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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

The Reverend Carlton Cross, First United Methodist Church, Prescott, Arkansas, offered the following prayer:

Almighty God, we pray with thanksgiving for the breath of life. May we be an example of Your love and let us be thankful for this earth that You have shared with us.

We take this opportunity to ask for wisdom for all the world leaders. At the time of creation, You tell us that Your creation was good. Let us in faithful service do our part to continue Your goodness.

We lift our prayers for President Obama, the House of Representatives, and the Senate floor. We lift our prayers on behalf of all government, State, and local leaders.

We pray for our armed forces. We ask Your protection for them physically, emotionally, and spiritually. We lift to You the families that have lost loved ones in faithful service to our country.

God, offer the House of Representatives the wisdom to conduct the business of the day in a way that would be pleasing to You.

Hear our prayers, Lord. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. ROSS) come forward and lead the House in the Pledge of Allegiance.

Mr. ROSS 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.

WELCOMING REV. CARLTON CROSS

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

There was no objection.

Mr. ROSS. Madam Speaker, I rise today to honor my dear friend and pastor, Rev. Carlton Cross, from my hometown of Prescott, Arkansas, and today's guest chaplain in the U.S. House of Representatives.

As an ordained deacon and elder, Rev. Cross has been serving in the United Methodist Church for the past 20 years. Leading congregations throughout Arkansas, Rev. Cross is well respected and admired wherever he goes.

Possessing a great passion for mission work, Rev. Cross' impact on the community reaches far beyond the pulpit, including his active involvement in the Ozark Mission Project for the past 15 years.

Rev. Cross is a graduate of Arkansas State University and holds a Master of Divinity from Memphis Theological Seminary. He and his wife, Tracy, have 10-year-old twins, Brady and Shelby.

Rev. Cross currently serves First Methodist United Church in Prescott, where my family and I are members. As a close personal friend and my spiritual guide, I can attest to Rev. Cross' sincere commitment to his church, his community, his faith and his country.

It is my distinct privilege and honor to recognize Rev. Carlton Cross as guest chaplain on this day in the United States House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further 1-minute speeches on each side of the aisle.

HEALTH CARE

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

Mr. KUCINICH. Madam Speaker, before we celebrate the new health care legislation, keep in mind that the American people will be required by law to buy private insurance, and they will pay a penalty if they don't; that insurance companies will be subsidized by the government; that insurance companies have had double-digit increases in premiums in the past 4 years; that we are locking in a for-profit structure. This is the result of a health care debate, the flawed premise of which is that health care reform cannot happen without the cooperation of the insurance companies which make money not providing health care.

The truth is that reform cannot happen with them; that insurance companies are the problem, not the solution; and that the legislation, no matter how well intended, will likely not be able to deliver and cost too much and be another bailout for Big Business at the expense of the American people.

BRUISING THE CONSTITUTION

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

Mr. POE of Texas. Mr. Speaker, the government-run universal health care bill forces businesses and citizens to buy the government-approved insurance whether they want to or not, and whether they can afford it or not. This is a totalitarian concept.

The Constitution does not give this oppressive power to the Federal Government. Nowhere in this document

does government have the power to force citizens to buy anything. And further, if a citizen or business doesn't purchase the insurance, a criminal fine masquerading as a tax is imposed without benefit of a jury trial or legal representation. If the citizen cannot afford the fine, do they go to jail without constitutional protections?

This bill is an affront to individual liberty. It denies the citizen of life, liberty and property, and violates due process of law under the fifth amendment.

The false analogy that citizens must buy car insurance is not applicable. Driving is a privilege and an option regulated by the States. No one is forced to own or drive a car. Here everyone is forced to buy insurance or face a criminal penalty.

Somewhere in this debate we ought to be concerned with the Federal Government bruising the Constitution.

And that's just the way it is.

HEALTH CARE

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

Mr. DEFAZIO. Mr. Speaker, well, 140 days after the Republican leaders promised a health care plan, it was leaked. It is a bold proposal. I think it was actually drafted downtown by the health insurance industry association, just like their prescription drug bill was drafted by the pharmaceutical industry.

Now the Democrats' bill outlaws the most abusive practices of the insurance industry: preexisting condition exclusion policy cancellation when you get sick, called rescission. Not the Republicans, they can still cancel your policy when you get sick. Even if you have been paying your premiums, they can still discriminate against your preexisting conditions. The Republicans wouldn't touch that one.

Now the Republicans actually are going to facilitate further abuses. The Democrats rescind the antitrust exemption of the insurance industry. Not the Republicans. In fact, they are creating a new safe haven for this industry. The industry can sell a national policy which will solve all of the problems, but they can go to any State they choose to sell that policy from.

They will choose the most abusive, least regulated State in the Union. And if you live in Oregon and you have a complaint about your insurance provider, you will have to file it in Delaware with the corporation commissioner. No, give it to the Republicans, new safe havens for the abusive insurance industry. Good work, guys.

SHALL V. MAY PELOSI TAKEOVER BILL

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

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to join Congressmen FLEMING, GINGREY, HELLER, and HERGER to introduce an amendment to automatically enroll all Members of Congress in the government-run option.

In the Education and Labor Committee, I was able to pass the amendment requiring Congress to take the government-run option, but the Pelosi takeover plan changes the word which would make Congress take the government-run option being pushed on the American people. That one small ''may'' reverses the meaning of the bill.

If Speaker PELOSI insists on shoving this bill through, then I believe Members of Congress should take the government-run option. If it is good enough for the American people, then it is good enough to Congress.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism. Congratulations to State Representative-elect Ralph Norman and Elaine of Rock Hill, South Carolina, for their overwhelming victory yesterday.

HEALTH CARE

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

Mr. YARMUTH. Mr. Speaker, on the most important issue this Congress will consider, what was so egregious that dozens of my Republican colleagues paraded to the floor yesterday to make passionate speeches in opposition to the Affordable Health Care for America Act? I shall tell you. It was the fact that the word ''shall'' appeared 3,400 times in the bill.

Well, that is an interesting point, but it also reveals a certain amount of amnesia about law writing and civilization. After all, one of our most important and formative laws had the word ''shall'' in every sentence: You shall honor your father and mother. You shall recognize the Sabbath to keep it holy. You shall not covet. You shall not steal. You shall not murder. And most importantly probably for this debate in this House, You shall not bear false witness.

Mr. Speaker, if this is all the Republicans have, I say let's talk about font size or paper color. No, millions of Americans are suffering because of lack of health care. They cannot afford it. Eighteen thousand are dying a year. Almost a million are going bankrupt because of health care costs. We shall give America the health care reform they deserve.

HEALTH CARE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, according to the experts at CMS, the Democrats' health care bill is bad news for seniors. Seniors citizens have a right to know that the cost for Pelosi's trillion dollar government takeover of health care is paid for with almost $500 billion in Medicare cuts.

First, millions of seniors will lose their health plans. The experts predict that enrollment in Medicare Advantage will decline 64 percent, and that Medicare benefits will be cut for 11 million seniors enrolled in Medicare Advantage.

Second, according to the Congressional Budget Office, the Democrat health plan will increase the cost of Medicare prescription drug premiums by 20 percent. Seniors will literally lose their right to choose. Cutting the benefits seniors are entitled to in the name of creating government-run health insurance is just wrong.

Seniors want, need, and deserve better from America.

□ 1015

HEALTH REFORM—MEDICARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of national comprehensive health care reform for all Americans.

Since its creation under the direction of President Lyndon Johnson, Medicare has proved to be one of the great success stories of the Federal Government. We want to improve the solvency of the program to ensure our seniors today continue to enjoy the program and that our children will be able to collect Medicare benefits in the future.

H.R. 3962, the Affordable Health Care for America Act, does not endanger traditional Medicare, but it does immediately improve the program. Currently, there are 56,000 Medicare beneficiaries in the 29th Congressional District in Texas that I represent. H.R. 3962 improves their Medicare benefits by providing free preventative and wellness care, improving primary and coordinated care, improving nursing home quality, and strengthening the Medicare Trust Fund.

Each year, 4,400 seniors in our district hit the doughnut hole and are forced to pay for drug costs despite having part D coverage. This legislation will provide these seniors with immediate relief, covering the first $500 of doughnut hole costs next year, cutting brand-name drug costs in the doughnut hole by 50 percent, and completely eliminating the doughnut hole by 2019.

Mr. Speaker, that's why we need H.R. 3962, to improve health care for our seniors and all Americans.

HEALTH CARE AMENDMENTS REMOVED

(Mr. PITTS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the health care bill we will consider this week spent 3 months behind closed doors. It started out with 1,000 pages and came out with 2,000 pages. While you might think that nothing had been removed in those closed door sessions, you may be surprised to find out that bipartisan amendments already adopted at the committee level have been gutted or tossed out. Now Speaker PELOSI is saying that we don't need amendments on the floor since we already had that opportunity at the committee level.

In the Energy and Commerce Committee, we adopted one amendment to ensure that the Center for Comparative Effectiveness Research would not be used to ration health care. We also adopted another amendment that would have prevented the center from dictating to doctors what type of treatments they can offer. Why would these amendments be gutted or removed from the bill? The only conclusion is that the authors of the bill want to move us in the direction of government-rationed care.

In Canada and Britain, similar boards are used to ration care and dictate how doctors treat their patients. Americans do not want government bureaucrats determining their treatments. They want those decisions left to doctors that they trust.

WATER FOR SAN JOAQUIN VALLEY

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

Mr. COSTA. Mr. Speaker, yesterday, I joined together with Congressmen CARDOZA and RADANOVICH in a bipartisan effort to introduce legislation on the part of our ongoing efforts to bring more water to the San Joaquin Valley, and today I rise in support of that bill.

As I have said before on this floor, regulatory and hydrological reductions in water supply deliveries have devastated my district and parts of the Central Valley in California, leaving our cities and communities in many areas with unemployment levels of 30 to 40 percent.

This legislation calls for the review of the Federal biological opinions that have reduced the amount of water flowing to the valley, leaving some of the hardest working people you'll ever meet in your life ironically standing in food lines, unable to provide food for their families. Our farmers are in danger of losing their farms, and in some cases they have held them for generations.

