ''Footloose,'' ''Roxanne,'' and ''L.A. Story.'' Fittingly, his work as a producer was bold and vibrant—just the sort of films he encouraged as a studio executive.

In all, Daniel's films were nominated for more than 80 Academy Awards, and won more than two dozen Oscars.

I will remember Daniel as a warm, funny, breathtakingly creative friend whose beautiful house in Utah was the site of many wonderful get-togethers. We are poorer for the loss, but richer for all he gave to our country and the arts.•

TIRBUTE TO LIEUTENANT COLONEL MICHEL G. JONES

• Mr. INHOFE. Madam President, today, I recognize the service LTC Michel ''Shel'' G. Jones, on the occasion of his retirement from active duty in the U.S. Army. Lieutenant Colonel Jones is an exceptional officer who has served our great Nation for more than 28 years, including 22 years on active duty and 6 years in the Iowa Army National Guard.

I have personally come to know and respect Lieutenant Colonel Jones over the 2½ years he served as an Army congressional liaison for the Army's weapons and tracked combat vehicles programs, to include the Army's Future

Combat System. His expertise and commitment were instrumental in educating Members and staff in the Senate and House on Army combat systems, modernization programs and initiatives. His tireless efforts working with Members and staff of the Senate and House Armed Services Committees were instrumental in the successful authorization and appropriation of the Abrams tank, Bradley fighting vehicle, small arms and crew-served weapons, Stryker, elements of the Future Combat System and the Paladin Integrated Management programs.

Lieutenant Colonel Jones' congressional liaison assignment was only the capstone to what is an outstanding career of service to the Army and our Nation. He served as an armor officer in numerous command and staff positions. His operational assignments began in the Mojave Desert at Fort Irwin, CA, serving as a platoon leader at the National Training Center where he trained thousands of soldiers in desert warfare. He served as commander for Alpha Company, 4th Battalion 37th Armor, Heavy, followed by command of Headquarters and Headquarters Company, 2nd of the 70th Armor Battalion with the 1st Armored Division at Fort Riley, KS. After transitioning in to the acquisition career field, Lieutenant Colonel Jones was assigned to Fort Knox, KY, as a combat development officer and as a project manager for the Army's Future Combat System, FCS, in Detroit, MI.

The strength of our soldiers comes from their families. Lieutenant Colonel Jones' strength came from his wife Dynette, and his two sons Colton and Conner. This Nation is grateful for their commitment and personal sacrifices made throughout Shel's military service. We also thank his mother Joyce, who recently passed, and his father William ''Gerry'' Jones for raising such a fine son and patriot. Shel is from a military family. His father is a retired soldier and his brother, Dr. Keith Jones, serves as a major in the National Guard. This Nation remains indebted to your service.

On behalf of the Senate and the United States of America, I commend Lieutenant Colonel Jones for his tireless efforts in the support of our Army, our military, and our Nation. As Shel and his family prepare to start a new life in the great State of Oklahoma, I congratulate him on completing an extremely successful military career and wish all of them the best in all their future endeavors.●

TRIBUTE TO KAREN M. ECKERT

● Ms. LANDRIEU. Madam President, today I celebrate the retirement of Karen M. Eckert after 37 years of excellent service to the federal government. Karen, a remarkable public servant under both the legacy Immigration and Naturalization Service and U.S. Citizenship and Immigration Services, and devoted resident of Buffalo, NY, retired on May 29, 2009.

Karen began her career as an immigration inspector at Niagara Falls, NY, in 1972 and quickly became knowledgeable in all areas of immigration. Her work has touched the lives of thousands—giving hope to countless immigrants and new citizens in pursuit of their dreams, as well as uniting adoptive parents with children in need of a loving home, while striving to protect children and underprivileged birth parents from exploitation.

Karen became a leading expert in intercountry adoption and child citizenship. In this role, she was invaluable in establishing the Child Citizenship Program in Buffalo, NY, drafting orphan regulations, and leading USCIS to take the steps necessary to implement the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

Her outstanding and distinguished service has been recognized through numerous awards, including an Angel in Adoption Award from the Congressional Coalition on Adoption Institute in 2003, the Department of Homeland Security Secretary's Meritorious Service Award in 2006 and the USCIS Director's Award in 2008 for her direction and participation in the Hague Implementation Working Group.

It is impossible to count the number of individuals who have personally benefited from Karen's professionalism, insights and dedication and she will be sincerely missed by her colleagues worldwide.

We congratulate Karen M. Eckert on her outstanding and distinguished career and for the inspiration she is leaving behind.●

RECOGNIZING WORLD WAR II VETERANS

● Mr. LUGAR. Madam President, today I wish to pay tribute to the American men and women who served their country valiantly during World War II, and to a nonprofit organization known as HonorFlight which flies surviving veterans, at no expense to themselves, to Washington, DC, to visit the World War II Memorial. I wish to have printed in the RECORD a letter from Scott C. Stump, a veteran of the U.S. Marine Corps, describing the efforts of HonorFlight which will enable two Hoosier veterans, Harvey H. Hammerlund and Joseph B. Smrt, to visit the World War II Memorial this fall.

The letter follows:

DEAR SENATOR LUGAR: During World War II, 16 million American men and women selflessly, and unflinchingly served our country and defended our way of life for future generations. Now, more than 64 years since the end of that Great War, only three million of our World War II Veterans walk among us. Even more alarming, we are losing these veterans at the rate of 1,000 per day, which is causing their ranks to dwindle at an alarming rate. Now more than ever, we need to take pause and recognize these veterans and their contributions to making our great country what she is today. Part of that recognition, the National World War II Monument in Washington, DC, was completed and opened to World War II Veterans and the public on 29 April 2004.

Since its opening, the monument has been like a shining star, beckoning to our World Wax II Veterans. In fact, many of those veterans have had a dream of visiting this monument erected to the remembrance of ''The Greatest Generation.'' Unfortunately, due to health, monetary, and other constraints, many World War II Veterans have been unable to visit ''their'' Memorial.

In 2005 that all began to change when a non-profit organization known as ''HonorFlight'' was born. Several dedicated individuals had a vision to fly any and all of our World War II Veterans to Washington, to see ''their'' Memorial, at absolutely no cost to the veterans. This wonderful, all volunteer force, began flying in 2005 and flew a total of 137 Veterans to see the Memorial that first year. Now, a brief four years later, there will be a total of over 42,000 veterans who have been able to fulfill their dreams and wishes of being able to visit Washington, DC and, most importantly, the World War II Memorial.

I would like to publicly thank HonorFlight and their network of dedicated volunteers for all of their efforts in making dreams come true. I am truly humbled to be a small part of such a great organization.

On this date, I would also like to recognize two very special World War II Veterans who are about to embark on a very special journey to Washington, DC. These two Hoosiers, both from the fertile farmlands of Starke County, answered their call to serve their country long ago, and in so doing served with honor, dignity, and courage.

Harvey H. Hammerlund was born on 21 December 1924 in rural Knox, Indiana. Harvey was a farm boy who enlisted in The United States Navy on 4 January 1944. Harvey served on The U.S.S. Urben 631 as an electrician. Harvey spent the remainder of the war traversing the hostile enemy-laden South Pacific. Mr. Hammerlund was discharged on 23 March 1946 at the rank of 3rd Class Petty Officer. Harvey returned home and was a farmer for the remainder of his working years. Harvey was and is a leader in Starke County serving on various boards and committees, as well as being active with V.F.W. Post 748 in Knox. Harvey resides on his farm outside of Knox with Dee, his wife of 59 years.

Joseph B. Smrt was born on 14 February 1916 in North Judson, Indiana. Joe enlisted in The United States Army on 11 December 1942. Joe served in Patton's Third Army in the 94th Division Company B 19th Engineers. Joe proudly served all over Central Europe, including the epic ''Battle of the Bulge'' in Belgium. Mr. Smrt was discharged on 27 December 1945 but continued serving in The U.S. Army Reserves for the next 33 years, retiring as a Sergeant First Class. Joe worked and continues to work as a Surveyor as his profession and continues to be a pillar of the Starke County Community. Joe still lives in Knox with Ursula, his wife of 58 years.

Thank you, Senator LUGAR, for recognizing a great organization and two outstanding individuals. These two men have truly played a part in shaping the America that we know and love today.

Sincerely,

SCOTT C. STUMP. ●

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.)

NATIONAL EMERGENCY WITH RESPECT TO THE 2009 H1N1 INFLUENZA PANDEMIC IN THE UNITED STATES—PM 36

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare a national emergency in order to be prepared in the event of a rapid increase in illness across the Nation that may overburden health care resources. This declaration will allow the Secretary of Health and Human Services, if necessary, to temporarily waive certain standard Federal requirements in order to enable U.S. health care facilities to implement emergency operations plans to deal with the 2009 H1N1 influenza pandemic in the United States. A copy of my proclamation is attached.

Further, I have authorized the Secretary of Health and Human Services to exercise the authority under section 1135 of the Social Security Act to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule as necessary to respond to the pandemic throughout the duration of the public health emergency declared in response to the 2009 H1N1 influenza pandemic.

BARACK OBAMA.

THE WHITE HOUSE, *October 23, 2009*.

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on October 23, 2009, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 1793. A 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.

The enrolled bill was subsequently signed during the session of the Senate by the President pro tempore (Mr. BYRD).

MESSAGES FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Ms. Brandon, 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. 3585. An act to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 2647. An act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 5:19 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. 3619. An act to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3585. An act to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1858. A bill to require Senate candidates to file designations, statements, and reports in electronic form.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1927. A bill to establish a moratorium on credit card interest rate increases, 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–3472. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cold Pressed Neem Oil; Exemption from the Requirement of a Tolerance'' (FRL No. 8434–5) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3473. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyriproxyfen; Pesticide Tolerances'' (FRL No. 8795–3) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3474. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred on September 30, 2008 in Account 6880118 entitled the ''Abatement, Control, and Compliance Loan Program Account''; to the Committee on Appropriations.

EC–3475. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009–1785); to the Committee on Armed Services.

EC–3476. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Repeal of Test Procedures for Televisions'' (RIN1904–AC09) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Energy and Natural Resources.

EC–3477. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Change of Address for Region 4 State and Local Agencies; Technical Correction'' (FRL No. 8973–6) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC–3478. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Stay of Clean Air Interstate Rule for Minnesota; Stay of Federal Implementation Plan to Reduce Interstate Transport of Fine Particulate Matter and Ozone for Minnesota'' (FRL No. 8972–7) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC–3479. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources'' (FRL No. 8972–6) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC–3480. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries'' (FRL No. 8972–4) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC–3481. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Kentucky: NOx SIP Call

Phase II'' (FRL No. 8972–2) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC–3482. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to Clean Air Interstate Rule Sulfur Dioxide Trading Program'' (FRL No. 8971–4) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC–3483. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjusted Items for 2010'' (Rev. Proc. 2009–50) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC–3484. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Section 205 Regarding Post-Death Events'' ((RIN1545–BC56)(TD 9468)) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC–3485. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rule 4221(e) Reciprocal Privileges'' (Revenue Ruling 2009–34) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC–3486. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance for Expatriates Under Section 877A'' (Notice No. 2009–85) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC–3487. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Immunology and Microbiology Devices; Classification of Respiratory Viral Panel Multiplex Nucleic Acid Assay'' (Docket No. FDA–2009–N–0119) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–3488. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes in Requirements for Signature of Documents, Recognition of Representatives, and Establishing and Changing the Correspondence Address in Trademark Cases'' (RIN0651–AC26) received in the Office of the President of the Senate on October 21, 2009; to the Committee on the Judiciary.

EC–3489. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Years 2006 and 2007 Annual Report to Congress for the Office of Justice Programs' Bureau of Justice Assistance; to the Committee on the Judiciary.

EC–3490. A communication from the Director, National Drug Control Policy, Executive Office of the President, transmitting the availability of a report relative to the Office of National Drug Control Policy in GAO–09–709 entitled ''Firearms Trafficking: U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges''; to the Committee on the Judiciary.

EC–3491. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64)(Docket ID FEMA–2008–0020; Internal Agency Docket No. FEMA–8097)) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 872. A bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes (Rept. No. 111—91).

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 Ms. LANDRIEU:

S. 1863. A bill to extend the temporary suspension of duty on Terrazole; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1864. A bill to extend the temporary suspension of duty on 2-Mercaptoethanol; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1865. A bill to extend the temporary suspension of duty on Bifenazate; to the Committee on Finance.

By Mr. KERRY:

S. 1866. A bill to amend title 38, United States Code, to provide for the eligibility of parents of certain deceased veterans for interment in national cemeteries; to the Committee on Veterans' Affairs.

By Mr. CASEY:

S. 1867. A bill to extend the temporary suspension of duty on phenyl isocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 1868. A bill to renew the temporary suspension of duty on hydroxylamine; to the Committee on Finance.

By Mr. CASEY:

S. 1869. A bill to extend temporarily the suspension of duty on mixed xylidines; to the Committee on Finance.

By Mr. CASEY:

S. 1870. A bill to extend the temporary suspension of duty on trichlorobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 1871. A bill to extend the temporary suspension of duty on methanol, sodium salt; to the Committee on Finance.

By Mr. CASEY:

S. 1872. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Finance.

By Mr. CASEY:

S. 1873. A bill to extend the temporary suspension of duty on 2, 3-Dichloronitrobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 1874. A bill to extend the temporary suspension of duty on titanium dioxide; to the Committee on Finance.

By Mr. CASEY:

S. 1875. A bill to extend the temporary suspension of duty on Orgasol; to the Committee on Finance.

By Mr. CASEY:

S. 1876. A bill to suspend temporarily the duty on 11-Aminoundecanoic acid; to the Committee on Finance.

By Mr. CASEY:

S. 1877. A bill to suspend temporarily the duty on dry adhesive copolyamide pellets; to the Committee on Finance.

By Mr. CASEY:

S. 1878. A bill to extend and amend the temporary duty suspension on certain thin fiberglass sheets; to the Committee on Finance.

By Mr. CASEY:

S. 1879. A bill to clarify the tariff classification of certain fiberboard core and laminate boards and panels, and for other purposes; to the Committee on Finance.

By Mr. CASEY:

S. 1880. A bill to extend the temporary suspension of duty on Chlorotoluene; to the Committee on Finance.

By Mr. CASEY:

S. 1881. A bill to extend the temporary suspension of duty on bayderm bottom DLV–N; to the Committee on Finance.

By Mr. CASEY:

S. 1882. A bill to extend the temporary suspension of duty on certain ethylene-vinyl acetate copolymers; to the Committee on Finance.