The two biological opinions in question, one issued by the Fish and Wildlife Service and the other by the National Marine Fisheries Service, focus solely on Central Valley. They need to be reconsidered because I believe they are flawed.

For the last 18 months, I have repeatedly said there is not one single cause for the decline in the Sacramento and San Joaquin River Delta system and their fisheries. This legislation will assure that all environmental factors are taken into account.

HEALTH CARE

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

Mr. FLEMING. Mr. Speaker, as a physician with over 30 years' experience, I cannot state strongly enough how devastating this Pelosi bill is going to be for American families, businesses, and seniors.

This 1,990-page bill has come in at a cost of $1.3 trillion by the nonpartisan Congressional Budget Office. It will create $700 billion in new taxes. It will cover over 6 million illegal immigrants, and as many as 5.5 million American workers can lose their jobs.

The government takeover of health care proposed in the Pelosi health care plan could cause as many as 114 million Americans to lose their current coverage.

This bill will also ring in a new level of Federal spending, creating levels of bureaucracy that will cost trillions of dollars in new Federal spending and will exacerbate the deficit and imperil the Nation's long-term fiscal solvency.

And finally, cuts to Medicare Advantage plans will result in higher premiums and dropped coverage for more than 10 million seniors.

In short, the Pelosi health care bill will raise taxes, provide less coverage for families and seniors, and cost millions of Americans their jobs.

ANNIVERSARY OF ASSASSINATION OF YITZHAK RABIN

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

Mr. COHEN. Mr. Speaker, today is the 14th anniversary of the assassination of Yitzhak Rabin.

Yitzhak Rabin was the Prime Minister of Israel on November 4, 1995, when he was assassinated. He was one of the great men of the world, and like November 22 in our country, that is a date that we should all remember.

Yitzhak Rabin served two terms as prime minister, from 1974 to 1977 and 1992 to 1995. He also served as Defense Minister in Israel during the Six-Day War, and was responsible for the raid in Entebbe. He was a great Israeli leader who was killed because he reached out to bring about peace with the PLO. He was given the Nobel Peace Prize for his efforts.

During his time as Prime Minister in the seventies, he brought about peace with Egypt, and in the nineties with Jordan and with the PLO and with Yasser Arafat.

We had a debate on this floor yesterday about a resolution. I don't think we would have been having that debate if the assassin's bullet had not struck Yitzhak Rabin. I think we would have peace in the Middle East. It takes strong men like him, sometimes men of war, to bring about peace and reach across the aisle to their adversaries.

A MESSAGE TO THE BLUE DOGS

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

Mr. MCCAUL. Mr. Speaker, I have a message today for the 52 Blue Dog Democrats out there, 40 of whom are conservative Democrats in districts that President Bush carried, and my message is loud and clear for them today, and that is that your leadership is making you walk the plank on this health care bill. Don't do it. Don't fall for it. Don't take the bait, for it will be your political suicide.

Stand with us on the Republican side. Stand with us conservatives to defeat the Pelosi health care bill. You have the power to defeat this government takeover of our health care system and the takeover of one-sixth of our economy. You have the opportunity to do something right for America. Stand with us. Stand with us as conservatives. Stand up for the American people.

HEALTH CARE

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

Mr. KINGSTON. Mr. Speaker, I have looked at the revised Democrat health care bill. It raises taxes. It raises premiums. It cuts Medicare. It costs $1 trillion. It puts a myriad of bureaucrats in between the patient and the doctor. Call me thick, but I don't get it. Why are they doing this?

We need targeted reforms. Americans have said loudly, I don't want to give up my health care. I want you to help the people who have fallen through the cracks, but let me keep mine because my program is working. And they're not being selfish; they're using common sense. If the kitchen sink is leaking, you don't take a wrecking ball to the entire kitchen. You fix the sink.

We need targeted health care that doesn't cut Medicare and doesn't raise taxes and doesn't cause premium increases. The Republican Party has offered many of these, and some of them are signed by Democrats. We can put together a targeted, bipartisan alternative, and we need to do it.

HEALTH CARE

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

Ms. FOXX. Mr. Speaker, after weeks of meeting behind closed doors, last week Speaker PELOSI unveiled her latest plan for a government takeover of health care.

According to a preliminary estimate by the Congressional Budget Office, the Pelosi health care plan includes more than $1 trillion in new Federal spending on health care over the next 10 years. And when one looks past the budget gimmicks, the reality is the Pelosi health care plan will cost taxpayers roughly $1.3 trillion and create 111 new bureaucracies.

This is not the kind of responsible health care reform the American people want. It's time for Speaker PELOSI to dump her budget-buster plan masquerading as health care reform and start over.

House Republicans have a plan for health care reform that will lower costs and provide greater access to affordable health care for all Americans. That's what the American people want.

PROVIDING FOR CONSIDERATION OF H.R. 3639, EXPEDITED CARD REFORM FOR CONSUMERS ACT OF 2009

Mr. PERLMUTTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 884 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 884

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (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, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Financial Services or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman from Colorado is recognized for 1 hour.

Mr. PERLMUTTER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX), and I yield myself such time as I may consume.

GENERAL LEAVE

Mr. PERLMUTTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 884.

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

There was no objection.

Mr. PERLMUTTER. Mr. Speaker, House Resolution 884 provides for consideration of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009, under a structured rule. The rule self-executes an amendment to clarify that the accelerated effective date of December 1, 2009, will apply only to those provisions of the Credit Card Act that deal directly with credit cards and currently have an effective date on or after February 22, 2010.

The amendment also provides that the accelerated effective dates are not applicable to any credit card issuer which is a depository institution with fewer than 2 million credit cards in circulation as of the date of the enactment of the bill.

This rule makes in order five amendments printed in the Rules Committee report. The amendments are each debatable for 10 minutes. The rule provides for one motion to recommit with or without instructions.

Mr. Speaker, earlier this year, Congress passed and the President signed into law the Credit Card Accountability Responsibility and Disclosure Act, the CARD Act for short. This legislation ordered important new rules to credit card issuers to end unfair, exploitive, and sharp practices, and to protect consumers against the tide of arbitrary rate hikes, spiking fees, and hidden charges.

□ 1030

The bill moved to end double-cycle billing, universal default and over-the-limit fees.

We passed this bill to give Americans a fair shake. The CARD Act marked a broad overhaul in the way credit card companies do business, and I acknowledge some of these changes require no small measure of time and resources to implement. Indeed, many lenders have made an honest effort to come into compliance with these new rules.

However, Mr. Speaker, the reason I stand here today is that some lenders have not used this interim period in such good faith. Since the CARD Act was signed into law, instead of preparing to implement these consumer protection provisions, some credit card companies have raised interest rates and have decreased credit limits on their consumers in advance of the effective dates. Responsible cardholders who have regularly met monthly obligations have seen their minimum payments and interest rates arbitrarily double and triple. They are finding their credit limits slashed, and they're hit with new and hidden fees. To many consumers, this is a slap in the face, and it is a violation of the spirit of the law designed to protect them. This has now unfairly increased the financial burdens on Americans in already difficult times.

Card issuers' actions highlight the need for protections under the CARD Act now more than ever. The credit card industry requires its cardholders to act responsibly, and it holds them accountable. It is in fairness that we require card issuers to act with the same level of responsibility and accountability.

H.R. 3639 would accelerate the implementation of certain provisions in existing law related to regulations and operations of the credit card companies. The CARD Act has set deadlines for implementing various reforms and procedures, with most of those measures scheduled to take effect in February and in August of 2010. This bill would move those effective dates forward to December 1, 2009.

American consumers don't need protection next year. They need it now, so I urge my colleagues to vote in favor of the rule and in favor of the underlying bill.

I reserve the balance of my time.

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

I thank my colleague from Colorado for yielding time for us.

Mr. Speaker, this rule provides for the consideration of a wholly unnecessary and potentially destructive bill that could further aggravate the struggles of small businesses and families who are suffering from an unavailability of credit during these times of economic uncertainty.

Here we are on the 4th of November, and the majority thinks that this bill is going to be passed in time to move this date up to December 1. It's totally unrealistic in addition to all the other comments that I'm going to make.

H.R. 3639 would accelerate the implementation of H.R. 627, the Credit Card

Accountability Responsibility and Disclosure Act of 2009, a bill that was signed into law earlier this year. I opposed the bill at that time because it took the wrong approach to addressing concerns with the credit card industry. The provisions it seeks to accelerate would impose unfunded private-sector Federal mandates, increased costs to borrowers; and it would limit the availability of credit to potential borrowers, which is just the opposite of what our colleagues think they are achieving.

These provisions are inappropriate in a credit card market that is fiercely competitive, and those who are concerned about the terms of their credit cards should rely on individual responsibility to become informed. Rather than taking the approach laid out in H.R. 627 and that which is accelerated by the bill before us today, consumers can always exercise the option of either avoiding carrying a balance or of shopping for a different credit card. Many people do not realize that credit cards were created to provide for a convenient form of payment for goods and services. They were not originally intended to serve as a loan system, which is how many people are using them now.

Mr. Speaker, I will urge my colleagues to vote ''no'' on the rule and to vote ''no'' on the underlying bill.

With that, I reserve the balance of my time.

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

I would say to my friend from North Carolina, in walking around the district in the suburbs of Denver, which I represent, or in doing a government at the grocery every other Saturday, a number of topics are raised. It could be the Middle East. It could be energy, health care, immigration; but always among the top five are credit cards and overdraft fees because so many people are affected by what turns out to be some sharp practices by some issuers. The purpose of the CARD Act is to stop those sharp practices.

Most of the issuers are diligent, thorough, responsible companies; but some are not. What we've seen in the interim is that those who are not have just continued to increase their prices, to increase the interest rates, and to take advantage of this interim period. It's that type of sharp practice, that irresponsible behavior, that we're trying to stop by expediting the date to December 1, 2009.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my distinguished colleague from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in opposition to the rule.

In a nutshell, I think we would be much better served and, ultimately, the public would have been much better served with an open rule. I have an amendment which, under an open rule, I would have proposed. While all of this is very interesting—talking about credit card debt and those protections—and while you can have a conversation about that, the elephant in the room is this idea of national debt.

My amendment would have simply said that income tax return forms would have been amended to have four lines on them as follows: Number one, the taxpayer's dependent shares of the national debt; the taxpayer family's share of the national debt; how much each individual's share of the national debt increased in the last year; and how much adjusted gross income would be required to meet the burden of that share in the national debt.

Here is where we are right now: this Congress and this administration have doubled the national debt in 5 years, and they will triple the national debt in 10 years. Why does that matter?

That matters because we are experiencing a feeling in this country that one generation is not passing on a legacy of prosperity to the next generation. In other words, one generation is actually stealing from the next generation. Why? Because of a lack of discipline that comes from this Chamber, a lack of discipline that says we're going to spend our way into prosperity.

What Americans understand, Mr. Speaker, is you cannot borrow and spend your way into prosperity. As to the idea that we're going to incur more and more and more debt, whether it's from a stimulus that has underperformed, whether it's on a bloated budget or whether it's on a health care bill that takes people's breath away, it's so costly, I think, by and large, Americans have said enough is enough.

So, towards that end, I rise in opposition to the rule. I think the rule is tone deaf, and it doesn't offer a larger conversation on debt.

Mr. PERLMUTTER. I yield myself so much time as I might consume.

Mr. Speaker, I always appreciate hearing from my friend from Illinois. He has a number of things he wants to talk about. The trouble is that nothing he has talked about has anything to do with the bill that's before the House today. It's completely outside the topic.

I would just say to my friend from Illinois that this country, by taking a tack under President Bush and a Republican Congress, to cut taxes, prosecuting two wars, and driving this country into an economic ditch is what we, the Democrats, are trying to build ourselves out of. It will take time, and it will take a lot of effort on the part of everyone, but he should not be so quick to blame, because the roots of this financial distress go back to the Republican Congress and to President Bush.

Now, coming back to the topic at hand, this is about credit cards and about abusive practices which hurt individual Americans. It's not some amorphous kind of question that we face. It's for people who are barely making ends meet now, who have had good credit histories and who see their credit card interest rates rising three and four and five and six—and double sometimes—from what they were originally paying, through no fault of their own. This has got to stop.

So the purpose of the bill that is before the House today is to expedite the rules and regulations that were first passed by the House last May. It is to expedite them up to December 1, 2009.

I reserve the balance of my time.

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

Excuses. Excuses. Excuses. That's all we hear from the other side of the aisle. Blame. Blame. Blame. Don't take responsibility, blame George Bush. I think that's getting a little old with the American people. Excuses.

You know, this country was founded on the concept of individual freedom. That's what we were founded on and on taking responsibility. We are not in the business of blaming others, or we should not be. Our economy was doing really great until the Democrats took control of this House in 2007. You can look. We've got charts. We can show you that job growth was going on and that the economy was doing terrific. The Democrats take over, and all of a sudden everything starts going downhill.

You know, the people who take out credit cards are not having guns held to their heads. They take out the credit cards. If they don't like the rates of interest that they're paying, they should get other credit cards, but don't blame the credit card companies for extending credit to people who then are irresponsible.

All this Congress is doing is setting the example for this irresponsibility by, as my colleague from Illinois said, continuing to spend money we do not have. That is the crux of the argument. It is the largest deficit in the history of this country. In fact, it is larger than all the other deficits put together. This Congress is the example for those irresponsible people out there.

I want to talk a little bit about an article by Horace Cooper, which was printed in the May 15, 2009, issue of Politico, which gives the history and potential consequences of the bill before us, both of which are necessary in understanding the right approach to this issue, and I will be quoting Mr. Cooper for the next few minutes:

While most Americans take credit card use and ownership for granted, credit cards are a relatively new financial device coming in in only the past 50 years, but their widespread use is ample evidence of the value they bring to most Americans.

Their use started in the 1950s with the original Bank of America cards, which cardholders were able to use at multiple merchants. Notably, the entire balance would have to be paid off each month. Now there are more than 175 million credit card holders, and today, credit cards typically have revolving accounts, giving individual

users the ability to decide how much of their charges they wish to pay off each month.

Cooper continues by highlighting the consequences these new restrictions will have on financially vulnerable populations, stating: What the advocates of these reforms have failed to understand is that these changes will dramatically raise the costs of extending loans to cardholders and will cause the riskiest cardholders to be dropped all together, and that will hurt people in the urban community—and minorities most—because their income is lower than average.

Fees and rate hikes are among the means that credit card companies use to recoup the costs associated with credit card lending. Because credit card charges aren't secured, lenders can't seize your home or even the assets you've purchased. Credit card companies use interest rates and other fees as a way to offset the risks associated with a given cardholder.

A cap or limit on fees will cause credit card companies to limit their exposure, particularly to minorities in inner city areas, since those with low incomes are at a higher risk for default, but this won't help the rest of the credit card-holding public. Everyone will likely see lower credit lines and higher average interest rates, since these are now ''forever'' rates instead of adjustable ones, and shorter credit card activation periods, weeks instead of months of authorized credit use.

Particularly troubling is that even minorities, women and working class families with good records of paying their debts will see credit access dry up. This is especially bad during an economic downturn as it means that fewer new small businesses, which increasingly rely on credit cards, will start to bring more jobs and economic growth into the economy, and it will be far harder for all families, including minorities and working class families, to bridge job losses or even temporary layoffs by using credit cards to temporarily buy family staples.

□ 1045

Critics of the credit card industry fail to appreciate the alternatives that presently exist to credit card use by most Americans; payday lending, auto title loans, and pawnshops for those who wish to operate within the law, and street lamp vendors named ''Rocky'' for those who don't. Minority and lower income families will be disproportionately forced to these alternatives when traditional credit card access goes away.

Mr. COOPER brings to the attention of the American people some very important points. What Republicans have done is to provide an alternative measure, H.R. 2327, the Protection of Consumer Credit and Consumer Choice Act of 2009, which embodies the principles necessary to protect the availability of credit while providing consumers with the information needed to make informed decisions.

H.R. 2327, of which I am a sponsor, would require credit card issuers to provide clear and conspicuous disclosures pertaining to, one, the time provided to make timely payments; two, allocation of payments when different annual percentage rates apply to different balances of such accounts; three, increases in APRs; four, a two-cycle average daily balance method of balance calculation; and, five, fees that may be assessed at the opening of each account.

Additionally, this alternative bill would require credit card issuers to provide advanced written notice of a change in such terms before it takes effect, with certain exceptions.

With the presence of this reasonable alternative that provides sensible consumer protections, while avoiding the pitfalls of assigning a variety of new federally unfunded mandates, I urge my colleagues to vote against this rule and oppose the underlying bill.

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

Mr. PERLMUTTER. Mr. Speaker, I ask my friend if she has any other speakers?

Ms. FOXX. I do not have any further speakers, but I do intend to speak a little longer on the rule.

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

Ms. FOXX. Mr. Speaker, a few minutes ago during 1-minutes, one of our Democratic colleagues came in and talked about the number of ''shalls'' in the proposed health care bill by the Democrats and then spoke about the Ten Commandments and pointed out that the Ten Commandments liberally uses the word ''shall.''

I think that it is the height of arrogance to compare the outrageous 2,000-page bill written in Speaker PELOSI's office with the Ten Commandments given to us by God through Moses, whose face is looking down on us from the wall of this Chamber. That, to me, is the epitome of the arrogance of the majority party right now, saying that it is okay to have a lot of ''shalls'' in that because the ''shalls'' were in the Ten Commandments.

With Federal spending and debt already out of control, the Democrat leadership is content with putting the cost of their government takeover of health care on the Nation's credit card. Again, my friend, Mr. ROSKAM from Illinois, alluded to this a few minutes ago.

The Wall Street Journal called Speaker PELOSI's 1,990-page takeover of health care the worst piece of post-New Deal legislation ever introduced.

The Congressional Budget Office estimates that Speaker PELOSI's plan will cost $1.055 trillion over the first decade, not $894 billion as Speaker PELOSI claims. But the Democrats are using a procedural maneuver to include the $245 billion ''doc fix'' without violating PAYGO, so the real cost of the bill is closer to $1.3 trillion.

At more than $1 trillion and nearly 2,000 pages, H.R. 3962 is the antithesis of patient-centered reforms that empower Americans to truly own and control their health care coverage. The fact is, H.R. 3962 will force millions of Americans off their current coverage, hand control over medical decisions to new czars and bureaucrats, raise taxes, stifle job creation, expand entitlement spending, and break already-strained State budgets.

PELOSI's plan creates 111 new boards, bureaucracies, commissions, and programs. Americans can say goodbye to personal private insurance as individual health insurance coverage is grandfathered out of existence in section 202 and more limitations also are added to Health Savings Accounts, sections 531 and 533.

H.R. 3962 permits Federal funds to be spent on abortion services, section 222, and includes a government-run plan, section 321, that will force tens of millions of Americans off their current coverage. So much for the promise that if you like your current coverage, you can keep it.

The bill increases taxes by $729.5 billion, including a mandate that employers provide coverage or pay a tax equal to 8 percent of wages, section 512; a 5.4 percent surtax on small businesses, section 551; and a mandate that Americans purchase government-deemed acceptable health care coverage or face a tax of 2.5 percent of modified adjusted gross income, section 501.

In navigating the new health care system, Americans will have to deal with a host of new czars and bureaucracies, including the Health Benefits Advisory Committee, section 223, the Health Choices Administration and Health Choices Commissioner, section 241.

Community organizations like ACORN may assist the Health Choices Commissioner in enrolling individuals in the Health Insurance Exchange, section 305. We all know how successful ACORN has been in enrolling people appropriately into different programs.

H.R. 3962 includes a huge expansion of the Medicaid entitlement, eligibility up to 150 percent of the Federal poverty level, but leaves already overstretched State governments to pick up the $34 billion tab, section 1701.

Mr. Speaker, I am mentioning these sections because I want the American people to know they can verify what we are saying simply by going to the bill and looking at it in these sections. This is not something we are making up. It is there.