By Mr. CASEY:

S. 1883. A bill to extend and modify the temporary suspension of duty on iminodisuccinate; to the Committee on Finance.

By Mr. CASEY:

S. 1884. A bill to suspend temporarily the duty on MDA50; to the Committee on Finance.

By Mr. CASEY:

S. 1885. A bill to suspend temporarily the duty on certain air pressure distillation columns; to the Committee on Finance.

By Mr. CASEY:

S. 1886. A bill to suspend temporarily the duty on Epilink 701; to the Committee on Finance.

By Mr. CASEY:

S. 1887. A bill to suspend temporarily the duty on Nourybond 276 Modifier; to the Committee on Finance.

By Mr. CASEY:

S. 1888. A bill to extend the temporary suspension of duty on 2-ethylhexyl 4-methoxycinamate; to the Committee on Finance.

By Mr. CASEY:

S. 1889. A bill to extend the temporary suspension of duty on glass bulbs, designed for sprinkler systems and other release devices; to the Committee on Finance.

By Mr. CASEY:

S. 1890. A bill to suspend temporarily the duty on manganese flake containing at least 99.5 percent by weight of manganese; to the Committee on Finance.

By Mr. CASEY:

S. 1891. A bill to suspend temporarily the duty on standard grade ferroniobium; to the Committee on Finance.

By Mr. CASEY:

S. 1892. A bill to suspend temporarily the duty on methyl sulfonic acid; to the Committee on Finance.

By Mr. CASEY:

S. 1893. A bill to suspend temporarily the duty on Benzenamine, 4 Dodecyl; to the Committee on Finance.

By Mr. CASEY:

S. 1894. A bill to suspend temporarily the duty on N-Benzyl-N-ethylaniline; to the Committee on Finance.

By Mr. CASEY:

S. 1895. A bill to suspend temporarily the duty on p-Dodecyl aniline; to the Committee on Finance.

By Mr. CASEY:

S. 1896. A bill to suspend temporarily the duty on stainless steel single-piece exhaust gas manifolds; to the Committee on Finance.

By Mr. ROBERTS:

S. 1897. A bill to extend the temporary suspension of duty on phosphor zinc silicate; to the Committee on Finance.

By Mr. ROBERTS:

S. 1898. A bill to extend the temporary suspension of duty on yttrium oxide phosphor; to the Committee on Finance.

By Mr. ROBERTS:

S. 1899. A bill to extend the temporary suspension of duty on yttrium oxide phosphor; to the Committee on Finance.

By Mr. ROBERTS:

S. 1900. A bill to reduce temporarily the duty on Liberty, Rely, and Ignite herbicides; to the Committee on Finance.

By Mr. ROBERTS:

S. 1901. A bill to reduce temporarily the duty on Evergol; to the Committee on Finance.

By Mr. ROBERTS:

S. 1902. A bill to reduce temporarily the duty on Corvus herbicide; to the Committee on Finance.

By Mr. ROBERTS:

S. 1903. A bill to suspend temporarily the duty on 1 ,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one; to the Committee on Finance.

By Mr. ROBERTS:

S. 1904. A bill to extend the temporary suspension of duty on certain refracting and reflecting telescopes; to the Committee on Finance.

By Mr. ROBERTS:

S. 1905. A bill to suspend temporarily the duty on certain children's footwear covering the ankle; to the Committee on Finance.

By Mr. ROBERTS:

S. 1906. A bill to suspend temporarily the duty on certain children's footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1907. A bill to suspend temporarily the duty on certain leather upper sports footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1908. A bill to suspend temporarily the duty on certain sports footwear for women; to the Committee on Finance.

By Mr. ROBERTS:

S. 1909. A bill to extend the temporary suspension of duty on strontium magnesium phosphate-tin doped inorganic products; to the Committee on Finance.

By Mr. ROBERTS:

S. 1910. A bill to extend the temporary suspension of duty on calcium chloride phosphor activated by manganese and antimony; to the Committee on Finance.

By Mr. ROBERTS:

S. 1911. A bill to extend the temporary suspension of duty on mixture used in ceramic arc tubes; to the Committee on Finance.

By Mr. ROBERTS:

S. 1912. A bill to extend the temporary suspension of duty on calcium chloride phosphate; to the Committee on Finance.

By Mr. ROBERTS:

S. 1913. A bill to extend the temporary suspension of duty on resin cement based on calcium carbonate and silicone resins; to the Committee on Finance.

By Mr. ROBERTS:

S. 1914. A bill to extend the temporary suspension of duty on strontium halophosphate doped with europium; to the Committee on Finance.

By Mr. ROBERTS:

S. 1915. A bill to suspend temporarily the duty on certain footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1916. A bill to temporarily suspend the duty on certain women's textile upper footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1917. A bill to suspend temporarily the duty on certain leather upper sports footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1918. A bill to suspend temporarily the duty on certain men's non-work footwear covering the ankle; to the Committee on Finance.

By Mr. ROBERTS:

S. 1919. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1920. A bill to suspend temporarily the duty on certain sports footwear; to the Committee on Finance.

By Mr. ROBERTS:

S. 1921. A bill to extend the temporary suspension of duty on small particle calcium chloride phosphor; to the Committee on Finance.

By Mr. ROBERTS:

S. 1922. A bill to extend the temporary suspension of duty on lanthanum phosphate phosphor; to the Committee on Finance.

By Mr. ROBERTS:

S. 1923. A bill to extend the temporary suspension of duty on a mixture of barium carbonate, strontium carbonate, calcium carbonate, and 1-methoxy-2-propanol acetate, for use as emitter suspension cathode coating; to the Committee on Finance.

By Mr. ROBERTS:

S. 1924. A bill to extend the temporary suspension of duty on compound barium magnesium aluminate phosphor; to the Committee on Finance.

By Mr. ROBERTS:

S. 1925. A bill to extend the temporary suspension of duty on yttrium vanadate phosphor; to the Committee on Finance.

By Mr. ROBERTS:

S. 1926. A bill to extend the temporary suspension of duty on compound of strontium chloroapatite-europium; to the Committee on Finance.

By Mr. DODD (for himself, Mr. REED, Mr. SCHUMER, Mr. MENENDEZ, Mr. BROWN, Mr. TESTER, Mr. MERKLEY, and Mr. UDALL of Colorado):

S. 1927. A bill to establish a moratorium on credit card interest rate increases, and for other purposes; read the first time.

By Mr. BAUCUS:

S. 1928. A bill to extend and modify the temporary suspension of duty on golf bag bodies made of woven fabrics of nylon or polyester sewn together with pockets, and dividers or graphite protectors, accompanied with rainhoods; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 1929. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

By Mr. CASEY:

S. 1930. A bill to amend the Internal Revenue Code of 1986 to enhance the administration of, and reduce fraud related to, the first-time homebuyer tax credit, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. DURBIN, Mr. CASEY, and Mr. MENENDEZ):

S. Res. 321. A resolution commemorating the lives and work of Jesuit Fathers Ignacio Ellacuria, Ignacio Martin-Baro, Segundo Montes, Amando Lopez, Juan Ramon Moreno, Joaquin Lopez y Lopez, and housekeeper Julia Elba Ramos and her daughter Celina Mariset Ramos on the occasion of the 20th anniversary of their deaths on November 16, 1989, at the Universidad Centroamericana Jose Simeon Canas located in San Salvador, El Salvador; considered and agreed to.

By Mr. LEVIN (for himself, Mr. BROWNBACK, and Mr. DURBIN):

S. Res. 322. A resolution expressing the sense of the Senate on religious minorities in Iraq; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 148

At the request of Mr. KOHL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 148, a bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act.

S. 229

At the request of Mrs. BOXER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 453

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 453, a bill to authorize the Secretary of Housing and Urban Development to make grants and offer technical assistance to local governments and others to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment, and for other purposes.

S. 512

At the request of Mr. KOHL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 512, a bill to amend chapter 1 of title 9, United States Code with respect to arbitration.

S. 736

At the request of Mr. AKAKA, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 736, a bill to provide for improvements in the Federal hiring process and for other purposes.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 891, a bill to require annual

disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1304

At the request of Mr. GRASSLEY, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1313

At the request of Mr. LUGAR, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1313, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 1345

At the request of Mr. REED, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1400

At the request of Mr. BROWNBACK, his name was added as a cosponsor of S. 1400, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 1470

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1470, a bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes.

S. 1610

At the request of Ms. CANTWELL, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1610, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 1652

At the request of Mr. HARKIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1668

At the request of Mr. BENNET, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1668, a bill 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 for other purposes.

S. 1678

At the request of Mr. CARDIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1678, a bill to amend the Internal Revenue Code of 1986 to extend the first-time homebuyer tax credit, and for other purposes.

S. 1681

At the request of Mr. LEAHY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1686

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1686, a bill to place reasonable safeguards on the use of surveillance and other authorities under the USA PATRIOT Act, and for other purposes.

S. 1730

At the request of Mr. FRANKEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1730, a bill to provide for minimum loss ratios for health insurance coverage.

S. 1731

At the request of Mr. REED, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1731, a bill to require certain mortgagees to make loan modifications, to establish a grant program for State and local government mediation programs, to create databases on foreclosures, and for other purposes.

S. 1740

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1740, a bill to promote the economic security and safety of victims of domestic violence, dating violence, sexual assault, or stalking, and for other purposes.

S. 1744

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1744, a bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes.

S. 1748

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1748, a bill to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter.

S. 1781

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1781, a bill to provide for a demonstration program to reduce frequent use of health services by Medicaid beneficiaries with chronic illnesses by providing coordinated care management and community support services.

S. 1832

At the request of Ms. LANDRIEU, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1832, a bill to increase loan limits for small business concerns, provide for low interest refinancing for small business concerns, and for other purposes.

S. 1833

At the request of Mr. UDALL of Colorado, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1833, a bill to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, and for other purposes.

S. 1834

At the request of Mr. AKAKA, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1834, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. RES. 312

At the request of Mr. DODD, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United

States Agency for International Development (USAID).

AMENDMENT NO. 2699

At the request of Mr. ISAKSON, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 2699 intended to be proposed to H.R. 3548, a bill to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself, Mr. REED, Mr. SCHUMER, Mr. MENENDEZ, Mr. BROWN, Mr. TESTER, Mr. MERKLEY, and Mr. UDALL, of Colorado):

S. 1927. A bill to establish a moratorium on credit card interest rate increases, and for other purposes; read the first time.

Mr. DODD. Mr. President, I rise today to offer legislation that would freeze interest rates on existing credit card balances until the full protections of the Credit Card Accountability, Responsibility, and Disclosure Act go into effect in February.

It is clear that credit card companies see gouging consumers as a viable means of padding their profits. When they realized that we were serious about ending these abusive practices, they unfortunately decided to make one last grab for the pocketbooks of American consumers before the law goes into effect.

Even before the Credit CARD Act passed, I heard from Connecticut residents who had seen their interest rates double or even triple with little warning and no explanation. As the law's implementation approaches, credit card companies have continued to jack up their customers' interest rates to get ahead of provisions in the Credit CARD Act that will permanently prohibit them from arbitrarily raising rates on existing balances.

To those of us who have worked to rein in credit card abuses, this greedy behavior is disturbing, although not surprising. But to the families in my home state of Connecticut and around the country who are struggling to make ends meet these days it is something worse.

Debt can crush families, driving them into bankruptcy and shattering the financial foundation they have worked so hard to build. It is impossible to get ahead when you're falling further and further behind each month. The anytime, any-reason rate hikes that credit card companies have used to enrich themselves have destroyed too many American families.

That is why we took action to stop unjustified rate hikes, and why it is an outrage that credit card companies are trying to jam consumers one last time before our law stops them.

I am not about to let this stand. In April, Senator SCHUMER and I wrote to the Federal Reserve, the Office of Thrift Supervision, and the National Credit Union Administration, calling on them to use their existing authority to implement an emergency freeze on interest rates.

The regulators, unfortunately, did not act. Therefore, on behalf of our constituents, we must. This legislation will immediately freeze interest rates to ensure that Americans are protected until the full Credit CARD Act goes into effect.

When it does, a provision I included in the legislation will hold credit card companies accountable for their recent behavior. Every 6 months, card companies will be required to review each account that they hit with a rate hike since January 1, 2009, and reduce the rate if the customer has become less of a credit risk or the circumstances that warranted the increase are no longer present.

I have directed Federal regulators to notify all credit card companies that they will be required to comply with this provision and to draft regulations that provide clear, strict rules to govern the reviews. Customers that did not deserve to have their rates raised in the first place should not have to be stuck with the higher rate after the Credit CARD Act takes effect.

Consumers have a responsibility to spend within their means and to pay what they owe. But credit card companies have a responsibility to deal with their customers honorably. And they most certainly do not have the right to rip off American families, especially when this Congress has already gone on the record opposing those actions.

Struggling middle class families won a huge victory when we passed the Credit CARD Act. Let us help them win another by ensuring that the credit card companies' reign of greed does not continue for even the short time before the law is implemented. I urge my colleagues to join me in this legislation.

Mr. President, I ask unanimous consent that the text of the 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. 1927

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 ''Credit Card Rate Freeze Act of 2009''.

SEC. 2. MORATORIUM ON RATE INCREASES.

During the period beginning on the date of enactment of this Act and ending 9 months after the date of enactment of the Credit Card Accountability Responsibility and Disclosure Act of 2009, in the case of any credit card account under an open end consumer credit plan—

(1) no creditor may increase any annual percentage rate, fee, or finance charge applicable to any outstanding balance, except as permitted under subsection 171(b) of the Truth in Lending Act (as added by Public Law 111–24); and

(2) no creditor may change the terms governing the repayment of any outstanding balance, except as set forth in section 171(c) of the Truth in Lending Act (as added by Public Law 111–24).

SEC. 3. DEFINED TERMS.

For purposes of this Act—

(1) the term ''annual percentage rate'' means an annual percentage rate, as determined under section 107 of the Truth in Lending Act (15 U.S.C. 1606);

(2) the term ''finance charge'' means a finance charge, as determined under section 106 of the Truth in Lending Act (15 U.S.C. 1605);

(3) the term ''outstanding balance'' has the same meaning as in section 171(d) of the Truth in Lending Act (as added by Public Law 111–24); and

(4) the terms used in this Act that are defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602) and are not otherwise defined in this Act shall have the same meanings as in section 103 of the Truth in Lending Act.

SEC. 4. REGULATORY AUTHORITY.

(a) IN GENERAL.—The Board of Governors of the Federal Reserve System may issue such rules as may be necessary to carry out this Act.