To appease their trial lawyer base, Democrats continue to ignore the enormous medical liability crisis that needlessly drives up costs. They pay lip service to medical malpractice reform with money for States that pursue ''effective'' lawyer-friendly alternatives, section 2531, but they explicitly exclude States that limit attorney's fees or cap damages. Members of Congress are not subject to the same health care system Americans will have to live by under the public health insurance option, section 330.

The Democrats claim their bill allows for the sale of health insurance across State lines. In reality, this bill will only provide for regional compacts that States can enter into if their State legislatures approve it. However, these compacts can only exist after the Federal Government has established stringent national rules for minimum benefits and what constitutes a qualified plan, virtually eliminating the individual market and creating a national exchange, causing many to wonder how this would even be possible.

Rather than forcing through a bad bill with only limited support, the Democrats should keep working until they can get a bill that represents the opinions of most Americans and helps rather than hurts Americans.

Democrats in Congress often portray Republicans as obstructionists with no health care reform solutions of our own. This is simply not true. Republicans in Congress are listening to the American people. We know that Americans want commonsense, responsible solutions that make health insurance more affordable, reduce the number of uninsured Americans, and increase quality at a price our country can afford while making sure that Americans who like their health insurance can keep it.

We have proposed many commonsense solutions that fell on deaf ears as the Democrats in charge wrote their bill in secret. Republican Members have introduced more than 50 health care reform bills this year. House Republicans will support responsible health care reform and offer an alternative plan to PELOSI's 1,990-page, $1.3 trillion takeover of health care.

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

Mr. PERLMUTTER. Mr. Speaker, how much time do I have and how much time does Ms. FOXX have?

The SPEAKER pro tempore. The gentleman from Colorado has 24 minutes remaining, and the gentlewoman from North Carolina has 12 minutes remaining.

Mr. PERLMUTTER. I just was listening to my friend from North Carolina, and she really didn't talk about the bill. She talked about health care, which is a problem that has been lingering for a long time. Republicans for 12 years in the Congress, as well as 8 years under President Bush, failed to do anything about discriminating against people with prior illnesses. This health care bill takes care of that.

They failed to deal with anything related to the increase in premiums that individuals and businesses across the country are experiencing. We are going to take care of that.

Finally, they didn't do anything with the antitrust laws that protect insurance companies, and we are going to deal with that so that there is portability.

Now, let's get back to the bill at hand. The bill at hand deals with a real problem faced by Americans every day because companies are taking advantage of them by jacking up interest rates, continuing to use sharp practices, all to the detriment and to the harm of middle Americans. We have got to change that. So for purposes of this bill, this credit card bill, we are going to expedite the new rules to December 1. That is the purpose of the bill. That is the purpose of the underlying rule. That is why we are here today.

But with respect to the credit card bill, it is the usual Republican mantra, ''Just say no, we like the status quo,'' just as it applies to the health care bill. ''Just say no, we like the status quo.''

We can't afford the status quo when it comes to credit cards. We can't afford the status quo when it comes to health care.

With that, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I like my colleague from Colorado very much on a personal level, but let's get real: This bill is going nowhere. Republicans have an alternative bill that will do very well. And those of us here know that this bill is just a time consumer, because the Democrats have no real legislation to offer. They know this bill can't go into effect by December 1, but they need something to keep us here this week because they are trying to twist arms to get the votes for the health care bill. So we have to spend time talking about something, so this is what was brought up.

Let me say that, talking about health care now, we are doing that because we know when the health care bill does come to the floor, the almost 2,000-page health care bill, or a little over 2,000 pages, I suspect, won't get any time for discussion, not what it deserves, taking over one-sixth of the economy, because, and I quote from today's Roll Call, ''House Rules Chairman Louise Slaughter, Democrat-New York, said that the rule would be locked down, allowing a vote on a Republican alternative and perhaps one other, but no additional amendments,'' continuing the tradition that has been going on here this entire session—no amendments, because you don't want debate on what it is we should be debating.

But let me talk a minute about the Republicans' alternative plan. It will lower health care premiums for American families and small businesses, which addresses the number one priority for health care reform of Americans. It will establish universal access programs to guarantee access to affordable care for those with preexisting conditions.

I have read part of the plan that you have. It provides for waiting lists and taking people with existing conditions out of your plan. You don't even guarantee those people coverage.

Ending junk lawsuits. The Republican plan will help end costly junk lawsuits and curb defensive medicine by enacting medical liability reforms modeled after the successful laws in California and Texas.

It will prevent insurers from unjustly canceling a policy or instituting annual lifetime spending caps. It will encourage small business health plans. It gives small businesses the power to pool together and offer health care at lower prices, just as corporations and labor unions do. It will encourage innovative State programs. It will allow Americans to buy insurance across State lines.

It will codify the Hyde amendment. The Republican plan explicitly prohibits Federal funds, whether they are authorized funds or appropriated funds, from being used to pay for abortion. It will promote healthier lifestyles. It will enhance Health Savings Accounts, and it will allow dependents to remain on their parents' policies for a longer time.

We have alternatives, sensible alternatives, what the American people want. And I think yesterday's elections give us some idea about what the American people want.

With that, I reserve the balance of my time.

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

I think that my friend from North Carolina and I are going to have a lot of time on the Rules Committee to debate health care issues, so I am going to just remind her that the health care matter was never addressed by a Republican Congress and really not addressed by the President of the United States, except to create the doughnut hole for seniors. That is about the sum and substance of 12 years of Republicans in Congress and 8 years of President Bush in the White House.

□ 1100

Now, we've had three committees debate this health care bill over time, many, many amendments, lots of discussion, lots of conversations all across America dealing with the health care bill. So we're going to see that come up here very soon and we will continue to have this kind of spirited debate.

As it applies to the elections, I'm not sure if I want to remind my good friend from North Carolina that the Democrats picked up a seat in New York that they hadn't held for 154 years. So there was good news and bad news for both Democrats and Republicans in yesterday's elections.

But I would remind my friend we are here on the credit card bill. This is to move up the date for the rules and regulations to go into place to December 1 to stop the sharp practices that we see occurring today, which is the increase of interest rates, the continued use of double billing cycles, and the like, which are hurting everyday Americans. And that's got to stop.

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

Ms. FOXX. Mr. Speaker, again, as our good colleague from Illinois pointed out, the health care bill is going on

the Federal credit card and it's going to have very high interest rates, and it's something the American people want us to talk about because of its effect on the economy.

Mr. Speaker, I now yield 5 minutes to my distinguished colleague from Indiana and the Republican Conference Chair, Mr. PENCE.

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

Mr. PENCE. Mr. Speaker, I rise in opposition to the rule. And while I appreciate my good friend's clarification that this rule has to do with a credit card bill that's on the floor today, I take this opportunity respectfully to speak about that issue which is foremost in the minds of the American people at this hour, and that is this freight train of Big Government moving through the Congress at a frightening speed that we believe with all our hearts will result in a government takeover of health care in America.

After months of behind-closed-doors dealings, the Democratic majority, in cooperation with the White House and special interest groups, produced late last week finally a bill. It may be amended again, Mr. Speaker, but we have a 1,990-page bill that, according to independent press estimates, includes $1.2 trillion in new Federal spending on expanded health insurance coverage over the next 10 years. It includes $729.5 billion in new taxes on small businesses and individuals. It is in every real sense a government takeover of health care and the burden and payment of which will be borne principally by Americans that make less than $200,000 per year.

An independent estimate that we received yesterday, as Republicans spent hours reading the bill in our reading room, was that actually, despite the fact that as a candidate President Obama pledged that he would not raise taxes on Americans who make less than $200,000 a year, with the Pelosi health care bill, actually the tax increases would fall most squarely on Americans making below that threshold amount. Eighty-seven percent of the taxes that are being levied in the Democrat health care bill will be paid by Americans that make less than $200,000 a year, fees and mandates and fines and penalties falling squarely on our middle class. It's really extraordinary when you think of it that it's taking place during what is, without debate, the worst recession in a quarter of a century.

But it doesn't just stop there. When we say that it's a government takeover of health care, we are talking real numbers and real bureaucracy. Those that say otherwise ignore the fact that in this legislation there are 43 entitlement programs that are created, expanded, or extended. There are 111 additional offices, bureaus, commissions, programs, and bureaucracies that the bill creates over and above the entitlement expansions included in the prior bill.

Lastly, we all know as legislators that the word ''shall'' is not a friendly word when it comes in law. When the word ''shall'' appears in law, it means that someone must do something, a business, an enterprise, an element of the bureaucracy shall take action. The word ''shall'' appears in the Democrat health care bill 3,425 times. Yet the majority and the administration continue to insist that this is not a government takeover of health care? I have to tell you, Mr. Speaker, the American people are catching on and they know otherwise.

But the good news is there's an alternative. People can go to healthcare.gop.gov, and as has emerged in recent days, Republicans have a bill. I know our colleagues have been pointing at some blank pages on the floor in the last 24 hours, but the American people surfing the net know that the Republican bill is actually a little bit over 200 pages, allows Americans to purchase health insurance across State lines the way big businesses can, allows associations to pool their employees to bring down the cost of insurance. It brings about medical malpractice reform to end junk lawsuits and end defensive medicine in America, and we use those savings to actually strengthen those funds at the State level, those programs that cover preexisting conditions for Americans.

While the majority is focused on growing government to achieve something called universal coverage, Republicans are focused on what the American people want us to focus on, and that is lowering the cost of health insurance and lowering the cost of health care by giving the American people and American enterprise more choices, reasonable limits on litigation, and helping people with preexisting conditions.

Mr. PERLMUTTER. Mr. Speaker, I reserve the balance of my time to allow the gentlewoman from North Carolina to close and then I will close.

Ms. FOXX. Mr. Speaker, again I thank my colleague from Colorado.

He mentioned that we would be able to debate the health care bill in the Rules Committee, that we'd have a long time to do it. But the Rules Committee is the only committee in the Congress that meets behind closed doors, that does not allow C–SPAN to televise what it does, despite the fact that Barack Obama promised to have deliberations on all bills broadcast on C–SPAN and NANCY PELOSI promised the most open Congress in history. This is like the book ''1984'' by George Orwell. They say one thing and do absolutely another. It's doublespeak.

Mr. Speaker, I urge my colleagues to defeat the previous question so an amendment can be added to the rule. The amendment to the rule would provide for separate consideration of H. Res. 554, a resolution to require that legislation and conference reports be posted on the Internet for 72 hours prior to consideration by the House. It does not affect the bill made in order by the rule.

The amendment to the rule provides that the House will debate the issue of reading the bill within 3 legislative days. It does not disrupt the schedule.

The bill currently has 214 cosponsors. The discharge petition has 182 names, including five Democrats. This bill has gained support of an overwhelming majority of Americans and is widely respected by government watchdogs.

The existing House rule that committee reports be available for 3 days prior to floor consideration has been repeatedly waived by Republicans and Democrats alike.

This is not a partisan measure. As Members of Congress, we ought to agree that regardless of the legislation brought before us, we should always have the opportunity to read and understand the legislation before we vote. The American public agrees with this commonsense position. A recent survey by Rasmussen Reports found that 83 percent of Americans say legislation should be posted online and available for everyone to read before Congress votes on it. The poll also found that this is not a partisan issue: 85 percent of Republicans, 76 of Democrats, and 92 percent of unaffiliated voters favor posting legislation online prior to its being voted on.

In the beginning of the year, Members of this Congress, Democrat Members of this Congress, voted to spend almost $790 billion in taxpayer dollars on a stimulus package that most Members did not even read. The enormous document wasn't posted on the government's Web site until after 10 p.m., the day before the vote to pass it was taken.

Furthermore, before the debate on the cap-and-tax bill offered last summer, the House was presented with a 300-plus-page amendment at 3 a.m. for debate the following morning and a vote the following afternoon. This was unacceptable and further demonstrated the need to read the bill and the arguments.

Mr. Speaker, we are elected to Congress to represent our constituents. How are we supposed to determine what is right for our fellow Americans if we have to vote on something before we even have time to read it?

We need to have this debate. If people oppose having the text of bills available to read, they should make their case. This amendment to the rule allows them to do just that. I urge my colleagues to defeat the previous question so we can have this debate and do the right thing for the American people.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Ms. FOXX. I urge my colleagues to vote ''no'' on the previous question and ''no'' on the rule.

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

Mr. PERLMUTTER. Mr. Speaker, just to correct a couple of points, TVs are always allowed in the Rules Committee, always are invited to each and every hearing and committee meeting. Sometimes they come, sometimes they don't. My guess is that they'll be there for the debate on the health care bill.

I just want to remind my friends on the other side of the aisle, in the bill that produced the doughnut hole for seniors on Medicare and was written by a Republican Congress with a Republican President, the word ''shall'' appeared in that bill 2,080 times.

Ms. FOXX. Would the gentleman yield for one short question?

Mr. PERLMUTTER. I will yield to my good friend for about 10 seconds.

Ms. FOXX. Do you think that two wrongs make a right?

Mr. PERLMUTTER. No. And the gentlewoman makes a point. No question about that.

But the problem here, Mr. Speaker, is that my friends on the Republican side of the aisle, they're concerned that there's too much regulation or we're focused on trying to rein in credit card companies or rein in insurance companies when it comes to health care. Their focus is on the profits of those companies. Well, our focus is on middle Americans who felt the sharp practices of credit card companies and have seen their premiums go sky high as part of the health system that we have in this country today.

Speaking about this bill, this credit card expedited bill, our purpose before the House of Representatives is to pass a rule that allows us to take up the credit card bill to move up rules and regulations to be imposed on credit card companies on December 1, 2009, instead of waiting until February of 2010 and August of 2010. The purpose is because we have seen rates being increased dramatically on all sorts of people. We see billing practice continue to be applied which hurts everyday Americans, and this has got to stop. It's not fair that the profits come before treating people honorably, responsibly, those people who have been paying their credit cards on time regularly. They're seeing their credit cards' interest rates increase. This has got to be limited and stopped.

So I would urge my colleagues to vote ''yes'' on the previous question and on the rule.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT TO H. RES. 884 OFFERED BY MS. FOXX OF NORTH CAROLINA

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

SEC. 3. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adoption of House Resolution 884, if ordered;

Suspension of the rules on H. Res. 858; and

Suspension of the rules on H. Res. 839, if ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 176, not voting 28, as follows:

[Roll No. 841]

YEAS—228

Ackerman	Cohen	Gordon (TN)
Adler (NJ)	Connolly (VA)	Grayson
Altmire	Conyers	Green, Al
Andrews	Cooper	Green, Gene
Arcuri	Costa	Griffith
Baca	Costello	Grijalva
Baldwin	Courtney	Gutierrez
Barrow	Crowley	Hall (NY)
Bean	Cuellar	Halvorson
Becerra	Cummings	Hare
Berkley	Dahlkemper	Harman
Berman	Davis (AL)	Hastings (FL)
Berry	Davis (CA)	Heinrich
Bishop (GA)	Davis (IL)	Herseth Sandlin
Bishop (NY)	DeFazio	Higgins
Blumenauer	DeGette	Himes
Boccieri	Delahunt	Hinchey
Boren	Dicks	Hinojosa
Boswell	Dingell	Hirono
Boucher	Doggett	Hodes
Boyd	Donnelly (IN)	Holden
Brady (PA)	Doyle	Holt
Bright	Driehaus	Honda
Brown, Corrine	Edwards (MD)	Hoyer
Butterfield	Edwards (TX)	Inslee
Capps	Ellison	Israel
Capuano	Ellsworth	Jackson (IL)
Cardoza	Engel	Jackson-Lee (TX)
Carnahan	Eshoo	Johnson, E. B.
Carney	Etheridge	Kagen
Carson (IN)	Farr	Kanjorski
Castor (FL)	Fattah	Kaptur
Chandler	Filner	Kennedy
Childers	Foster	Kildee
Clarke	Frank (MA)	Kilpatrick (MI)
Clay	Fudge	Kilroy
Cleaver	Giffords	Kind
Clyburn	Gonzalez	

Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy (NY)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Ruppersberger
Rush
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—176

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

NOT VOTING—28

Abercrombie
Bachmann
Barrett (SC)
Braley (IA)
Chu
Davis (TN)
Deal (GA)
DeLauro
Gerlach
Johnson (GA)
Kirk
Lee (CA)
Lewis (CA)
Lewis (GA)
Marshall
McMahon
McNerney
Moran (VA)
Murphy, Patrick
Nunes
Obey
Rothman (NJ)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Shea-Porter
Slaughter
Stupak

□ 1138

Mr. HOEKSTRA, Ms. GRANGER, Messrs. HUNTER and LATHAM changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. SHEA-PORTER. Mr. Speaker, during rollcall vote No. 841 on H. Res. 884, I was unavoidably detained. Had I been present, I would have voted "yea."

Ms. CHU. Mr. Speaker, on rollcall No. 841, my pager malfunctioned and did not go off. Thus, I was not notified that votes were starting and I missed my first vote. Had I been present, I would have voted "yea."

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

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

RECORDED VOTE

Ms. FOXX. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 234, noes 175, not voting 23, as follows:

[Roll No. 842]

AYES—234

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

NOES—175

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

Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—23

Barrett (SC)
Boucher
Braley (IA)
Bright
Culberson
Davis (IL)
Davis (TN)
Deal (GA)
Gerlach
Hirono
Kirk
Klein (FL)
Markey (MA)
McMahon
McNerney
Murphy, Patrick
Myrick
Nunes
Rothman (NJ)
Sánchez, Linda T.
Slaughter
Stupak
Tierney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1146

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Mr. Speaker, on rollcall No. 842, had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. KIRK. Mr. Speaker, on rollcall Nos. 841 and 842, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall 841 and "no" on rollcall 842.

PERSONAL EXPLANATION

Mr. McMAHON. Mr. Speaker, on rollcall Nos. 841 and 842 I was on a visit to Walter Reed. Had I been present, I would have voted "yea" on rollcall 841 and "aye" on rollcall 842.

CONGRATULATING THE INTER-AMERICAN FOUNDATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 858, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 858.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 1, answered "present" 2, not voting 24, as follows:

[Roll No. 843]

YEAS—405

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

NAYS—1

Paul

ANSWERED "PRESENT"—2

Campbell
Gohmert

NOT VOTING—24

Andrews
Barrett (SC)
Boehner
Boucher
Braley (IA)
Cardoza
Davis (TN)
Deal (GA)
Gerlach
Grijalva
Inslee
Lamborn
McCaul
McNerney
Murphy, Patrick
Nunes
Reichert
Rothman (NJ)
Sánchez, Linda T.
Slaughter
Speier
Stupak
Sullivan
Watt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1152

Mr. FLAKE changed his vote from "nay" to "yea."

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.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr Speaker, I was unavoidably detained and missed rollcall vote Nos. 841, 842, and 843. Had I been present, I would have voted "aye" on rollcall votes Nos. 841, 842, and 843.

CONDEMNING THE ILLEGAL EXTRACTION OF MADAGASCAR'S NATURAL RESOURCES

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 839, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 839, 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 409, nays 5, not voting 18, as follows:

[Roll No. 844]

YEAS—409

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

NAYS—5

Bishop (UT)
Campbell
Franks (AZ)
McClintock
Paul

NOT VOTING—18

Barrett (SC)
Boehner
Braley (IA)
Butterfield
Cassidy
Davis (TN)
Deal (GA)
Gerlach
Kanjorski
McCarthy (NY)
McNerney
Moore (WI)
Murphy, Patrick
Nunes
Rothman (NJ)
Sánchez, Linda T.
Schrader
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1200

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1200

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 3639 and insert extraneous material thereon.

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

There was no objection.

EXPEDITED CARD REFORM FOR CONSUMERS ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 884 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3639.

□ 1201

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (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, and for other purposes, with Mr. PASTOR of Arizona in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

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

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I recognize for 4 minutes the prime mover of this bill, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009. I thank the chairman of the Financial Services Committee, BARNEY FRANK, for his leadership on this issue and so many others, and Senator DODD for championing this issue in the Senate.

This bill would simply move up the effective date of the remaining provisions of the Credit Card Reform Act, which we passed earlier this year, from February 2010 to December 1, 2009, just in time for the holiday shopping season.