(h) DATE OF ENACTMENT.—The provisions of this Act shall take effect upon the date of enactment of this Act, regardless of whether rules are issued under subsection (a).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 321—COMMEMORATING THE LIVES AND WORK OF JESUIT FATHERS IGNACIO ELLACURÍA, IGNACIO MARTIN-BARÓ, SEGUNDO MONTES, AMANDO LÓPEZ, JUAN RAMON MORENO, JOAQUÍN LÓPEZ Y LÓPEZ, AND HOUSEKEEPER JULIA ELBA RAMOS AND HER DAUGHTER CELINA MARISET RAMOS ON THE OCCASION OF THE 20TH ANNIVERSARY OF THEIR DEATHS ON NOVEMBER 16, 1989, AT THE UNIVERSIDAD CENTROAMERICANA JOSÉ SIMEON CAÑAS LOCATED IN SAN SALVADOR, EL SALVADOR

Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. DURBIN, Mr. CASEY, and Mr. MENENDEZ) submitted the following resolution which was considered and agreed to:

S. RES. 321

Whereas in the early morning hours of November 16, 1989, 6 Jesuit priests and faculty members of the Universidad Centro-americana José Simeon Cañas (''UCA'') located in San Salvador, El Salvador—Fathers Ignacio Ellacuría, Ignacio Martin-Baró, Segundo Montes, Amando López, Juan Ramon Moreno, and Joaquín López y López—and housekeeper Julia Elba Ramos and her daughter, Celina Mariset Ramos, were executed by members of the Salvadoran Army;

Whereas Father Ignacio Ellacuría, aged 59, was since 1979 rector of the UCA and was an internationally-respected intellectual and advocate for human rights and for a negotiated solution to the Salvadoran civil conflict;

Whereas Father Ignacio Martin-Baró, aged 44, was the vice rector of the UCA, a leading analyst of national and regional affairs, the founder and director of the respected polling organization, the Public Opinion Institute, former dean of students, dean of the psychology department, an internationally-renowned pioneer in the field of social psychology, and pastor of the rural community of Jayaque;

Whereas Father Segundo Montes, aged 56, was dean of the department of social sciences, a sociology professor at the UCA, and the founder and director of the Human Rights Institute at the UCA, who did extensive work on Salvadoran refugees in the United States during the period of the Salvadoran conflict, including providing documentation and advice to Members of Congress on refugee issues;

Whereas Father Amando López, aged 53, was a philosophy and theology professor at the UCA, was the former director of the Jesuit seminary in San Salvador, and served as pastor of the Tierra Virgen community in Soyapango, a poor neighborhood in the periphery of San Salvador;

Whereas Father Juan Ramon Moreno, aged 56, was a professor of theology at the UCA, a former novice-master for the Jesuits, and a tireless pastoral worker and spiritual guide;

Whereas Father Joaquín López y López, aged 71, was one of the creators of the UCA and the founder, organizer, and director of Fe y Alegría (Faith and Joy), an organization to address the lack of education in El Salvador, which opened 30 educational centers in marginalized communities throughout El Salvador where 48,000 people received vocational training and education;

Whereas Julia Elba Ramos, aged 42, was the cook and housekeeper for the Jesuit seminarians at the UCA and the wife of Obdulio Lozano, the UCA gardener and groundskeeper;

Whereas Celina Mariset Ramos, aged 16, had finished her first year of high school at the José Damian Villacorta Institute in Santa Tecla, El Salvador and was staying with her mother the night of November 15, 1989;

Whereas the 6 Jesuit priests dedicated their lives to advancing education in El Salvador, protecting and promoting human rights and the end of conflict, and identifying and addressing the economic and social problems that affected the majority of the Salvadoran population;

Whereas the 6 Jesuit priests, as faculty and administrators at the UCA, educated many students throughout the 1970s and 1980s, students who subsequently became Salvadoran government, political, and civil society leaders, and thus helped facilitate communication, dialogue, and negotiations, even during the turbulent years of the armed conflict;

Whereas these 6 priests and 2 women joined the more than 75,000 noncombatants who perished during the Salvadoran civil war;

Whereas on December 6, 1989, Speaker of the House of Representatives Thomas Foley appointed the Speaker's Task Force on El Salvador consisting of 19 Members of the House of Representatives and chaired by Representative John Joseph Moakley of Boston, Massachusetts, to monitor the Salvadoran government's investigation into the murders of the Jesuit priests and 2 women and to look into related issues involving respect for human rights and judicial reform in El Salvador;

Whereas the Speaker's Task Force on El Salvador found that members of the high command of the Salvadoran military were responsible for ordering the murder of the Jesuits and 2 women and for obstructing the subsequent investigation into the crimes;

Whereas the United Nations Commission on the Truth for El Salvador (the ''Truth Commission'') was established under terms of the January 1992 Peace Accords that ended El Salvador's 12 years of war and was charged to investigate and report to the Salvadoran people on human rights crimes committed by all sides during the course of the war;

Whereas on March 15, 1993, the Truth Commission confirmed the findings of the Speaker's Task Force on El Salvador;

Whereas on September 28, 1991, a Salvadoran jury found 2 Salvadoran military officers guilty of the murders, including Salvadoran Army Colonel Guillermo Alfredo Benavides Moreno, the first time in Salvadoran history in which high-ranking military officers were convicted in a Salvadoran court of law of human rights crimes;

Whereas the UCA remains dedicated to advancing and expanding educational opportunity and providing the highest quality of academic excellence in its studies and courses and maintains a commitment to human rights and social justice;

Whereas the 28 Jesuit colleges and universities in the United States, which represent many of the highest quality academic communities in the Nation, have maintained a sense of solidarity with the UCA and the people of El Salvador and have annually observed the November 16th anniversary of the martyred Jesuits and women;

Whereas in the United States, in El Salvador, and around the world, university programs, academic and scholarly institutes, libraries, research centers, pastoral programs, spiritual centers, and programs dedicated to educational achievement, social justice, human rights, and alleviating poverty have been dedicated in the names of the Jesuit martyrs;

Whereas the international and Salvadoran outcry in response to the deaths of the 6 Jesuits and 2 women and the subsequent investigations into this crime served as a catalyst for negotiations and contributed to the signing of the 1992 Peace Accords, which have allowed the people and the Government of El Salvador to achieve significant progress in creating and strengthening democratic political, economic, and social institutions; and

Whereas November 16, 2009, marks the 20th anniversary of the deaths of the 8 spiritual, courageous, and generous priests, educators, and laywomen: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the lives and work of Father Ignacio Ellacuría, Father Ignacio Martin-Baró, Father Segundo Montes, Father Amando López, Father Juan Ramon Moreno, Father Joaquín López y López, Julia Elba Ramos, and Celina Mariset Ramos;

(2) extends sympathy to the families, friends, colleagues, and religious communities of the 6 Jesuit priests and 2 laywomen;

(3) recognizes the continuing academic, spiritual, and social contributions of the Universidad Centroamericana José Simeon Cañas (''UCA'') in San Salvador, El Salvador;

(4) commends the 28 Jesuit colleges and universities in the United States for their solidarity with the UCA and annual remembrances of the Jesuit martyrs;

(5) continues to find inspiration in the lives and work of the Jesuit martyrs;

(6) remembers the seminal reports by Representative John Joseph Moakley and the Speaker's Task Force on El Salvador in investigating the murders of the 6 priests and 2 laywomen;

(7) acknowledges the role played by the Speaker's Task Force on El Salvador, Representative John Joseph Moakley, the Jesuit leadership of the UCA, and the Salvadoran judicial investigation and convictions in advancing negotiations to end the war, such that the deaths of the Jesuit martyrs and laywomen contributed directly to achieving the peace to which they had dedicated their lives;

(8) calls upon the people of the United States, academic institutions, and religious congregations to participate in local, national, and international events commemorating the 20th anniversary of the martyrdom of the 6 Jesuit priests and 2 laywomen;

(9) recognizes that, while significant progress has been made during the post-war period, social and economic hardships persist among many sectors of Salvadoran society; and

(10) calls upon the President, the Secretary of State, the Administrator of the United States Agency for International Development, and other Federal departments and agencies to support and collaborate with the Government of El Salvador and other public, private, nongovernmental, and religious organizations in efforts to reduce poverty and hunger and to promote educational opportunity, human rights, the rule of law, and social equity for the people of El Salvador.

SENATE RESOLUTION 322—EXPRESSING THE SENSE OF THE SENATE ON RELIGIOUS MINORITIES IN IRAQ

Mr. LEVIN (for himself, Mr. BROWNBACK, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 322

Whereas threats against the smallest religious minorities in Iraq jeopardize the future of Iraq as a diverse, pluralistic, and free society;

Whereas according to the United States Commission on International Religious Freedom, there are grave threats to religious freedom in Iraq, particularly for the smallest, most vulnerable religious minorities in Iraq, including Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, and Yazidis;

Whereas the February 2009 Country Report on Human Rights issued by the Department of State identifies on-going ''misappropriation of official authority by sectarian, criminal, and extremist groups'' as among the significant and continuing human rights problems in Iraq;

Whereas in recent years, there have been alarming numbers of religiously-motivated killings, abductions, beatings, rapes, threats, intimidation, forced conversions, marriages, and displacement from homes and businesses, and attacks on religious leaders, pilgrims, and holy sites, in Iraq, with the smallest religious minorities in Iraq having been among the most vulnerable, although Iraqis from many religious communities, Muslim and non-Muslim alike, have suffered in this violence;

Whereas the United States Commission on International Religious Freedom continues to recommend that the President designate Iraq as a ''country of particular concern'', or CPC, under the International Religious Freedom Act of 1998, because of the ongoing, severe abuses of religious freedom in Iraq;

Whereas the Assyrian International News Agency reports that 59 churches have been bombed in Iraq between June 2004 and July 2009;

Whereas persecution and violence in Iraq have extended to church leaders as well, such as the March 2008 kidnap for ransom and

killing of 65-year old Chaldean Catholic Archbishop Paulos Faraj Rahho;

Whereas members of small religious minority communities in Iraq do not have militia or tribal structures to defend them, do not receive adequate official protection, and are legally, politically, and economically marginalized;

Whereas control of ethnically and religiously mixed areas, including the Nineveh and Kirkuk governorates, is disputed between the Kurdistan regional government and the Government of Iraq, and Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, Yazidis, Shabak, and Turkomen are caught in the middle of this struggle for control and have been targeted for abuses and discrimination as a result;

Whereas governments in the region report that approximately 2,400,000 refugees and asylum seekers have fled Iraq since 2003;

Whereas many religious minorities in Iraq, who made up about 3 percent of the population of Iraq in 2003, have fled to other areas in Iraq or to other countries, where they reflect a disproportionately high percentage of registered Iraqi refugees;

Whereas the flight of such refugees has substantially diminished their numbers in Iraq, and few show signs of returning to Iraq;

Whereas approximately 1,400,000 Christians were estimated to have lived in Iraq as of 2003, including Chaldean Catholics, Assyrian Orthodox, Assyrian Church of the East, Syriac Catholics, Syriac Orthodox, Armenians (Catholic and Orthodox), Protestants, and Evangelicals;

Whereas it is widely reported that only 500,000 to 700,000 indigenous Christians remain in Iraq as of 2009;

Whereas the Sabean Mandean community in Iraq reports that almost 90 percent of the members of that community either fled Iraq or have been killed, leaving only about 3,500 to 5,000 Mandeans in Iraq as of 2009;

Whereas the Yazidi community in Iraq reportedly now numbers about 500,000, a decrease from about 700,000 in 2005;

Whereas the Baha'i faith, estimated to have only 2,000 adherents in Iraq, remains prohibited in Iraq under a 1970 law;

Whereas the ancient and once-large Jewish community in Iraq now numbers fewer than 10, and they essentially live in hiding;

Whereas in 2008, the United Nations High Commissioner for Refugees (UNHCR) reported that approximately 221,000 Iraqis returned to their areas of origin in Iraq, the vast majority of whom settled into neighborhoods or governorates controlled by members of their own religious community;

Whereas many of these returnees reported returning because of difficult economic conditions in their countries of asylum, principally Syria, Jordan, Egypt, and Lebanon; and

Whereas Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, and Yazidis are not believed to be among these returnees: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States remains deeply concerned about the plight of vulnerable religious and ethnic minorities of Iraq and is particularly concerned for the Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, Yazidis, Baha'is, Jews, and Muslim ethnic minorities, the Shabak and Turkomen, and other religious and ethnic minorities of Iraq;

(2) the United States Government and the United Nations Assistance Mission for Iraq should urge the Government of Iraq to enhance security at places of worship in Iraq, particularly where religious minorities are known to be at risk;

(3) the United States Government should continue to work with the Government of Iraq to—

(A) urgently train and deploy into the Iraqi police and security forces members of vulnerable minority communities in Iraq, including in Nineveh and other areas in which religious minorities are located, who are as representative as possible of those communities; and

(B) ensure that members of such communities—

(i) suffer no discrimination in recruitment, employment, or advancement in the Iraqi police and security forces; and

(ii) while employed in the Iraqi police and security forces, be assigned to their locations of origin, rather than being transferred to other areas;

(4) the Government of Iraq should, with the assistance of the United States Government—

(A) ensure that the upcoming national elections in Iraq are safe, fair, and free of intimidation and violence so that all Iraqis, including religious minorities, can participate in the elections; and

(B) permit and facilitate election monitoring by experts from local and international nongovernmental organizations, the international community, and the United Nations, particularly in minority areas;

(5) the Government of Iraq and the Kurdistan regional government should work towards a peaceful and timely resolution of disputes over territories;

(6) the United States Government and the United Nations Assistance Mission for Iraq should urge the Government of Iraq to work with minority communities and their representatives to develop measures to implement Article 125 of the Iraq Constitution, which guarantees ''the administrative, political, cultural, and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all the other constituents'' in Nineveh and other areas where these groups are present;

(7) the Government of Iraq should take affirmative measures to reverse the legal, political, and economic marginalization of religious minorities in Iraq;

(8) the United States Government should direct assistance to projects that develop the ability of ethnic and religious minorities in Iraq to organize themselves civically and politically to effectively convey their concerns to government;

(9) the United States Government should continue to fund capacity-building programs for the Iraqi Ministry of Human Rights, the independent national Human Rights Commission, and a new independent minorities committee whose membership is selected by minority communities of Iraq;

(10) the Government of Iraq should direct the Iraqi Ministry of Human Rights to investigate and issue a public report on abuses against and the marginalization of minority communities in Iraq and make recommendations to address such abuses;

(11) the Government of Iraq should, with the assistance of the United States Government and international organizations, help ensure that displaced Iraqis considering return to Iraq have the proper information needed to make informed decisions regarding such return; and

(12) the United States Government and international organizations should continue to work with the Government of Iraq to develop the legal framework necessary to address property disputes resulting when displaced Iraqis attempt to return to their homes in Iraq.