It is truly unfortunate that we are on the floor today having to take this step, but the credit card companies brought it on themselves. Rather than use the months after the date that it was signed into law in May to update their systems to get ready for the new reforms, they have used this time to raise interest rates unfairly at any time and for any reason on consumers retroactively on their balances, capturing many of them in never-ending cycles of debt. They are practicing the double-cycle billing, charging rates on interest that has already been paid and raising rates for unrelated reasons. Consumers are justly outraged, and they have come to their Congress Members and to this Congress asking for relief.

Just last week, the Pew Foundation issued a report that showed that interest rates have shot up by 20 percent—the average interest rate is 20 percent—and 90 percent of all credit card

debt that is out there has had an interest rate increase since the President signed the bill into law.

The Pew report also found that 100 percent of bank cards were using practices that the Federal Reserve has called unfair, deceptive, and anticompetitive. This troubling information followed report after report from other not-for-profits, from other Members of Congress, from our constituents, and from the news media that have showed that interest rates have climbed 18 percent—in some cases 30 percent—for absolutely no reason for customers that are paying on time and not going over their limit.

The original implementation date for the bill that I proposed was 90 days after enactment, but many Members of this body wanted to give the credit card companies more time to implement the reforms to get their systems in place, yet they have used this time to gouge consumers and to raise rates. We had ended up, in deliberations with the bill, with a staged implementation rate, that in August of 2009 a notice would go in of 45 days of any rate increases, but the bulk of these reforms would go into place in February of 2010. What we are doing is moving this date up by 5 months, giving relief and protection to consumers and working to help them.

The extraordinary breadth and depth of the interest rate hikes that consumers are suffering from speak to the importance of passing this important bill. I thank my colleagues on both sides of the aisle that have been supportive, and especially to the chairman.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not believe there is ever a good time to enact a bad law. And unfortunately, although there are some good provisions in the underlying credit card legislation, ultimately many of us predicted that if it passed, credit would become more expensive and less available to millions of Americans, and that's exactly what we see.

Now, the good part of the bill is, clearly, there have been misleading and deceptive practices by some credit card companies. We need to have better disclosure, more effective disclosure so people understand the credit relationships in which they enter. But, Mr. Chairman, we are in the midst of a huge credit contraction that's taking place today; jobs are being lost and people are having trouble accessing credit for their personal lives and for small businesses. Unfortunately, ultimately this underlying legislation on which one of three effective dates is moved up—or two of the three effective dates are moved up by the bill that is before us—will essentially exacerbate that trend. In many respects, Mr. Chairman, I hate to say I told you so, but we told you so. And so, again, all we're going to do is make a bad situation worse.

Already we have seen, for example, a recent article in USA Today, let me quote from it, October 23, ''Curtis Arnold, founder of creditratings.com, said he expected credit card issuers to raise annual fees after the legislation was enacted.'' Sure enough, Mr. Chairman, that's exactly what we see.

Let me quote from The Wall Street Journal. ''Other issuers, such as Bank of America, JPMorgan Chase Card Services, and Discover, recently converted customer fixed rates to variable ones.''

New York Times, ''Now Congress is moving to limit the penalties on riskier borrowers''—which is exactly what the underlying legislation did, Mr. Chairman. Let me continue on—''who have become a prime source of billions of dollars in fee revenue for the industry. And to make up for the lost income, the card companies are going after those people with sterling credit.''

So now we also find out—again, from USA Today—that starting next year Bank of America will charge a number of customers an annual fee ranging from $29 to $99. We see that, in the same article from USA Today, Citigroup has started charging annual fees to cardholders.

And so, again, Mr. Chairman, we have the testimony. Many of us predicted this. As I said way back in March, make no mistake about it, if this bill passes, it's going to be a lot harder for people to access the credit they need to pay their bills, cover medical emergencies, or finance large purchases.

And so all over America people are getting these notices in the mail—including the Hensarling family of Dallas, Texas, where all of a sudden I've seen our own interest rates skyrocket from 15 percent to 23 percent. And with very few exceptions, my wife and I pay our balance in full at the end of the month. It's the half of America that pays their bills on time, in full that are now having to subsidize those who don't through an act of Congress.

So I think we all agree, nobody likes what's happening in America, but the question is, who's responsible? I believe this underlying piece of legislation is exacerbating a huge credit contraction that's already taking place in the economy.

And, Mr. Chairman, it just couldn't come at a worse time. I mean, as we know, apparently on Friday or Saturday this body will vote on a huge government takeover of our health care bill which could cost easily, even according to CBO, over $1 trillion that ultimately has to be paid for by the American people.

We've seen estimates again that premiums will rise, particularly for young, healthy people, young, healthy people who may be getting these notices in the mail today that all of a sudden maybe their credit cards have been yanked and maybe their interest rates have gone up. At the same time when we are staring in the face of an over $1 trillion health care bill, a bill that could impose a 2.5 percent penalty, again, on young people who may not be able to afford insurance, but they could be penalized 2.5 percent. Well, if you take away their credit cards, how are they going to be able to pay the 2.5 percent tax if they don't buy the government improved health insurance?

Mr. Chairman, how about small businesses? If small businesses find that their credit cards have their interest rates skyrocket or taken away, how are they going to be able to pay the 8 percent pay-or-play tax which is in the Pelosi government takeover of health care bill?

How about the other surcharge that would go to a number of small businesses, supposedly raising half a trillion dollars? Again, we know a lot of small businesses access credit through credit cards. So if we take an underlying bad bill that's exacerbating a credit crunch and all we do is accelerate the effective date, I mean, how, again, are tens of thousands of small businesses going to be able to pay the 8 percent new pay-or-play tax in the Pelosi takeover of our health care system bill?

How about the 2.5 percent medical device tax, or the 2.5 percent what some are calling the ''wheelchair tax''? Again, a number of our seniors rely on credit cards. Now they have Medigap policies. They need those credit cards for medical expenses, especially if the majority is about to impose a 2.5 percent wheelchair tax upon the American people.

Why are we going to pass a bill, again, in the middle of a huge credit contraction that is only going to exacerbate the matter, make matters worse, take away credit cards, make interest rates go up, make credit less available and more expensive at a time when we are threatened with this $1 trillion government takeover of health care legislation?

□ 1215

Again, I want to emphasize, Mr. Chairman, that there is at least one good part of the legislation, which is that we do need effective disclosure and that we need competitive markets. But when you start taking away the ability of companies to price for risk, the people who do it right end up bailing out a number of people who don't, and those who don't—and for some of whom it may not be through any fault of their own—find that they no longer have credit opportunities at a time when many are facing a 2½ percent tax if they don't buy the government-improved health insurance. They are facing a 2½ percent tax if they need a wheeled chair, maybe even a replacement hip. I suppose that's also defined as a ''medical device'' under the Pelosi government takeover of our health care system legislation. Small businesses face the 8 percent pay-or-play tax.

Again, even if you thought that the underlying legislation was good, how could the timing not be worse?

If you were to ask the American people, number one, if those who pay their bills on time shouldn't be punished for those who don't, and of those who don't, if they had a choice of paying a higher interest rate or of having their credit cards taken away from them, my guess is a number of them would choose the higher interest rate.

But Congress has taken that decision away from them by enacting the underlying bill, if we choose to enact this bill, which will simply hasten what is already a bad process which is making credit less available and more expensive to thousands of small businesses and to millions of Americans as we're facing a government takeover of our health care system.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, demonstrating that we bear no ill will to those who have deserted us, I yield 2 minutes to a former member of the committee, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman for yielding. I will say I do miss you and miss serving on your committee, but I want to thank you for your leadership and for everything you're doing to try to help shepherd our economic recovery.

Mr. Chairman, let me just say how pleased I am to support H.R. 3639, the Expedited CARD Reform for Consumers Act.

I have to thank Congresswoman MALONEY and you for following through on the promise that you made. I don't know if you remember this, Mr. Chairman, but on the floor, you made a promise to Congressman WATT and to me on April 30, which is when the House passed these critical protections for credit card holders. I had gone to the Rules Committee to actually put this 90-day deadline back into the CARD legislation via an amendment, but I did withdraw my amendment based on the assurances of the chairman that, in his words, if banks are using the time—and this is what you said, Mr. Chairman—to take advantage of consumers and if they're trying to get in some last licks before the rule goes into effect, we would speed up the date. The banks are certainly getting in some last licks.

I just want to thank you, Mr. Chairman, for following up on your promise and on your commitment, because the situation is really desperate for so many people.

We all have constituents who have been really shocked by their banks or by their credit card companies which have suddenly raised their rates on already existing balances without notice and without any negative activity on a consumer's credit report. We have all read the news reports about the initiation of all sorts of new fees on transactions: charging consumers who are paying their bills on time and these inactivity fees. I guess they charge you for doing nothing at all.

The CHAIR. The time of the gentlewoman has expired.

Mr. FRANK of Massachusetts. I yield the gentlewoman 1 additional minute.

Ms. LEE of California. Clearly, the banks pleaded for just a little extra time to fully implement these new reforms. They're using that time to pad their profits at the expense of American families. This is unconscionable. It really is immoral. We should be totally outraged about this practice.

So I have to thank you again, Chairman FRANK, Congresswoman MALONEY and Mr. WATT, for your commitment to consumer rights and for your hard work on this very vital reform. Hopefully, consumers now will get the justice that they deserve.

Mr. HENSARLING. Mr. Chairman, in order to help equalize the time, I continue to reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to an active Member, who also filed a very good piece of legislation to this bill, the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. I rise in strong support of the bill, and I want to thank Chairman FRANK for bringing this very important bill to the floor.

Mr. Chairman, deceptive credit card practices allow one hidden fee to snowball into ballooning interest rates and into $1,000 balances that many families, which are struggling to get by, cannot afford. When the President signed the Credit CARD Act into law, some companies tried to beat the clock by imposing predatory finance charges on consumers. That's why I am so pleased that, in working with Chairman FRANK and with Congresswoman MALONEY, I introduced legislation accelerating the implementation date.

The enactment of this bill will protect our constituents who cannot afford to be hit with abusive new fees or interest rate hikes. It will also accelerate other consumer protections, including a provision I cosponsored to require additional disclosure on the dangers of making only minimum payments.

So I really do want to commend the chairman and the gentlewoman from New York for their important work. I urge their support. As far as my constituents are concerned, this bill can't be passed soon enough.

Mr. HENSARLING. Mr. Chairman, I yield as much time as he may consume to the ranking member, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentleman from Texas.

I rise today in opposition to this legislation.

Mr. Chairman, let me start by saying that this bill moves up the effective date on the underlying credit card bill, and that credit card bill is not a major bill. Unlike the health care bill, unlike the climate control bill, or the cap-and-tax bill, and unlike the systemic regulation bill, this bill addressed one thing and one thing only, and that was credit cards. We passed it 5 months ago. When we passed it, there were all these prophecies of wonderful things that were going to happen to consumers.

We Republicans stood on the floor of this House, and we said there needed to be changes in this bill. We said, if this bill passed in its present form, which it did, that the cost of credit would increase for consumers. We said there would be limits placed on their credit lines.

Sure enough—and I take no pleasure in saying this—5 months later, after President Obama signed this legislation, the so-called Credit CARD Act, into law, credit tightened. Consumers every day are facing notices in the mail that their credit rates are going up from 6 and 8 percent to 20-something percent. American Express and others have said they're going to start charging $100 fees. These are so-called unintended consequences. As a result of this legislation, we're seeing many consumers facing the cancellation of their credit cards, millions in fact. Regrettably, those warnings have come true.

Small businesses, which rely heavily on consumer credit, are also feeling the credit crunch. They're the main creators of jobs in our country—small businesses. They need credit. According to the National Small Business Association, 79 percent of those small businesses which were surveyed just recently said that credit card lending standards have tightened dramatically in the last few months and that their credit lines are being decreased materially.

The new credit card restrictions are exacerbating the economic crisis and the loss of jobs, and they are causing the shutdown of a key source of financing for small businesses and, therefore, job creation.

Small businesses are the engine of our economy. They're the number one job creators. Of all businesses, they rely the most on credit cards and on credit lines from those credit cards. We shouldn't have restricted their ability to obtain credit. They need it to expand and to create jobs.

This original bill came at just the wrong time. We could have stopped the abusive practices; but at the same time, we went beyond that and restricted the ability of credit card companies to protect themselves from people who didn't pay their credit card bills. That's really the essence of why this bill is not working, because we protected those who didn't pay their credit card payments. They're who are protected. We did some other good things, but we did that; and that was a mistake.

Now, don't take my word for it as to the fact that this present legislation—and let me say this: it's very unlikely. This is sort of a charade because, I think, most of us realize that this legislation is not going to be enacted into

law. It's December 1 now. I mean, it takes effect December 1. The Senate, I don't think, will even pick it up by December 1. Maybe they will. Maybe they will.

If they do, I think the warning of Chairman Bernanke is appropriate. When asked about the feasibility of enacting the provisions of the bill we're now considering, here is what Chairman Bernanke said—and Chairman Bernanke is often quoted by the Members on the other side of the aisle:

The board continues to believe that, given the breadth of changes required by the Credit CARD Act and its regulation, card issuers must be afforded sufficient time for implementation to allow for an orderly transition and to avoid unintended consequences, compliance difficulties, and potential liabilities.

Well, we've seen those unintended consequences: no credit cards where people had credit cards and a country in which we had the most ability to have credit cards and the choices in credit cards at the lowest interest rates. That is beginning to change before our eyes.

All of us share the goal of protecting consumers from unfair and deceptive credit card practices and of ensuring that cardholders receive useful and complete disclosures so that they have sufficient time to pay their cards and so that they aren't subjected to double-cycle billing, but we must be careful. Let this bill be a lesson to us, in trying to protect consumers or the government's intervening into these practices, that we do not impose new costs on them or on the U.S. economy as a whole. Just like the Speaker PELOSI health care plan we may consider later this week, this bill limits choice; it rations credit; it decreases costs; and it strangles innovation.

According to recent studies, as many as 114 million Americans will lose their current health insurance coverage under the Democrats' health plan. Now, that's even more serious than the few million who have lost their credit cards under this legislation. Likewise, several million consumers will lose their credit cards or will see their credit lines severely restricted by this legislation.

If there is one common denominator in Congress this year, it's the substitution of the government for the individual: with the stimulus, with the multiple bailouts, with the climate change legislation, with this credit card bill, with financial reform, and now, later this week, with health care. Instead of you making the choice, the government is making the choice for you.

The United States of America is the world's largest economy. It's three times larger than our closest competitor, Japan; and it's larger than the economies of Japan, China, Germany, and of Great Britain combined. We got there through innovation. We got there through choice. We got there through competition. We got there through individual initiative and responsibility, not through government control and management.

As we've seen time after time, when you substitute a government-controlled and -run program for individual choice, the cost goes up and the quality goes down. When it comes to health care, there is nothing more important than quality and choice. Given the choice, I'll always place my faith in the individual, not in the government; and this time is no different. It is no different with the credit card legislation. It is no different with the health care legislation.

□ 1230

Mr. Chairman, let me conclude by saying many of my colleagues in this body, both Republicans and Democrats, are going to come in and they are going to vote for this legislation today. They are going to do so really, many of them, because of the underlying legislation and the animosity and the bad feelings it has created with the American people, who are seeing their credit lines limited and their interest rates raised. The American people are upset, and this bill is an attempt, I think, almost to cloud why those interest rates are going up.

We need to help families, we need to help businesses that are struggling in this economic recession, and we need to create jobs. And, as we said 5 months ago, that was exactly the wrong time to saddle them with additional fees, higher interest rates, limit their credit lines and add significant new compliance burdens to our community banks. That was true 5 months ago on credit cards. We have seen the unintended results.

We are going to vote on health care. Those results will be even more serious and more drastic. You will see a greater cost of health care. You will see a diminished quality. You will see rationing of care. We warned about unintended consequences 5 months ago. Those warnings weren't heeded. We are warning again, but this time we are dealing with a far more serious issue, and that is the quality of health care in America, the affordability of health care, and the ability to get services in this country that are not offered in other countries.

Mr. FRANK of Massachusetts. Mr. Chairman, I intend to close and I have no further speakers, so I reserve my time.

Mr. HENSARLING. Mr. Chairman, I assume the chairman of the full committee has the right to close?

The CHAIR. Yes, he does.

Mr. HENSARLING. The chairman having said he has no other speakers, in that case, I will close for our side.

Again, we have no great pleasure in saying ''I told you so,'' but I think it is important before this body decides to accelerate a problem that is exacerbated by this body, they should take full import of their actions and the consequences.

As I said back in June, we must remember that every restriction, every limit, every regulation, has a high probability of making credit less accessible, less affordable and more costly, and, unfortunately, Mr. Chairman, that is exactly what we see today.

In a recent article in The Wall Street Journal, we read, In the past 2 years, credit card lines have been cut by over $1.25 trillion. During the same time, 10 percent of all credit card accounts have been canceled.

Again, we know, Mr. Chairman, that our constituents are feeling this pain as they get these notices in the mail. Let me go back to the article: According to the most recent Federal Reserve data, small business lending is down 3 percent, or $113 billion, from fourth quarter 2008.

Mr. FRANK of Massachusetts. If the gentleman would yield, someone on our side who said she wanted to speak has since come on the floor. I just wanted to alert the gentleman that I will not be the final speaker. I will be yielding one more time before I close.

Mr. HENSARLING. Reclaiming my time, I appreciate the chairman keeping me informed.

Again, Mr. Chairman, what we have seen is what I believe to be a number of unintended consequences that have taken place in this legislation. We were warned about this.

We heard from, for example, the ABA, who testified at the committee back in March, Restrictions on repricing higher risk accounts means two things. Number one, that higher risk customers will likely see less credit available to them; and, two, since the higher risk customers do not bear the full cost of the risk they pose, lower risk customers will bear some of the added cost.

We heard back in December of 2008 from Oliver Ireland of the Morrison and Forester law firm: The effects of this are going to be pretty severe. People are going to see either some combination of rising prices or a reduction in the availability of credit by either cutting lines or simply not making credit available.

Again, Mr. Chairman, we have been warned. Julie Williams, chief counsel for the OCC, who testified before our committee back in April of 2008: The risk mitigation tools used by credit card lenders to address changes in the credit risk profile of customers may include freezing or reducing credit lines, closing accounts, shortening account expiration dates and repricing for outstanding balances on the account. I could go on and on.

We have been warned, Mr. Chairman. We see it happening. We hear the anecdotal evidence. We see the statistical evidence. Again, I fear that although there are some good aspects of the legislation, that ultimately, ultimately, in the midst of a huge credit contraction, that what we will see is credit become even less available and more expensive, at a time when many of our constituents need it most.

Again, this has to be put into the context of the larger legislation that this body will consider this week, according to the Speaker of the House, and that is the government takeover of our health care system.

We know that on page 297, section 501 of that bill, there is a 2.5 percent tax imposed on all individuals who do not purchase the government-approved health insurance, which clearly applies to people making less than a quarter million dollars a year, which seems to contravene a campaign commitment that was made by our President.

We also see that there are new taxes on medical devices, a 2.5 percent excise tax. Again, many call this the wheelchair tax. But as our constituents are finding it more and more difficult to access credit cards, when they are having their credit cards cancelled, when they are seeing their interest rates rise, how are they going to be able to pay the 2.5 percent medical device tax in this $1 trillion piece of legislation?

Mr. Chairman, I hear from my constituents. I hear from the Farmer family of Athens who wrote to me once, Dear Congressman, more than once we have put medical bills on our credit cards. Two years ago, my middle son had to have cervical surgery. I split the cost of the surgery, doctors and hospital. It took my husband and me about a year to pay off that particular debt, but we did it at a low rate of interest since our credit is good. I am just thankful for having the means to help my son.

Now, what do I go back and tell the Farmer family of Athens? Well, Congress decided to pass a piece of legislation; that although your credit is good, you are going to have to start paying more for people whose credit isn't good. The next time you have a medical emergency or challenge in your family, I don't know if that credit card will be there for you.