Mr. LEVIN. Mr. President, today I submit, with Senators BROWNBACK and DURBIN, a resolution expressing the concerns of the Senate over the plight of religious minorities in Iraq and calling on our government, the government of Iraq and the United Nations Mission in Iraq to take a series of steps designed to alleviate the dangers that members of these minority groups are confronting. Regardless of our position on the wisdom of the Iraq war, we can all acknowledge a tragic consequence of that war: the widespread persecution of religious minorities.

The statistics are chilling: of approximately 1.4 million Christians of various denominations living in Iraq in 2003, only 500,000 to 700,000 remain. Another minority group, the Sabean Mandeans, has seen its population decline by more than 90 percent. Iraq's Jewish community, once one of the largest in the Arab world, has almost ceased to exist.

What has happened to these hundreds of thousands? Many have fled Iraq; my own hometown of Detroit, long home to a large community of Christian immigrants from Iraq, knows firsthand the challenges for families abandoning their generations-long home for a strange new country.

Others have not had that opportunity. The United States Commission on International Religious Freedom reports that members of religious minorities ''have experienced targeted intimidation and violence, including killings, beatings, abductions, and rapes, forced conversions, forced marriages, forced displacement from their homes and businesses, and violent attacks on their houses of worship and religious leaders.'' Leaders and members of these minority groups have been kidnapped, assassinated or forcibly removed from their homes. The United Nations High Commissioner for Refugees reported that in 2008, there were an estimated 2.8 million internally displaced persons living in Iraq. Of that 2.8 million, nearly two out of three reported fleeing their home because of a direct threat to their lives, and, of that number, almost nine out of ten said they were targeted because of their ethnic or religious identity.

While violence has declined in Iraq overall, religious minorities continue to be the targets of violence and intimidation. Members of many minority groups who have fled other parts of the country have settled in the north, only to find themselves living in some of the most unstable and violent regions of Iraq.

Our resolution addresses this tragedy in several ways. It states the sense of the Senate that the fate of Iraqi religious minorities is a matter of grave concern. It calls on the U.S. government and the U.N. to urge Iraq's government to increase security at places of worship, particularly where members of religious minorities are known to face risks. It calls for the integration of regional and religious minorities into the Iraqi security forces, and for those minority members to be stationed within their own communities.

It calls on the Iraqi government to ensure that minority citizens can participate in upcoming elections, and to enforce its constitution, which guarantees ''the administrative, political, cultural, and educational rights'' of minorities. And it urges a series of steps to ensure that development aid and other forms of support flow to minority communities.

I encourage the administration and the United Nations to address these steps without delay. I hope our fellow senators will join with Senator BROWNBACK, Senator DURBIN and me to voice the sense of the Senate on this important matter.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2700. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table.

SA 2701. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3548, supra; which was ordered to lie on the table.

SA 2702. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3548, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2700. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 5 the following:

SEC. 6. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds as follows:

(1) There has been concern expressed by some across our Nation, including on the Nation's airwaves, regarding whether Congress has the constitutional authority to legislate national health care reform.

(2) Certain citizens, commentators, and public officials have questioned whether the Tenth Amendment to the Constitution of the United States precludes the Federal Government from providing related health care benefits to its people.

(3) Numerous State legislative bodies have passed resolutions raising questions regarding the scope of the Tenth Amendment to the Constitution of the United States and the constitutionality of certain Federal programs.

(4) The Federal Government has a long and successful history of providing health care benefits to its citizens through Federal programs.

(5) Among other Federal initiatives, in 1930, Congress established the Veterans Administration, an entity that provided Federal benefits, including Federal health care benefits, to veterans of the Armed Forces, and the Veterans Administration was later merged into the Department of Veterans Affairs.

(6) In 1954, Congress established the Indian Health Service to provide medical and public health services to members of federally-recognized Indian tribes and Alaska Natives.

(7) In 1956 and 1966, respectively, Congress passed the Dependents' Medical Care Act (70 Stat. 250) and the Military Medical Benefits Amendments of 1966 (Public Law 89-614; 80 Stat. 862) in order to expand coverage to military personnel and dependents, and these programs were later merged into the TRICARE program, which provides health benefits for military personnel, military retirees, and their dependents.

(8) In 1965, the United States established the Medicare program to provide Federal health care benefits to United States citizens over the age of 65.

(9) In 1965, the United States established the Medicaid program to provide Federal health care benefits to individuals at, near, or below the Federal poverty line.

(10) In 1997, the United States established the State Children's Health Insurance Program to provide health insurance to certain children in families above the Federal poverty line.

(11) In 2009, the United States expanded the State Children's Health Insurance Program to cover an additional 4,000,000 children.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the following Federal benefit programs are in direct violation of the Tenth Amendment to the Constitution of the United States and should be terminated as soon as practicable: the Veterans Health Administration benefit programs, the Indian Health Service, TRICARE, Medicare, Medicaid, and the Children's Health Insurance Program.

SA 2701. Ms. LANDRIEU submitted an amendment intended to be proposed by him to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. 2-YEAR EXTENSION OF LOW-INCOME HOUSING CREDIT RULES FOR CERTAIN DISASTER AREAS.

Section 1400N(c)(5) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2011'' and inserting ''January 1, 2013''.

SA 2702. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 5 the following:

SEC. 6. LIMITATIONS ON THE USE OF FUNDS APPROPRIATED.

No funds appropriated under title IV of the Supplemental Appropriations Act, 2008 (Public Law 110–252), as amended by this Act, shall be allocated to the following Federal benefit programs:

(1) The Veterans Health Administration benefit programs.

(2) The Indian Health Service.

(3) TRICARE.

(4) Medicare.

(5) Medicaid.

(6) The Children's Health Insurance Program.

ORDER OF PROCEDURE

Mr. SPECTER. Madam President, on behalf of our distinguished majority leader, I have been asked to do what is called wrap-up.

As in executive session, I ask unanimous consent that on Tuesday, October 27, the vote on confirmation of Executive Calendar No. 470 occur at 2:20 p.m., and that the 5 minutes immediately prior to the vote be available to Senator BYRD; further, that the other provisions of the previous order remain in effect; that upon confirmation and the Senate resuming legislative session, the Senate then proceed to a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes, and that the time be equally divided and controlled between the leaders or their designees; that at 5:30 p.m. there be 30 minutes of debate prior to a vote on the motion to invoke cloture on the motion to proceed to H.R. 3548, with the time equally divided and controlled between the leaders or their designees; that at 6 p.m. the Senate proceed to vote on the motion to invoke cloture.

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

ADDITIONAL TEMPORARY EXTENSION OF SMALL BUSINESS PROGRAMS

Mr. SPECTER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1929, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1929) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SPECTER. Madam President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 1929) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1929

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111–66, is amended by striking ''October 31, 2009'' each place it appears and inserting ''April 30, 2010''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 30, 2009.

COMMEMORATING THE LIVES AND WORK OF EL SALVADORAN JESUITS AND OTHERS

Mr. SPECTER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 321, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 321) commemorating the lives and work of Jesuit Fathers Ignacio Ellacuría, Ignacio Martin-Baró, Segundo Montes, Amando López, Juan Ramon Moreno, Joaquín López y López, and housekeeper Julia Elba Ramos and her daughter Celina Mariset Ramos on the occasion of the 20th anniversary of their deaths on November 16, 1989, at the Universidad Centroamericana José Simeon Cañas located in San Salvador, El Salvador.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SPECTER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this matter be printed in the RECORD.

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

The resolution (S. Res. 321) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 321

Whereas in the early morning hours of November 16, 1989, 6 Jesuit priests and faculty members of the Universidad Centroamericana José Simeon Cañas (''UCA'') located in San Salvador, El Salvador—Fathers Ignacio Ellacuría, Ignacio Martin-Baró, Segundo Montes, Amando López, Juan Ramon Moreno, and Joaquín López y López—and housekeeper Julia Elba Ramos and her daughter, Celina Mariset Ramos, were executed by members of the Salvadoran Army;

Whereas Father Ignacio Ellacuría, aged 59, was since 1979 rector of the UCA and was an internationally-respected intellectual and advocate for human rights and for a negotiated solution to the Salvadoran civil conflict;

Whereas Father Ignacio Martin-Baró, aged 44, was the vice rector of the UCA, a leading analyst of national and regional affairs, the founder and director of the respected polling organization, the Public Opinion Institute, former dean of students, dean of the psychology department, an internationally-renowned pioneer in the field of social psychology, and pastor of the rural community of Jayaque;

Whereas Father Segundo Montes, aged 56, was dean of the department of social sciences, a sociology professor at the UCA, and the founder and director of the Human Rights Institute at the UCA, who did extensive work on Salvadoran refugees in the United States during the period of the Salvadoran conflict, including providing documentation and advice to Members of Congress on refugee issues;

Whereas Father Amando López, aged 53, was a philosophy and theology professor at the UCA, was the former director of the Jesuit seminary in San Salvador, and served as pastor of the Tierra Virgen community in Soyapango, a poor neighborhood in the periphery of San Salvador;

Whereas Father Juan Ramon Moreno, aged 56, was a professor of theology at the UCA, a former novice-master for the Jesuits, and a tireless pastoral worker and spiritual guide;

Whereas Father Joaquín López y López, aged 71, was one of the creators of the UCA and the founder, organizer, and director of Fe y Alegría (Faith and Joy), an organization to address the lack of education in El Salvador, which opened 30 educational centers in marginalized communities throughout El Salvador where 48,000 people received vocational training and education;

Whereas Julia Elba Ramos, aged 42, was the cook and housekeeper for the Jesuit seminarians at the UCA and the wife of Obdulio Lozano, the UCA gardener and groundskeeper;

Whereas Celina Mariset Ramos, aged 16, had finished her first year of high school at the José Damian Villacorta Institute in Santa Tecla, El Salvador and was staying with her mother the night of November 15, 1989;

Whereas the 6 Jesuit priests dedicated their lives to advancing education in El Salvador, protecting and promoting human rights and the end of conflict, and identifying and addressing the economic and social problems that affected the majority of the Salvadoran population;

Whereas the 6 Jesuit priests, as faculty and administrators at the UCA, educated many students throughout the 1970s and 1980s, students who subsequently became Salvadoran government, political, and civil society leaders, and thus helped facilitate communication, dialogue, and negotiations, even during the turbulent years of the armed conflict;

Whereas these 6 priests and 2 women joined the more than 75,000 noncombatants who perished during the Salvadoran civil war;

Whereas on December 6, 1989, Speaker of the House of Representatives Thomas Foley appointed the Speaker's Task Force on El Salvador consisting of 19 Members of the House of Representatives and chaired by Representative John Joseph Moakley of Boston, Massachusetts, to monitor the Salvadoran government's investigation into the murders of the Jesuit priests and 2 women and to look into related issues involving respect for human rights and judicial reform in El Salvador;

Whereas the Speaker's Task Force on El Salvador found that members of the high command of the Salvadoran military were responsible for ordering the murder of the Jesuits and 2 women and for obstructing the subsequent investigation into the crimes;

Whereas the United Nations Commission on the Truth for El Salvador (the ''Truth Commission'') was established under terms of the January 1992 Peace Accords that ended El Salvador's 12 years of war and was charged to investigate and report to the Salvadoran people on human rights crimes committed by all sides during the course of the war;

Whereas on March 15, 1993, the Truth Commission confirmed the findings of the Speaker's Task Force on El Salvador;

Whereas on September 28, 1991, a Salvadoran jury found 2 Salvadoran military officers guilty of the murders, including Salvadoran Army Colonel Guillermo Alfredo Benavides Moreno, the first time in Salvadoran history in which high-ranking military officers were convicted in a Salvadoran court of law of human rights crimes;

Whereas the UCA remains dedicated to advancing and expanding educational opportunity and providing the highest quality of academic excellence in its studies and courses and maintains a commitment to human rights and social justice;

Whereas the 28 Jesuit colleges and universities in the United States, which represent many of the highest quality academic communities in the Nation, have maintained a sense of solidarity with the UCA and the people of El Salvador and have annually observed the November 16th anniversary of the martyred Jesuits and women;

Whereas in the United States, in El Salvador, and around the world, university programs, academic and scholarly institutes, libraries, research centers, pastoral programs, spiritual centers, and programs dedicated to educational achievement, social justice, human rights, and alleviating poverty have been dedicated in the names of the Jesuit martyrs;

Whereas the international and Salvadoran outcry in response to the deaths of the 6 Jesuits and 2 women and the subsequent investigations into this crime served as a catalyst for negotiations and contributed to the signing of the 1992 Peace Accords, which have allowed the people and the Government of El Salvador to achieve significant progress in creating and strengthening democratic political, economic, and social institutions; and

Whereas November 16, 2009, marks the 20th anniversary of the deaths of the 8 spiritual, courageous, and generous priests, educators, and laywomen: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the lives and work of Father Ignacio Ellacuría, Father Ignacio Martin-Baró, Father Segundo Montes, Father Amando López, Father Juan Ramon Moreno, Father Joaquín López y López, Julia Elba Ramos, and Celina Mariset Ramos;

(2) extends sympathy to the families, friends, colleagues, and religious communities of the 6 Jesuit priests and 2 laywomen;

(3) recognizes the continuing academic, spiritual, and social contributions of the Universidad Centroamericana José Simeon Cañas (''UCA'') in San Salvador, El Salvador;

(4) commends the 28 Jesuit colleges and universities in the United States for their solidarity with the UCA and annual remembrances of the Jesuit martyrs;

(5) continues to find inspiration in the lives and work of the Jesuit martyrs;

(6) remembers the seminal reports by Representative John Joseph Moakley and the Speaker's Task Force on El Salvador in investigating the murders of the 6 priests and 2 laywomen;

(7) acknowledges the role played by the Speaker's Task Force on El Salvador, Representative John Joseph Moakley, the Jesuit leadership of the UCA, and the Salvadoran judicial investigation and convictions in advancing negotiations to end the war, such that the deaths of the Jesuit martyrs and laywomen contributed directly to achieving the peace to which they had dedicated their lives;

(8) calls upon the people of the United States, academic institutions, and religious congregations to participate in local, national, and international events commemorating the 20th anniversary of the martyrdom of the 6 Jesuit priests and 2 laywomen;

(9) recognizes that, while significant progress has been made during the post-war period, social and economic hardships persist among many sectors of Salvadoran society; and

(10) calls upon the President, the Secretary of State, the Administrator of the United States Agency for International Development, and other Federal departments and agencies to support and collaborate with the Government of El Salvador and other public,

private, nongovernmental, and religious organizations in efforts to reduce poverty and hunger and to promote educational opportunity, human rights, the rule of law, and social equity for the people of El Salvador.

MEASURE READ THE FIRST TIME—S. 1927

Mr. SPECTER. Madam President, I understand that S. 1927, introduced earlier today by Senator DODD, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 1927) to establish a moratorium on credit card interest rate increases, and for other purposes.

Mr. SPECTER. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

Mr. SPECTER. Madam President, for anybody watching C–SPAN2—if anybody is watching—a word of explanation might be somewhat helpful. This is a procedure to set this particular resolution, S. Res. 1927, in procedural posture so that when I, as the leader, ask for its second reading, and then say ''I object to my own request,'' it is procedural, not a reversal of position.

ORDERS FOR TUESDAY, OCTOBER 27, 2009

Mr. SPECTER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, October 27; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day and there be a period of morning business for 1 hour, 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 half and the majority controlling the second half; that following morning business, the Senate proceed to executive session to consider the nomination of Irene Berger of West Virginia to be U.S. District Court Judge for the Southern District of West Virginia, as provided under the previous order.

Finally, I ask that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus luncheons.

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

PROGRAM

Mr. SPECTER. Madam President, under a previous order, tomorrow, at 2:20 p.m., the Senate will proceed to vote on the confirmation of the Berger nomination. Following the vote, the Senate will turn to a period of morning business until 5:30 p.m. The Senate will then resume the motion to proceed to H.R. 3548, and at 6 p.m. proceed to a cloture vote on the motion to proceed to H.R. 3548, the Unemployment Compensation Extension Act.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SPECTER. Madam President, 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 5:58 p.m., adjourned until Tuesday, October 27, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

P. DAVID LOPEZ, OF ARIZONA, TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM OF FOUR YEARS, VICE RONALD S. COOPER, RESIGNED.

DEPARTMENT OF STATE

PHILIP S. GOLDBERG, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTELLIGENCE AND RESEARCH), VICE RANDALL M. FORT, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

CARYN A. WAGNER, OF VIRGINIA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY. (NEW POSITION)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KURT A. CICHOWSKI

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID A. TEEPLES

EXTENSIONS OF REMARKS

RECOGNIZING THE 80TH ANNIVERSARY OF THE BUFFALO POST OF THE JEWISH WAR VETERANS

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. LEE of New York. Madam Speaker, I rise today with great pride to commemorate the 80th anniversary of the Buffalo Post of the Jewish War Veterans.

Comprised of members of the Jewish faith who have served in the Wars of the United States of America, the Buffalo Post began meeting in 1929. Over the past 80 years, membership in the post has grown to more to more than 120 active participants

The Jewish War Veterans have a proud tradition of patriotism and service to our country and to the Jewish community in the United States and abroad.

The Jewish War Veterans advocate for those who have fought our nation's battles to ensure that they receive the treatment and the respect they deserve from our grateful nation. Through their constant support of the state of Israel, fighting anti-Semitism around the world, and participating in civic betterment projects, the Jewish War Veterans Buffalo Post are having a strong positive impact and I thank them for their dedicated efforts.

Madam Speaker, in recognition of 80 years of proud service to our grateful nation, I ask that this Honorable Body join me in honoring the Buffalo Post of the Jewish War Veterans.

IN RECOGNITION OF THE PASSING OF SERGEANT LEONARD B. KELLER, MEDAL OF HONOR RECIPIENT AND AMERICAN HERO

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Sergeant Leonard B. Keller, a Vietnam veteran, Medal of Honor recipient, and American hero who passed away on October 18, 2009. Sergeant Keller spent a lifetime serving his country, his community, and his family, and I am proud to honor his life of dedication and service.

Leonard Keller was a true American soldier. Born in Rockford, Illinois in 1947, he was drafted in the spring of 1966 at the age of 19. After basic training at Fort Campbell, Kentucky and Advanced Infantry Training at Fort Polk, Louisiana, Sergeant Keller was assigned to the 60th Infantry, 9th Infantry Division at Base Camp Doung Tam in the Mekong Delta of Vietnam.

On May 2, 1967, in the Ap Bac Zone of Vietnam, another U.S infantry company was ambushed by the Vietcong, and Sergeant Keller's unit went to rescue their comrades. Soon after his unit was dropped by helicopter, they came under intense automatic machine gunfire from numerous bunkers and several enemy snipers. Despite several calls for retreat, Sergeant Keller charged forward directly towards the enemy position. Disregarding his safety, he and a fellow soldier began a systematic assault on the enemy bunkers, taking out seven different enemy positions. Eventually the entire North Vietnamese force broke ranks and retreated. After exhausting his ammunition, Sergeant Keller then returned to assist in the evacuation of the wounded. Many Americans owe their lives to the courageous actions of Len Keller that day. President Lyndon Johnson awarded the Medal of Honor to Sergeant Keller on September 19, 1968 "for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty."

Madam Speaker, on behalf of the United States Congress, I am privileged to honor Len Keller as a Vietnam War hero and Northwest Florida leader. Today we recognize his distinguished military and government service, as well as a lifetime of dedication to the United States of America. Our nation is proud and grateful for his courage, service, and patriotism. My wife Vicki and I offer our prayers for his entire family as we remember and honor the life of Leonard Keller. He will be truly missed.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL CHEMISTRY WEEK

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res 793, "Supporting the goals and ideals of National Chemistry Week." I support this resolution because success in science is of the utmost importance for the future of our youth and our nation.

In order to keep America as a leader in science we need to focus on the success of our youth by emphasizing achievement in all academic endeavors. Letting our students fall behind those of the rest of the world is a mistake we cannot afford.

Chemistry is a field of science and technology that has transformed the world and will vastly improve the quality of life around the globe. Chemical sciences create an infrastructure that delivers the foods, fuels, medicines, and materials that are the hallmark of modern life. Chemical scientists and engineers are essential to technological progress and to the health of many industries, including the chemical, pharmaceutical, electronics, agricultural, automotive, and aerospace industries. The contributions of chemists boost economic growth, create new jobs, and improve health and standards of living. My home district, Texas' 18th District and other parts of Houston are the hub for many of these industries, namely NASA, the Medical Center, and the Port of Houston.

In order to foster the innovation that America needs to ensure global competitiveness, our schools must cultivate the finest scientists, engineers, and technicians from every background and neighborhood. We must strive to focus on increasing access to science, technology, engineering, and math education for Latinos, African-Americans, women, and other underrepresented students in these fields.

National Chemistry Week was established in 1987 by the American Chemical Society, the world's largest scientific society, to enhance the publics' appreciation of the chemical sciences and also to educate the public. 2009 also marks the 140th anniversary of Dmitri Mendeleev's creation of the Periodic Table of the Elements, one of the greatest achievements in scientific history. The theme of National Chemistry Week this year is, "Chemistry—It's Elemental", which was chosen to raise public awareness about the importance of chemistry and the chemical sciences by emphasizing that the elements, forming the basis of the universe, play an integral role in daily life. There are many common elements, such as copper in electrical wires, neon in lights, sodium in table salt, and aluminum in soda cans, that are tangibly present in everyday life.

This year, it is anticipated that more than 10,000 volunteers from industry, government, and academia will observe National Chemistry Week during the week of October 18, 2009, by conducting hands-on science activities with millions of children in local schools, libraries, and museums. National Chemistry Week encourages volunteers to provide resources to science educators across the country, promote community events for recycling common elemental items such as aluminum cans, encourage students to explore creative representations of the elements in the Periodic Table, and generally act as "chemistry ambassadors" who emphasize the importance and contributions of chemistry to daily life.

TRIBUTE TO THE REPUBLICS OF TURKEY AND ARMENIA OPENING THEIR BORDER

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to congratulate the Republics of Armenia and Turkey for their ongoing efforts to open their joint border and normalize relations. On October 10, 2009, they signed protocols in Zurich, Switzerland, which establish diplomatic ties and reopen a border that has been closed since 1993. While the negotiations have at times been difficult and emotional, the agreement is an important first step

to restoring full diplomatic relations between these neighboring states.

Madam Speaker, I also want to congratulate Secretary of State Hillary Clinton for her leadership in helping to move the process forward. In this connection, I would like to submit an October 14, 2009 Washington Post editorial entitled, "Opening a Border." The article does an excellent job of detailing the deft diplomatic work of Secretary Clinton to assist Turkey and Armenia in taking this historic step.

As the article states, the rapprochement between Turkey and Armenia is critical to the United States since it promotes stability in the Caucasus region and could provide new avenues for gas and oil export to the West.

In closing, I commend Secretary Clinton and her colleagues at the State Department and offer my full support for their valiant efforts. The protocols have been sent to the parliaments of the respective countries. I hope they will be ratified quickly and open the door to a new era of diplomacy and friendship.

[From the Washington Post, Oct. 14, 2009]

OPENING A BORDER

Secretary of State Hillary Rodham Clinton executed some deft diplomancy last weekend as the leaders of Turkey and Armenia signed a potentially historic deal to establish normal diplomatic relations and reopen their borders. We say "potentially" because there are some big obstacles to implementing the accord, which we'll come back to. But Ms. Clinton helped to ensure that the signing ceremony in Zurich went forward after four hours of last-minute mediation. Not for the first time in her short tenure, she proved capable of overcoming an impasse and teasing out of a favorable outcome of the United States.

The rapprochement between these two nations matters to the United States for a number of reasons. It could help stabilize the volatile Caucasus region, open the way for new corridors for the export of gas and oil to the West, ease Russian's political domination of Armenia and remove a major irritant from U.S. relations with Turkey. The Obama administration worked diligently to promote the accord: Ms. Clinton made 29 phone calls to the leaders of the two nations. President Obama played a part by sidestepping a campaign promise to formally recognize the mass killing of Armenians by Turks during World War I as "genocide."

The genocide issue—and the refusal of some in the American Armenian community to compromise on it—still threaten to undo the deal. The opening of the border, closed since 1993, would be a huge benefit to impoverished and landlocked Armenia. But there is resistance to a provision of the accords that would set up a joint commission to study the study of the massacres. Opponents say this could give Turkey, which denies that a genocide took place, a means to filibuster the issue—and to stop the annual attempt by some in the U.S. Congress to pass a resolution declaring that genocide occurred. In fact, the issue is one best left to the two countries; that several U.S. Armenian groups have endorsed the accord is a victory for common sense.

A more formidable obstacle to the deal may be Armenian's unresolved dispute with another neighbor, Azerbaijan, over the ethnically Armenian enclave of Nagorno-Karabakh, which is occupied by Armenian along with neighboring Azeri territory. Turkish Prime Minister Recep Tayyip Erdogan took the courageous step of declining to make the settlement of this "frozen conflict" a precondition to his accord with Armenia—therby inviting the wrath of Azerbaijan, which is an ally and energy supplier to Turkey. But Mr. Erdogan has said—most recently last Sunday—that his government will not go forward with the deal unless Armenia executes at last a partial withdrawal from Azerbaijan. That would be a tough step for Armenian President Serzh Sargsyan and require considerable international support: more delicate work for Ms. Clinton.

HONORING THE MEMORY OF ROBERT BROWN

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. PAYNE. Madam Speaker, I would like to ask my colleagues here in the United States House of Representatives to join me in honoring the memory of Robert Brown, the first African American mayor of Orange, New Jersey, which is in my congressional district.

Mr. Brown is remembered by family, friends, and colleagues as a big thinker, a role model and an excellent presenter. He was born in 1947 in Wetumpka, Alabama, but was raised in Albany, New York, where he was described as a stellar student and athlete. He earned a football scholarship to Central Connecticut State College. After college he moved to East Orange and received a law degree in 1973 from Rutgers University in Newark.

Mr. Brown moved to Washington, D.C., where he worked as counsel on the Judiciary Committee for the House of Representatives during the Watergate hearings. He moved back to East Orange in 1976, and served as a municipal prosecutor and as the Essex County public defender before opening a private practice. He was widely recognized for his outstanding oration ability, his skill as a lawyer, and his strong commitment to community service.

Our thoughts and prayers go out to his son, Remington, and brother, Raymond.

As friends and family gather to remember Robert Brown, we are reminded of the tremendous difference that one person can make in the lives of others. I know my colleagues here in the United States House of Representatives join me in honoring the memory of Mr. Brown and in paying tribute to this outstanding person who meant so much to all who knew him and to the entire city of Orange.

HONORING EBRAHIM ASHABI

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Ms. RICHARDSON. Madam Speaker, I rise today to honor Detective Ebrahim Ashabi, an 11-year veteran of the Long Beach, California, Police Department. I applaud his contributions to our community and wish him much future success.

Detective Ashabi's unique background has provided him with the tools to excel in his chosen profession. Born in Iran as a Shiite Muslim, Detective Ashabi lived through the Iranian Islamic Revolution of the late 1970s as well as the Iran-Iraq war. In 1982, Detective Ashabi fled from Iran into the Kurdish area of Northern Iraq and then into Turkey. After a few months in Europe, he emigrated to the United States, where he lived in New York and Washington, DC.

In 1990, Detective Ashabi moved to the Los Angeles area and in 1997 joined the Long Beach Police Department. Detective Ashabi now serves in the Long Beach Police Department's Office of Counter Terrorism, protecting the citizens of Long Beach and the United States from domestic and foreign homeland security threats. He is responsible for analyzing, collecting, and investigating criminal intelligence as it relates to terrorism, organized crime, and extremist activities. Detective Ashabi shared his expertise earlier this year at a first response training conference and exposition for law enforcement, military, security, corrections, and federal agencies. He presided as a keynote speaker and presented "A Brief History of Radical Islam," to his colleagues. Detective Ashabi also provides invaluable assistance in investigations with other local, state, and federal law enforcement agencies, including the FBI's Joint Terrorism Task Force.

For the past five years, Detective Ashabi has trained law enforcement officers and his expertise is a tremendous asset to our community. Detective Ashabi holds a bachelor's degree in Public Administration from the University of La Verne and is currently working on his master's degree at California State University, Long Beach.

In closing, Madam Speaker, please join me in honoring the achievements of Detective Ebrahim Ashabi and wishing him continued success.

IN RECOGNITION OF MARY SHIRAH UPON HER RETIREMENT

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Ms. Mary Shirah, a Northwest Florida community leader who is retiring after fifteen years of public service as the Director of the Pregnancy Resource Center in Milton, Florida. Mary spent her career serving others, and I am proud to honor her dedication and service.

Born in 1927, Mary Shirah was a Navy wife. She married her husband, Henry, in 1946, and was married for 62 years until her husband passed away last year. Her family eventually settled in the Pensacola, Florida area, and found a home in the Pea Ridge community. In 1968, Mary went to work for Tupperware where a co-worker suggested that she volunteer at the Alpha Center in Pensacola, a resource center for pregnant women.

After working with the Alpha Center and encouraging her Women's Ministry Group at her church to participate, Mary decided to investigate the need for a similar center in Santa Rosa County. She went on to join the committee to find a director for the center and after much searching, the committee chose Mary to serve as the Executive Director. The Pregnancy Resource Center of Milton opened on March 20, 1995. Until her retirement, Mary has served as the center's sole executive director. Under her leadership, the PRC serves an average of 300 families each year.

Madam Speaker, on behalf of the United States Congress, I am honored to recognize Mary Shirah for her service to Northwest Florida. Mary has worked tirelessly on behalf of the women of Santa Rosa County for the last 15 years. My wife Vicki and I wish all the best for her and her family, including sons Henry, Richard, and John, and her six grandchildren, as they embark on this next journey in their lives.

IN MEMORY OF MR. MICHAEL J. BONASERA

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. RYAN of Ohio. Madam Speaker, it is with deep sadness that I inform the House of the death of Mr. Michael J. Bonasera of Warren, Ohio.

Michael J. Bonasera Sr. was born April 13, 1915 in Buffington, Pa., the son of Pasquale and Ninfa Danca Bonasera.

Michael was a 1934 graduate of Hickory High School and came to Warren in 1942 from Sharon, Pa., where he had lived since 1920.

He was a veteran of WWII, having served in the Army Transportation Corps., and attaining the rank of Sergeant. His military service included tours of duty in England and the Philippines.

Michael retired in 1980 from American Welding, where he was a machine operator for 32 years. He was an award-winning machinist, and was one of the first machinists to machine parts for jet and rocket engines. He was a great teacher and was able to pass on his vast knowledge to future generations of machinists.

He was a member of St. Mary's Church, and enjoyed traveling, golf, tending to his garden, and music, and had taught accordion lessons for 45 years. Most of all, he enjoyed spending time with his grandchildren and great-grandchildren.

Survivors include his wife of 67 years, Lena R. Maggiano Bonasera, whom he married Oct. 10, 1942; a daughter, Janet M. (Charles) Richards of Warren; two sons, Michael J. (Susan) Bonasera Jr. of Seattle and Atty. Thomas J. (Julie) Bonasera of Columbus; 14 grandchildren; seven great-grandchildren; and a son-in-law, Dan Matthews of Coos Bay, Ore.

He was preceded in death by a daughter, Mary Lee Matthews; a brother, Charles Bonasera; and his sisters, Constance LaMagro, Grace Ciolfi, Sunda Sebastian, Josephine Roman, Rose Russo and Mary Welch.

Calling hours were yesterday from 4 to 7 p.m. and this morning from 9 to 9:30 a.m. at the Peter Rossi & Son Memorial Chapel.

Burial will be at All Souls Cemetery.

The family requests that memorial contributions be made to the Susan G. Komen Breast Cancer Foundation, 26210 Emery Road, Suite 307, Cleveland, OH 44128.

EFFINGHAM ST. ANTHONY STATE GOLF CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the achievements of a talented group of student-athletes from Effingham, Illinois.

The Effingham St. Anthony boys golf team took state championship honors this month at the Illinois High School Association's finals at Prairie Vista Golf Course in Bloomington. The squad entered the final day tied with a competitive Mt. Carmel team, but St. Anthony's jumped out to an early lead in the final round and held on to clinch the title.

I want to congratulate Coach Phil Zaccari for his work with the team. But most of all, I want to congratulate the 2009 state champion boys golf squad from Effingham St. Anthony: Michael McHugh, Michael Koester, Derek Rohlfing, Kit Koerner, Lewis Martin and James Jansen. They have represented themselves, their school and their community in an exemplary fashion and I want to join with all the members of this House in wishing them continued success in their athletic and academic endeavors.

CONGREGATION BEIT KODESH

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. McCOTTER. Madam Speaker, I rise today in tribute to Congregation Beit Kodesh, which is celebrating its 50th anniversary this year.

In 1958, a small number of intuitive individuals started hosting Shabbat services at the Clarenceville Central Elementary School. This same year, over 200 people attended High Holiday services at the Botsford Inn in Farmington. The following year, the Livonia Jewish Congregation was formally organized. Over the next few years, the Congregation met at several different locations until negotiation with the Jewish Welfare Foundation allowed them to move into the May and Samuel Cohn Building.

Importantly, the Congregation has been served by three Rabbis over the years: Rabbi Nathaniel Steinberg (one year), Rabbi Martin Gordon (twenty-two years) and Rabbi Craig Allen (seven years). When no Rabbi is available, the lay people of the congregation carry out services. Currently, Rabbi Jason Miller, the associate director of the University of Michigan Hillel Foundation in Ann Arbor, is the Rabbinic Advisor.

In 1990, the congregation officially changed its name to Congregation Beit Kodesh in order to recognize members who live throughout the Tri-County area. Two years ago, they combined efforts with Bet Chaverim and began to hold Sunday School classes and activities together at Congregation Beit Kodesh. Notably, students play an important role in these congregations. For example, students attend regular Bar and Bat Mitzvah classes and volunteer at Yad Ezra. In addition, they contribute actively in the community by participating in the Matzos Factory at the Junior Community College, the annual Penny Harvest, and assisting the elderly with various projects. Finally, the synagogue also has an active Sisterhood, which sends relief packages to our soldiers and seeks to advance tolerance in the community.

In addition to being the only conservative synagogue in Western Wayne County, this distinguished congregation was the first in Metropolitan Detroit to elect a woman as president. While receiving very little financial assistance or recognition from the Jewish community, they remain very active and play an important role in the community.

Madam Speaker, for fifty years, Congregation Beit Kodesh has stood as a tribute to the strong efforts of Metropolitan Detroit's Jewish community. As their members commemorate this tremendous milestone, they embody a legacy of distinction and determination. While observing their Jewish customs, this small but significant family synagogue will continue to contribute to the community. Today, I ask my colleagues to join me in commemorating Congregation Beit Kodesh and recognizing their contributions to our community and country.

PERSONAL EXPLANATION

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. BISHOP of Georgia. Madam Speaker, I regret that I was unavoidably absent Friday morning, October 23, on very urgent business. Had I been present for the eleven votes which occurred Friday, I would have voted "aye" on H.R. 3619, rollcall vote No. 812; and I would have voted "aye" on H.R. 3619, rollcall vote No. 813.

CONGRATULATIONS TO DON WEEKS

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. TONKO. Madam Speaker, residents of New York's Capital Region have been blessed to wake up each morning to the voice of longtime radio host Don Weeks. Since 1980, Don has hosted the WGY morning radio show, entertaining listeners with a mix of comedy and insightful interviews, all delivered with a friendly, neighborly charm.

Throughout the years Don has always put the community first, lending his talent to local fund drives and other special events, from restocking food pantries to emceeing the annual Red Cross Hometown Heroes Awards breakfast. He has been honored with several New York State Broadcaster of the Year awards, and a Marconi Award from the National Association of Broadcasters.

We'd like to congratulate Don on the recent announcement that he will be inducted into the New York State Broadcasting Hall of Fame. It is a fitting honor for a lifelong Capital Region resident who has dedicated his life to informing and entertaining others, and making our community a better place in which to live.

RECOGNIZING PASTOR CHRIS WILLIAMSON ON THE OCCASION OF SERVING AS HONORARY CHAPLAIN

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mrs. BLACKBURN. Madam Speaker, I ask my colleagues to join me in congratulating Pastor Chris Williamson of Franklin, Tennessee, as he serves as the House of Representatives Honorary Chaplain today.

The music industry brought Pastor Williamson to Middle Tennessee as a member of the Christian rap group, Transformation Crusade. As his music performance career concluded, however, he felt a calling to the pulpit.

In 1995, he founded the Strong Tower Bible Church and has built Strong Tower into one of Franklin's most dynamic and well-known churches. His commitment to racial reconciliation is evident through his work as an author, his mission work, as well as the intentional multi-ethnic and diverse background of his congregation. He is a devoted family man, and I appreciate the opportunity to represent his fine family in the Congress.

Please join me in honoring Pastor Williamson on his service to the House of Representatives today, and I wish him only the best in the years to come.

LABOR HISTORY MONTH RESOLUTION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise today to support a Resolution expressing the sense of the House that a ''National Labor History Month'' should be established.

Today, most Americans work in clean, well-lit, well-ventilated, air-conditioned workplaces. So it is all too easy to forget the desperate conditions in which our grandparents and their grandparents often toiled. Child labor was commonplace. Workers were subjected to dangerous work environments, and were often forced to put themselves at risk of death or serious injury in order to put food on the table for their families. Women were especially attractive employees—because you could pay them less for the exact same work. The labor movement played a leading role in ending these inhumane and unfair practices. And for this, all modern Americans owe a debt of gratitude.

In addition to fighting against the exploitation of workers, labor leaders also played a significant role in the civil rights movement, fighting to end racial discrimination in the workplace. As early as World War II, labor leaders fought to end racial discrimination against African-Americans working in the defense industry. And Cesar Chávez's United Farmworkers Union fought not only for labor rights, but for equal rights for Latinos in countless walks of life. This resolution will help us pay tribute to those who put themselves on the line for all of America's working men and women.

What they fought for represents the best of the American character. I urge all my colleagues to support this bi-partisan effort to recognize the importance of the labor movement to America's history.

MASSAC COUNTY STATE GOLF CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the achievements of a talented group of student-athletes from Massac County, Illinois.

The Massac County High School girls golf team took state championship honors this month at the Illinois High School Association's finals at the Crab Orchard Golf Club in Carterville. The Lady Patriots put on an impressive showing at the state finals, finishing 39 strokes ahead of the runner-up. Tala Mumford, of Massac County, shot a 163 for the tournament and was honored as top individual performer.

I want to congratulate Coach Kim Hille for her work with the team. But most of all, I want to congratulate the 2009 state champion girls golf squad from Massac County: Tala Mumford, Sammi Weber, Taylor King, Kristen Faulkner, Laura Bremer and Peyton Helm. They have represented themselves, their school and their community in an exemplary fashion and I want to join with all the members of this House in wishing them continued success in their athletic and academic endeavors.

HONORING MARYBELL BRAZILE BAKEWELL

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Ms. RICHARDSON. Madam Speaker, I rise today to honor the life of Ms. Marybell Brazile Bakewell for her dedication to her family and community. Earlier this month, Ms. Bakewell passed away at Arcadia Methodist Hospital, at the age of eighty four.

Ms. Bakewell was born on April 10, 1925 and was the daughter of Edward and Camille Brazile. She spent over forty years in a loving relationship with her husband, Eddie Trepagnier. Ms. Bakewell graduated from Straights Business School where she received her secretarial certificate. As a result of hard work and determination, she was hired full time at the National Maritime Union. She committed herself wholeheartedly to her job and remained working there for over forty years until she retired.

Ms. Bakewell was a native of New Orleans until she recently had to relocate to Los Angeles, California after her beloved city was destroyed by Hurricane Katrina. While living in New Orleans she was a life member of St. Peter Claver Catholic Church and the Sisters of The Holy Family. Ms. Bakewell spent her entire life staying connected to family, school, work, and her neighbors throughout the City of New Orleans. Her wittiness, charming personality, and uplifting spirit shall remain a legacy in the hearts of many.

Even though she can no longer be with us physically, I know that Ms. Bakewell is very proud of her family, including her two children, Danny J. Bakewell, Sr. and Pamela A. Bakewell, both of whom are prominent in Los Angeles civic affairs. She is also survived by eight grandchildren and six great grandchildren. Family was always the highlight of her life and she will forever be remembered as the Matriarch of the Bakewell Family.

Madam Speaker, I invite my colleagues to join me in paying tribute to her remarkable life and extending our condolences to her family.

EXTENSION OF COMMERCIAL SPACE TRANSPORTATION LIABILITY REGIME

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise before you today in support of House Resolution 3819 ''to extend the commercial space transportation liability regime.'' Extending this liability regime will ensure that commercial launches can continue to take place.

This indemnification regime has been in place since 1988 and has been renewed four times. It is an important element in maintaining the economic competitiveness of the domestic U.S. commercial launch services industry. The regime helps protect against catastrophic third-party liability claims when conducting Federal Aviation Administration (FAA)-licensed launch activities.

We are aware of the importance of the technological advances and services provided to the citizens of our nation as a result of the commercial launch industry—many of these services we all utilize on a daily basis. Allowing for these types of technologies to grow, prosper, and become more efficient and effective is an initiative that we want to continue. Ensuring progress in the commercial space industry by extending the current insurance indemnification regime will directly improve those initiatives.

As the Member of Congress representing Texas' 18th Congressional District in Houston, near NASA's Johnson Space Center, laws related to space programs and the commercial space industry are near and dear to me and my constituents. Laws relating to commercial space transportation provide tools to further the goals that were outlined in the Augustine Commission to chart our next steps into space. This industry provides jobs and keeps U.S.-based companies and technologies competitive in a global market. It is extremely important that we support the furtherance of this industry and the technological services it provides.

With soaring deficits facing our states and the looming costs of health care reform and energy reform before the nation, tough choices have been made. Surely, some argue that we cannot afford to gamble further money in space based initiatives.

Yet others, like me and my constituents realize the benefits of ensuring the continuance

of the commercial launch industry, which we see as an investment, not a gamble. In the past, such investments paved the way for new innovations in agriculture, architecture, media technology, and even health care. The pace maker is just one of the many life saving technologies that have resulted from that same small step. This mastery of ''rocket science'' is what placed our nation in the driver's seat of technology and economics.

We must also not forget that America's leadership in space plays an important role in our nation's national security. We have already seen the preeminent role that space based technology plays in modern warfare and intelligence gathering.

IN MEMORY OF MR. ART FURUYA

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the life of Art Furuya, a decorated soldier, devoted husband and loving father.

Mr. Furuya was interned at the onset of World War II because of his Japanese heritage. At the age of 17, Furuya enlisted in the U.S. Army and served as a member of the 442nd Regimental Combat Team, a unit comprised entirely of Japanese-Americans and the most highly decorated unit in World War II. During the war, he became a lifelong friend with a fellow member of the 442nd Regimental Combat Team, Senator DANIEL INOUYE. Mr. Furuya received two purple hearts for wounds he suffered on the battlefields of Italy and France.

After World War II, Mr. Furuya married his wife, Penny. They lived in Nashville for over 50 years, where they raised their family and were members of St. Paul United Church of Christ.

I extend my heartfelt condolences to Mr. Furuya's daughter, Anne; his sons, Don and Jim; and his two grandchildren. He was an example of how Americans can rise up to serve their country, even in the face of such great adversity.

PERSONAL EXPLANATION

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Ms. RICHARDSON. Madam Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

On Wednesday, October 21, 2009, I was in Long Beach, California hosting Deputy Transportation Secretary John D. Porcari and Maritime Administrator David T. Matsuda at an important national transportation conference held in my district.

On Thursday, October 22, and Friday, October 23, I was in American Samoa and Samoa monitoring the ongoing relief and recovery efforts of FEMA and others currently underway in response to the devastating earthquake and tsunami that struck those islands on September 29. As the Member of Congress with the nation's largest concentration of Samoan Americans on the mainland and as a member of the Committee on Transportation and Infrastructure, undertaking this fact-finding mission was directly related to my representational, legislative, and committee responsibilities.

Because of these excused absences I was unable to return in time for rollcall votes 793 through 813.

Had I been present I would have voted as follows:

1. On rollcall No. 793, I would have voted ''aye.'' S. 1793. Ryan White HIV/AIDS Treatment Extension Act of 2009.

2. On rollcall No. 794, I would have voted ''aye.'' H. Res. 811. Expressing support for designation of October 2009 as ''National Principals Month.''

On rollcall No. 795, I would have voted ''aye.'' H. Res. 837. Recognizing Kentucky Wesleyan College for their service as an institution of higher education for over 150 years.

On rollcall No. 796, I would have voted ''aye.'' H. Res. 660. Recognizing the distinguished history of the Laurinburg Normal Industrial Institute.

On rollcall No. 797, I would have voted ''aye.'' S. Con. Res. 43. Authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to former Senator Edward Brooke.

On rollcall No. 798, I would have voted ''aye.'' Motion on Ordering the Previous Question on the Rule for H.R. 3585—Solar Technology Roadmap Act of 2010 (H. Res. 846).

On rollcall No. 799, I would have voted ''aye.'' H. Res. 846. Rule providing for consideration of H.R. 3585—Solar Technology Roadmap Act of 2010.

On rollcall No. 800, I would have voted ''aye.'' H. Res. 797. Expressing the sense of Congress with respect to raising awareness and enhancing the state of cyber security in the United States, and supporting the goals and ideals of the sixth annual National Cyber Security Awareness Month (Representative CLARKE—Science and Technology).

On rollcall No. 801, I would have voted ''no.'' Broun (GA) amendment. Changes the number of years for which the Committee is authorized from five to three; reduces to $250,000,000 the amount authorized in each of the three years, from 2011 to 2013.

On rollcall No. 802, I would have voted ''aye.'' Kaptur (OH) amendment. Requires the Roadmap Committee to provide recommendations to strengthen the use of research and development strategies in making domestic industry more competitive and to assist in the commercialization of solar technologies.

On rollcall No. 803, I would have voted ''aye.'' Klein (FL) amendment. Includes research on solar energy storage technology as eligible for funding under the Secretary of Energy's research and development program.

On rollcall No. 804, I would have voted ''aye.'' Titus (NV)/Teague (NM)/Cohen (TN) amendment. Includes the development of solar technology products that are water efficient as a focus of the bill.

On rollcall No. 805, I would have voted ''aye.'' Heinrich (NM) amendment. Requires the Solar Technology Roadmap Committee to release a draft Roadmap to the public at least one month prior to publication in order to receive public input.

On rollcall No. 806, I would have voted ''aye.'' Himes (CT) amendment. Clarifies that solar thermal technologies and concentrating solar photovoltaic technologies will be included within the scope of the research and development program authorized by the bill.

On rollcall No. 807, I would have voted ''aye.'' Final Passage of H.R. 3585. Solar Technology Roadmap Act of 2010.

On rollcall No. 808, I would have voted ''aye.'' H. Res. 175. Condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

On rollcall No. 809, I would have voted ''aye.'' Motion on Ordering the Previous Question on the Rule for H.R. 3619—Coast Guard Authorization Act of 2010 (H. Res. 853).

On rollcall No. 810, I would have voted ''aye.'' H. Res. 853. Rule providing for consideration of H.R. 3619—Coast Guard Authorization Act of 2010.

On rollcall No. 811, I would have voted ''aye.'' H. Res. 836. Expressing support for Teen Read Week.

On rollcall No. 812, I would have voted ''aye.'' Kratovil (MD) amendment. Requires the Coast Guard to study the facility infrastructure requirements needed to fulfill the Coast Guard's missions and capabilities, and ensure that the department in which the Coast Guard is operating maintains the ability to utilize the latest technologies.

On rollcall No. 813, I would have voted ''aye.'' Final Passage of H.R. 3619. Coast Guard Authorization Act of 2010.

Thank you, Madam Speaker.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Ms. WOOLSEY. Madam Speaker, on October 22, 2009, I was unavoidably detained and was unable to record my vote for rollcall No. 805. Had I been present I would have voted:

Rollcall No. 805: ''yes''—Heinrich of New Mexico Amendment.

PERSONAL EXPLANATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mrs. BIGGERT. Madam Speaker, as indicated by the record on Thursday evening October 22nd, 2009, I was absent from votes on personal business for the remainder of the week. Had I been present, I would have voted the following way: Rollcall 809: On ordering the previous question—''nay;'' Rollcall 810: Providing for consideration of H.R. 3619, Coast Guard Authorization Act of 2010 (H. RES. 853)—''nay;'' Rollcall 811: Expressing support for Teen Read Week (H. RES. 836)—''yea;'' Rollcall 812: On agreeing to the Kratovil amendment—''yea;'' Rollcall 813: On final passage Coast Guard Authorization Act of 2010 (H. R. 3619)—''yea.''

IN RECOGNITION OF CAMDEN, ARKANSAS'S AEROJET EMPLOYEES

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. ROSS. Madam Speaker, I rise today to recognize the nearly 600 employees at Aerojet-General Corporation's Camden, Arkansas, production facility and their achievement of the milestone shipment of their 5,000th MK 104 Dual Thrust Rocket Motor to Raytheon Missile Systems and the United States Navy.

Aerojet is a world-recognized aerospace and defense leader principally serving the missile, space propulsion and armaments markets. This most significant milestone will be commemorated with a celebration ceremony held in Camden, Arkansas, on Wednesday, October 28, 2009.

The MK 104 Dual Thrust Rocket Motor provides the main propulsion for the Standard Missile 2 (SM–2), the United States Navy's primary surface-to-air air defense weapon. SM–2 is an integral part of the AEGIS Weapon System aboard Ticonderoga-class cruisers and Arleigh Burke-class destroyers. The MK 104 Dual Thrust Rocket Motor also is the second stage propulsion for the Navy's newest defensive weapon, the Standard Missile 6 Extended Range Active Missile (SM–6), which will provide extended-range, anti-air warfare capability over both sea and land. The MK 104 is also utilized on the Standard Missile 3 (SM–3) for Aegis Ballistic Missile Defense (BMD) from sea missions.

Aerojet has manufactured the MK 104 Dual Thrust Rocket Motor since 1987 at its Camden facility. The Standard Missile family of products, which also include the MK 72 booster and MK 125 warhead, is a noteworthy element of Aerojet's industry-leading tactical propulsion portfolio produced in Camden, generating significant employment opportunities for the area.

On the occasion of this milestone, I am proud to recognize the dedicated, hardworking employees of Aeroject in Camden and their achievements so far. These Arkansans are working hard to ensure our men and women in uniform have the resources they need to carry out their missions effectively and quickly and they deserve our sincere appreciation.

TRIBUTE TO RAY CHANDLER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to Ray Chandler, Attorney, an outstanding South Carolinian and a constituent of mine. Attorney Chandler was recently awarded the Order of the Palmetto, South Carolina's highest civilian honor.

Mr. Chandler is a native of Darlington, South Carolina. He graduated from The Citadel in 1968, and earned a law degree from the University of South Carolina in 1971. He is married to the former Sandra Heise of Sumter, South Carolina.

After earning his degrees, Mr. Chandler sought to serve his country and was commissioned a Captain in the United States Army's Judge Advocate Generals' Corps. During his tour of duty, Captain Chandler served as a prosecutor at the United States Army Disciplinary Barrack at Fort Leavenworth, Kansas. He later served for two years as a prosecutor and defense lawyer in the Federal Republic of Germany. He completed his military tour in Heidelberg serving as the Deputy Chief of Criminal Law for the Seventh Army, which included all of Europe and Turkey.

After four years of active duty, Mr. Chandler left the Army and became an associate in the Ralph Cothran Law Firm in Manning, South Carolina. In 1979, he formed the Law Firm of Coffey, Chandler & Kent, P.A. Today he serves as the firm's Managing Partner, and handles criminal defense and wrongful death civil litigation.

Mr. Chandler has served as General Counsel for the South Carolina Firefighters Association for the last 32 years. It was this service that captured the attention of South Carolina's Governor and prompted the Governor to award him the Order of the Palmetto. Mr. Chandler was honored for his work as co-author of South Carolina's present arson laws, and for his dedication to South Carolina's firefighters. He was surprised with the award during a recent dinner with members of the South Carolina Firefighters Association in Myrtle Beach.

Madam Speaker, I ask you and my colleagues to join me in congratulating Ray Chandler for his work on behalf of this country and his fellow man. He has demonstrated an extraordinary dedication to the firefighters of South Carolina, as their Counsel and one of their strongest advocates. Our nation and my home state are better for his service and leadership.

HONORING THE ''AMAZING'' GRACE WARREN

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. HALL of Texas. Madam Speaker, I am honored to pay tribute today to a remarkable woman and my former legislative director who passed away this past May following a five-year battle with ovarian cancer—the ''amazing'' Grace Warren. Today would have been her birthday.

When I was first elected to the House of Representatives in 1980, I knew that Grace had served in key roles for my predecessor, Rep. Ray Roberts, and that she had worked on Capitol Hill for many years. I knew that her experience and knowledge would be valuable to the Fourth District of Texas, and she soon became an indispensable member of my staff as well as a good friend. Grace served as a legislative policy advisor and legislative director, specializing in health care issues along the way. At any time she could have translated her wealth of knowledge into a lucrative career in the private sector, but Grace chose to remain a dedicated and loyal public servant and a forceful advocate for good public policy.

When referencing Grace or introducing her, it was my custom to refer to her as ''Amazing Grace'' because she either always had an answer for any question—or she could find it. She was a wonderful mentor to other staff and was respected and admired by so many in Washington, D.C., not only for her policy expertise but also for her caring heart.

In 2005 Grace was diagnosed with ovarian cancer, and she responded to this challenge in characteristic style. She researched as much as possible about the disease, consulted experts and patients, and prepared for battle on both a personal and policy level. She became a spokesperson and resource for ovarian cancer research advocacy groups in South Carolina and at the federal level. At the same time, she fought her personal battle with this dread disease by enduring surgeries, chemotherapy, and relapses—but always with a deep and abiding faith in her Creator and an undaunted spirit. Those of us who knew Grace marveled at her dignity, courage, strength and ''amazing grace'' throughout this difficult time.

In 2005 the House passed H. Res. 444, the ''Gynecological Resolution for Advancement of Ovarian Cancer Education.'' The acronym for this bill is ''GRACE,'' for it was with Grace in mind that I introduced this bill in Congress. This resolution underscores the seriousness of ovarian cancer, which is the fourth leading cause of cancer death among women in the United States. To date, unfortunately, only a small percentage of ovarian cancer cases are diagnosed in the early stages. More research is needed to develop early detection tools, a reliable screening test, prevention methods, enhanced therapies—and a cure.

Grace would urge us to work toward this goal, and so I urge my colleagues to support funding for ovarian cancer research that will save countless lives today and in the future. And today I also ask my colleagues to join me in paying our last respects to this woman who dedicated her life to the betterment of this institution and to our Nation and who leaves a legacy of service that will be fondly remembered—Grace Warren.

FOURTH GRADE HERO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2009

Mr. POE of Texas. Madam Speaker, I am proud to honor Kaylin Mancera, a fourth grader in Groves, Texas, for her heroic actions. May 1, 2009, has been proclaimed ''Kaylin Mancera Day'' on behalf of the city of Groves.

The students at Groves Elementary went about their normal lunch period during socializing and laughing until a fourth grader, Kaylin Mancera had noticed her friend choking on her hamburger. Once Kaylin realized that her friend, Annie Gil needed help, she successfully performed the Heimlich maneuver undoubtedly saving her friends life.

Kaylin did not ask for assistance, but promptly performed the Heimlich on her own. Kaylin had learned how to perform the Heimlich from a poster that she passed by everyday at Van Buren Elementary, her former school. Luckily Kaylin was sitting close by and did not hesitate to respond.

It is likely that most children Kaylin's age would not have been so perceptive of such visual instruction. Because of Kaylin's heroic actions, school officials have committed to a higher awareness of basic health and safety practices within the school.

On behalf of the Second Congressional District of Texas, I would like to honor Kaylin Mancera for her heroism. Her quick response on April 8, 2009, will be remembered and will have an impact on others around her.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 27, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 28

9:30 a.m.

Environment and Public Works

To continue hearings to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy.

SD–406

Banking, Housing, and Urban Affairs

Securities, Insurance and Investment Subcommittee

To hold hearings to examine dark pools, flash orders, high frequency trading, and other market structure issues.

SD–538

10 a.m.

Energy and Natural Resources

To hold hearings to examine the role of natural gas in mitigating climate change.

SD–366

Homeland Security and Governmental Affairs

Business meeting to consider S. 1649, to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, S. 1862, to provide that certain Secret Service employees may elect to transition to coverage under the District of Columbia Police and Fire Fighter Retirement and Disability System, H.R. 553, to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, S. 1755, to direct the Department of Homeland Security to undertake a study on emergency communications, H.R. 730, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, S. 1825, to extend the authority for relocation expenses test programs for Federal employees, S. 1860, to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms, H.R. 955, to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the ''John 'Bud' Hawk Post Office'', H.R. 1516, to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the ''Sergeant Marcus Mathes Post Office'', H.R. 1713, to name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley ''Wes'' Watkins, H.R. 2004, to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the ''Akron Veterans Memorial Post Office'', H.R. 2760, to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the ''Johnny Grant Hollywood Post Office Building'', H.R. 2972, to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the ''Conrad DeRouen, Jr. Post Office'', H.R. 3119, to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office'', H.R. 3386, to designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office'', H.R. 3547, to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the ''Rex E. Lee Post Office Building'', H.R. 2215, to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the ''John J. Shivnen Post Office Building'', and the nominations of Rafael Borras, of Maryland, to be Under Secretary of Management for Homeland Security, David S. Ferriero, of North Carolina, to be Archivist of the United States, National Archives and Records Administration, and Susan Tsui Grundmann, of Virginia, and Anne Marie Wagner, of Virginia, both to be a Member of the Merit Systems Protection Board.

SD–342

Judiciary

To hold hearings to examine effective strategies for preventing health care fraud.

SD–226

2 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine current and expected impacts of climate change on units of the National Park System.

SD–366

Aging

To hold hearings to examine 401(k) target date funds.

SD–562

Commission on Security and Cooperation in Europe

To hold hearings to examine advancing United States interests in the Organization for Security and Cooperation in Europe (OSCE) region.

SVC–212/210

2:30 p.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine new Office of Management and Budget (OMB) guidance to combat waste, inefficiency, and misuse in federal government contracting.

SD–342

Commerce, Science, and Transportation

To hold hearings to examine combating distracted driving, focusing on managing behavioral and technological risks.

SR–253

OCTOBER 29

9:30 a.m.

Environment and Public Works

To continue hearings to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy.

SD–406

10 a.m.

Commerce, Science, and Transportation

Aviation Operations, Safety, and Security Subcommittee

To hold hearings to examine reauthorization of the National Transportation Safety Board.

SR–253

Budget

To hold hearings to examine performance-informed budgeting, focusing on opportunities to reduce cost and improve service.

SD–608

Health, Education, Labor, and Pensions

To hold hearings to examine helping workers preserve retirement security through a recession.

SD–430

Judiciary

Business meeting to consider S. 448, 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, H.R. 985, 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. 714, to establish the National Criminal Justice Commission, S. 1490, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, S. 139, to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information, S. 1624, to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, S. 1472, to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and the nominations of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit, Carmen Milagros Ortiz, to be United States Attorney for the District of Massachusetts, and Edward J. Tarver, to be United States Attorney

for the Southern District of Georgia, both of the Department of Justice, and Ketanji Brown Jackson, of Maryland, to be a Member of the United States Sentencing Commission.

SD–226

Joint Economic Committee

To hold hearings to examine the impact of the Recovery Act on economic growth.

2237, Rayburn Building

10:30 a.m.

Banking, Housing, and Urban Affairs

Housing, Transportation and Community Development Subcommittee

To hold hearings to examine modernizing affordable housing for seniors and people with disabilities.

SD–538

2:30 p.m.

Banking, Housing, and Urban Affairs

Business meeting to consider an original bill entitled ''Comprehensive Iran Sanctions, Accountability and Divestment Act of 2009''.

SD–538

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine Federal cyber defense.

SD–342

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 555, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, 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, 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, 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, bills to provide for the exchange of administrative jurisdiction over certain Federal land between the Forest Service and the Bureau of Land Management, 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.

SD–366

Intelligence

To receive a closed briefing on certain intelligence matters from officials of the intelligence community.

S–407, Capitol

NOVEMBER 5

10 a.m.

Veterans' Affairs

To hold hearings to examine Veterans' Affairs and Indian Health Service cooperation.

SR–418

NOVEMBER 18

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine managing Federal forests in response to climate change, focusing on natural resource adaptation and carbon sequestration.

SD–366

CORRECTION

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10711–S10742

Measures Introduced: Sixty-eight bills and two resolutions were introduced, as follows: S. 1863–1930, and S. Res. 321–322. **Pages S10734–35**

Measures Reported:

S. 872, to establish a Deputy Secretary of Homeland Security for Management, with an amendment. (S. Rept. No. 111–91) **Page S10734**

Measures Passed:

Small Business Act and the Small Business Investment Act of 1958: Senate passed S. 1929, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Page S10740**

Commemorating the Lives of Those Who Died on November 16, 1989, at the Universidad Centroamericana José Simeon Cañas: Senate agreed to S. Res. 321, commemorating the lives and work of Jesuit Fathers Ignacio Ellacuría, Ignacio Martin-Baró, Segundo Montes, Amando López, Juan Ramon Moreno, Joaquin López y López, and housekeeper Julia Elba Ramos and her daughter Celina Mariset Ramos on the occasion of the 20th anniversary of their deaths on November 16, 1989, at the Universidad Centroamericana José Simeon Cañas located in San Salvador, El Salvador. **Pages S10741–42**

Unemployment Compensation Extension Act—Agreement: A unanimous-consent-time agreement was reached providing that at 5:30 p.m., on Tuesday, October 27, 2009, Senate resume consideration of the motion to proceed to consideration of H.R. 3548, Unemployment Compensation Extension Act, and that there be 30 minutes of debate prior to a vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 3548, Unemployment Compensation Extension Act; with the time equally divided and controlled between the two Leaders, or their designees, and Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 6 p.m. **Page S10740**

Message from the President: Senate received the following message from the President of the United States:

A message from the President of the United States, declaring, pursuant to law, a national emergency with respect to the 2009 H1N1 influenza pandemic in the United States; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–36) **Page S10733**

Berger Nomination—Agreement: A unanimous-consent-time agreement was reached providing that on Tuesday, October 27, 2009, the vote on confirmation of the nomination of Irene Cornelia Berger, to be United States District Judge for the Southern District of West Virginia, occur at 2:20 p.m., and that the 5 minutes immediately prior to the vote be available to Senator Byrd; provided further, that the other provisions of the previous order of Thursday, October 22, 2009 remain in effect. **Page S10740**

Nominations Received: Senate received the following nominations:

P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years.

Philip S. Goldberg, of the District of Columbia, to be an Assistant Secretary of State (Intelligence and Research).

Caryn A. Wagner, of Virginia, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

Page S10742

Messages from the House: **Page S10733**

Measures Referred: **Page S10733**

Measures Placed on the Calendar: **Pages S10711, S10733**

Measures Read the First Time: **Pages S10733, S10742**

Executive Communications: **Pages S10733–34**

Additional Cosponsors: **Pages S10735–37**

Statements on Introduced Bills/Resolutions: **Pages S10737–40**

Additional Statements: **Pages S10731–32**

Amendments Submitted: Page S10740

Adjournment: Senate convened at 2 p.m. and adjourned at 5:58 p.m., until 10 a.m. on Tuesday, October 27, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10742.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 3924–3931; and 2 resolutions, H. Con. Res. 205 and H. Res. 870, were introduced. Page H11790

Additional Cosponsors: Pages H11790–91

Reports Filed: Reports were filed today as follows:

H.R. 3639, to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, with an amendment (H. Rept. 111–314) and

H.R. 3854, to amend the Small Business Act and the Small Business Investment Act of 1958 to improve programs providing access to capital under such Acts (H. Rept. 111–315). Page H11790

Speaker: Read a letter from the Speaker wherein she appointed Representative Rahall to act as Speaker pro tempore for today. Page H11741

Recess: The House recessed at 12:37 p.m. and reconvened at 2 p.m. Pages H11741–42

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expanding the boundary of the Jimmy Carter National Historic Site: **H.R. 1471, amended, to expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia and to redesignate the unit as a National Historical Park;** Pages H11744–45

Authorizing the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park: H.R. 2806, amended, to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness; Pages H11745–46

Cascadia Marine Trail Study Act: H.R. 1641, amended, to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail; Pages H11746–47

Congratulating the University of Iowa Hawkeyes wrestling team on winning the 2009 NCAA Division I National Wrestling Championships: H. Res. 368, amended, to congratulate the University of Iowa Hawkeyes wrestling team on winning the 2009 NCAA Division I National Wrestling Championships, by a ⅔ yea-and-nay vote of 367 yeas to 1 nay, Roll No. 814; Pages H11748–50, H11760

Agreed to amend the title so as to read: "Congratulating the University of Iowa Hawkeyes wrestling team on winning the 2009 NCAA Division I National Wrestling Championship.". Page H11760

Congratulating Syracuse University for winning the National Collegiate Athletic Association Division I Men's Lacrosse Tournament: H. Res. 562, to congratulate Syracuse University for winning the National Collegiate Athletic Association Division I Men's Lacrosse Tournament, by a ⅔ recorded vote of 359 ayes to 1 no, Roll No. 815; and Pages H11750–51, H11760–61

Supporting the goals and ideals of National Domestic Violence Awareness Month: H. Res. 817, to support the goals and ideals of National Domestic Violence Awareness Month and to express the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence. Pages H11752–55

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

AmericaView Geospatial Imagery Mapping Program Act: H.R. 2489, amended, to authorize a comprehensive national cooperative geospatial imagery mapping program through the United States Geological Survey, to promote use of the program for

education, workforce training and development, and applied research, and to support Federal, State, tribal, and local government programs; **Pages H11742–44**

Recognizing Weber State University for the 120th anniversary of its founding as an institution of higher education: H. Res. 854, to recognize Weber State University for the 120th anniversary of its founding as an institution of higher education; and **Pages H11747–48**

Congratulating the Northwestern University Wildcats on winning the 2009 NCAA women's lacrosse championship: H. Res. 824, to congratulate the Northwestern University Wildcats on winning the 2009 NCAA women's lacrosse championship, and to commend Northwestern University for its pursuit of athletic and academic excellence. **Pages H11751–52**

Recess: The House recessed at 3:19 p.m. and reconvened at 5:30 p.m. **Page H11755**

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010—Motion to go to Conference: The House agreed to the Dicks motion to disagree to the Senate amendment and agree to a conference on H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010. **Pages H11756–59**

The House debated the Simpson motion to instruct conferees on H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010. Further proceedings were postponed. **Pages H11756–59**

Recess: The House recessed at 6:10 p.m. and reconvened at 6:30 p.m. **Pages H11759–60**

Presidential Message: Read a message from the President wherein he declared a national emergency in order to be prepared in the event of a rapid increase in illness across the Nation that may overburden health care resources—referred to the Committees on Energy and Commerce and Ways and Means and ordered printed (H. Doc. 111–73). **Pages H11755–56**

Senate Messages: Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on pages H11742 and H11761.

Senate Referral: S. 1929 was held at the desk.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H11760 and H11760–61. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:55 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1210)*

H.R. 1016, to amend title 38, United States Code, to provide advance appropriations authority for certain medical care accounts of the Department of Veterans Affairs. Signed on October 22, 2009. (Public Law 111–81)

S. 1717, to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010. Signed on October 26, 2009. (Public Law 111–82)

COMMITTEE MEETINGS FOR TUESDAY, OCTOBER 27, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Domestic and Foreign Marketing, Inspection, and Plant and Animal Health, with the Subcommittee on Production, Income Protection and Price Support, to hold joint hearings to examine low dairy prices, focusing on exploring avenues for federal action, 2:30 p.m., SH–216.

Committee on Commerce, Science, and Transportation: business meeting to consider the nominations of Anne S. Ferro, of Maryland, to be Administrator of the Federal Motor Carrier Safety Administration, Cynthia L. Quarterman, of Georgia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, both of the Department of Transportation, Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security for Transportation Security Administration, Patrick Gallagher, of Maryland, to be Director of the National Institute of Standards and Technology, Department of Commerce, Elizabeth M. Robinson, of Virginia, to be Chief Financial Officer, and Paul K. Martin, of Maryland, to be Inspector General, both of the National Aeronautics and Space Administration, and a promotion list in the Coast Guard, 2:15 p.m., S–216, Capitol.

Full Committee, to hold an oversight hearing to examine the broadband stimulus programs in the American Recovery and Reinvestment Act, 2:30 p.m., SR–253.

Committee on Environment and Public Works: to hold hearings to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, 9:30 a.m., SD–406.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

House

Committee on Energy and Commerce, Subcommittee on Energy and Environment, hearing entitled ''Protecting the Electric Grid: H.R. 2165, Bulk Power System Protection Act of 2009, and H.R. 2195, To amend the Federal Power Act to provide additional authorities to adequately protect the critical electric infrastructure against cyber attack,'' 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, to consider the following measures: October 1, 2009 Discussion Draft of the Private Fund Investment Advisers Registration Act of 2009 (to be reported as H.R. 3818, To amend the Investment Advisers of 1940 to require advisers of certain unregistered investment companies to register with and provide information to the Securities and Exchange Commission); October 1, 2009 Discussion Draft of the Investor Protection Act of 2009 (to be reported as H.R. 3817, To provide the Securities and Exchange Commission with additional authorities to protect investors from violations of the securities laws); Amendment in the nature of a substitute October 16 to H.R. 2609, Insurance Information Act of 2009; and Discussion Draft (revised) of October 16, 2009 of the Accountability and Transparency in Rating Agencies Act, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, the Subcommittee on the Middle East and South Asia and the Subcommittee on Terrorism, Nonproliferation and Trade, joint hearing on Iran in the Western Hemisphere, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness and Response, hearing entitled ''Preparedness: What has $29 billion in homeland security grants bought and how do we know?'' 10 a.m., 311 Cannon.

Subcommittee on Emerging Threats, Cybersecurity and Science, and Technology, hearing entitled ''Real-Time Assessment of the Federal Response to Pandemic Influenza,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on the Legal Services Corporation, 11 a.m., 2237 Rayburn.

Subcommittee on the Constitution, Civil Rights and Civil Liberties, hearing on Access to Justice Denied: *Ashcrof* v. *Igbal*, 2:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on Implementation of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, oversight hearing entitled '' Water Management and Climate Variability: Information Support at the USGS and Bureau of Reclamation,'' 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Management, Organization and Procurement, hearing entitled ''IT Procurement and Disposal: Application of the Federal Government's Green Policies in the Life Cycle Management of its IT Assets,'' 9:30 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on Developing Research Priorities at DHS's Science and Technology Directorate, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Recovery Tracking Following the Dollars to the Jobs, 2 p.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, briefing on National Security Council Review, 3:30 p.m., 304 HVC.

Subcommittee on Oversight and Investigations, and the Subcommittee on Intelligence Community Management, joint hearing regarding the Congressional Notifications: Intelligence Community Policies, Practices, and Procedures, 10 a.m., 304 HVC.

Next Meeting of the SENATE
10 a.m., Tuesday, October 27

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond one hour), Senate will begin consideration of the nomination of Irene Cornelia Berger, to be United States District Judge for the Southern District of West Virginia, and after a period of debate, vote on confirmation of the nomination at 2:20 p.m. Also, at 5:30 p.m., Senate will resume consideration of the motion to proceed to consideration of H.R. 3548, Unemployment Compensation Extension Act, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 6 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
10:30 a.m., Tuesday, October 27

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H. Res. 790—Supporting the goals and ideals of a national day of remembrance on October 30, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers; (2) H. Res. 568—Recognizing the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia; (3) H. Res. 783—Recognizing Hispanic Heritage Month; (4) H.R. 3632—Federal Judiciary Administrative Improvements Act; (5) H. Con. Res. 177—Raising the awareness of the need for crime prevention in communities across the country; (6) H. Res. 838—Welcoming to the United States and to Washington, DC, His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch; (7) H. Res. 784—Honoring the 2560th anniversary of the birth of Confucius; (8) S. Con. Res. 45—A concurrent resolution encouraging the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families in the United States as soon as possible; (9) H. Res. 787—Expressing support for designation of October 13, 2009, as National Metastatic Breast Cancer Awareness Day; and (10) H. Res. 831—Supporting the goals and ideals of National Adoption Day and National Adoption Month.

Extensions of Remarks, as inserted in this issue

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Woolsey, Lynn C., Calif., E2633

Congressional Record

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