That is a tragedy, Mr. Chairman, as, again, we continue to have this huge credit contraction. And, again, when we are looking at this $1 trillion government takeover of our health care legislation that on page 336, section 551, imposes a half a trillion dollar surcharge, supposedly just on the wealthy, but if you read the fine print what you figure out is that half of that is going to be paid by small businesses. So you could have a $534 billion surtax imposed in this government takeover of health care legislation, and as you impose this, again, how is small business going to be able to afford to pay this surcharge if on their credit cards their interest rates continue to rise and their availability to access credit continues to erode? I don't understand it.

Then the more visible tax on small business, page 313, section 512 of the government takeover of health care bill imposes an 8 percent tax on employers who can't afford to purchase the government-approved health insurance. Now, according to the National Federation of Independent Business, such a mandate could cost 1.6 million jobs in the next 5 years. So, if you lose your job and we are making credit more expensive and less available, Mr. Chairman, I just ask the question, how is this supposed to improve the Nation's health care?

So we have to take a look at the underlying credit card legislation and how it is going to impact our constituents as we go forward, perhaps on Friday or Saturday, to vote on this other legislation.

We also know, Mr. Chairman, that in the government takeover of our health care bill, that there are at least 43 new entitlement programs that are either created, expanded or extended in the bill.

Now, is somebody going to tell me that doesn't make health care more expensive? And if it makes health care more expensive, how are Americans who are losing their credit cards supposed to pay for the $1 trillion takeover of our health care system?

In addition, there are 111 new offices, bureaus, commissions, programs and bureaucracies that the bill will put between Americans and their doctors. Are you going to tell me, besides rationing health care, that somehow that is going to make health care less expensive? I don't believe so.

If it doesn't make health care less expensive, and I haven't found anybody to come to this floor to tell me that this 1,990-page bill costing the American people over $1 trillion is somehow going to make their health care less expensive, so if it doesn't make their health care less expensive, why would we want to support legislation that, again, has the impact and effect of taking away millions of Americans' credit cards or artificially raising their interest rates? I don't get it.

Mr. Chairman, in this $1 trillion government takeover of our health care system bill, we have 3,425 uses of the word ''shall'' representing new duties, new obligations, new mandates on individuals, businesses and States, which, oh, by the way, is double the number that we saw in the last iteration of the government takeover of our health care system bill.

Okay. So if we have 3,425 different mandates in this bill, is that somehow going to make our health care less expensive? I don't believe that. I don't believe the American people believe that. And, again, Mr. Chairman, if it doesn't make our health care less expensive at a time when our Nation has just achieved its first $1 trillion deficit in our history, when this Congress has enacted a spending plan that will triple, triple the national debt in the next 10 years, that is even before the $1 trillion government takeover of our health care bill comes to the floor, how can we pass a piece of legislation making credit less available and more expensive?

I urge rejection of the bill.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. How much time remains on the other side?

The CHAIR. All of the time has expired of the gentleman from Texas.

Mr. FRANK of Massachusetts. Well, that is nice.

As I told the gentleman, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 2 minutes.

Ms. JACKSON-LEE of Texas. I thank the chairman of the Financial Services Committee and my dear friend from New York, Congresswoman MALONEY.

It is interesting, listening to my good friend on the other side, but what I would offer to say is we are now debating a bill that most Americans are crying out for. As we go into the season of giving, and many, many holidays, where Americans all over the Nation and all over the world, frankly, will be looking to share their generosity, if you will, but they are facing a steep mountain to climb. So the Expedited CARD Reform for Consumers Act allows us to push back on many credit card companies that have availed themselves of the opportunity to raise interest rates by hearing about the potential implementation of this bill in 2010, August 2010, and decrease the credit limits on their consumers before the effective date.

Mr. Chairman, we didn't do this. Credit card companies who saw the writing on the wall, rather than working with consumers in a way that would encourage purchasing in a responsible manner, they did the complete opposite.

So I am very glad to be a cosponsor of this legislation that expedites good things, providing increased written notice to consumers of any increases in interest rates or otherwise makes a significant change in the terms of the credit card account. That is simple fairness.

I am glad to be on the side of informing consumers of their right to cancel the card before the rate hike goes into effect. I am glad to be on the side of the consumer that prohibits arbitrary interest rate increases and universal default on existing balances. I am glad that college students will not be, if you will, caught in the crosshairs of paying for their college tuition while paying high interest rates on credit cards that they use.

Finally, let me say we are being fair to the credit card companies. We require penalty fees to be reasonable and proportional to these same credit companies. Let me just say, this is a good bill for America.

□ 1245

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 1½ minutes to a very important member of our committee, the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the chairman and Congresswoman MALONEY, who have been champions for consumers.

I rise today to strongly urge my colleagues to vote in favor of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009.

Earlier this year, the Congress voted overwhelmingly to pass comprehensive credit card reform legislation that was subsequently signed into law by President Obama. Unfortunately, the credit card companies have used the past few months to push through last-minute rate hikes and other unfair practices before the law kicks into gear. To address this problem, this bill simply moves up the effective date for the remaining credit card reforms from February 22, 2010, to December 1 of this year.

I want to thank Congresswoman MALONEY and Chairman FRANK for their leadership in expeditiously bringing this bill to the floor.

The actions of the credit card companies over the past few months have amply demonstrated that the American consumer needs quick relief from punitive and unfair credit card practices. The time to act on these important reforms is now. For too long, the credit card industry has been subject to too few regulations and far too little oversight.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume to close.

I want to begin by addressing the role of small business. The gentleman from Texas said this would be unfair to small business. The gentleman from Alabama said this credit card bill, the underlying bill and the speedup, would be a problem for small business.

On April 30 of this year when we voted on the underlying bill, we received the following letter from the National Federation of Independent Business, generally considered to be the most representative and forceful advocate for small businesses:

''On behalf of the NFIB, the Nation's leading small business advocacy organization, I urge you to support H.R. 627, the Credit Cardholders' Bill of Rights. While credit cards provide an important source of credit for many small business owners, our members are troubled by some of the business practices utilized by card companies.''

''H.R. 627 ends unfair penalties on cardholders who pay on time, requires 45 days' notice of interest rate increases, prohibits arbitrary interest rate increases, and establishes industrywide definitions for common terms to deter deceptive marketing advertising. These provisions can protect small business owners' credit by giving them enough notice to pay off debt and shop for competitive credit.''

''While our members favor the credit card reforms in H.R. 627, we are mindful that credit cards pay for approximately $1 of every $6 of sales small businesses make. We believe this legislation does not unduly punish credit card companies in these tough economic times but limits business practices that harm small business credit cardholders.''

I wonder how we could be told how bad this is for small business when the National Federation for Independent Business says it would, in fact, do exactly the opposite and protect credit cardholders.

We also heard, of course, some debate on other issues such as health care, and the gentleman from Alabama in particular blamed the Obama administration for bailouts. I don't want to dwell too much on things not before this bill, but let me reiterate a point that I do not think can be even debated, certainly not refuted. Every single activity of the Federal Government now being carried on that some people have characterized as a bailout was initiated by the administration of President George Bush. President Bush's Secretary of the Treasury and his chairman of the Council of Economic Advisers, his appointees, and the President himself were the ones who initiated the funding of AIG by the Federal Reserve. They came to us and asked for the TARP program. They were the ones who first gave money to General Motors and to Chrysler. There is literally nothing now going on called a bailout that the Obama administration did not inherit from George Bush.

Now, I suppose the Obama administration could have just pulled the plug on all these ongoing operations and caused chaos and blamed the previous administration. It did not do that. But literally everything going on now that is called a bailout is an inheritance from the Bush administration.

Now, the gentleman from Alabama also quoted the Federal Reserve in saying don't speed it up. And he said, well, people sometimes quote Mr. Bernanke one way or another. Well, he just did it. In the first place, the gentleman from Alabama and the gentleman from Texas have their major quarrel with the Federal Reserve because the Federal Reserve, on its own, under its regulatory power, promulgated regulations very similar to this bill. The sequence is interesting. The gentlewoman from New York, as she often is, was the first one out of the box on the consumer protection here, but after the gentlewoman from New York began discussions on this bill in our committee, the Federal Reserve moved.

So it seems odd to cite the Federal Reserve and say you believe them when they say there are difficulties in speeding it up when you are fundamentally opposed to the Federal Reserve's basic action here. The Federal Reserve agreed with this House that regulations were needed to protect consumers. It is a set of regulations promulgated by the Federal Reserve that are as strongly opposed by the other side as are our regulations.

By the way, in quoting the Federal Reserve even on the speedup, they did express some concerns. They also said, however, the board cannot predict how an effective date of December 1 would affect credit card interest rates and credit availability. However, moving the CARD Act's effective date to December 1, 2009, would mean that consumers would receive important benefits and protections earlier. So they invoke the Federal Reserve and they invoke small business despite the protestations of both of these organizations that they disagree fundamentally with the Republican position.

Now let's talk about substance. The single biggest piece of this—and they say it prevents the poor credit card companies, the poor beleaguered banks. They warned us that if we tried to stop them from behaving irresponsibly, they would speed irresponsible behavior. Yes, they did. But that should not be allowed to be a deterrent against stopping them from doing things.

And what this fundamentally does, the single best, biggest thing, is it says this: If you have used your credit card to buy things at a rate that you were told was binding and you have made all your payments on time for years and you have been running a credit card balance, as the credit card companies want you to do—I know if you have a credit card and you pay it off every month, they don't like that because they're not getting the interest. But at any rate, if you have fully complied with all the terms of the credit card and you have made purchases and incurred debt at a given interest rate and you have made every payment you were supposed to make on time, they have retained the right unilaterally and retroactively to raise the interest rate on what you already owe them. It is the single unfairest economic transaction I can think of that doesn't involve a pistol. The fact is that they decide they can make more money that way.

We're told they have to deal with risk management. What's the risk on debt already incurred on the part of someone who's always made the payments? This isn't risk management. This is hostage taking. This is raising money after the fact.

Now, it's true they told you that when they sent you the contract. It is true that if you have very good vision and a very high boredom threshold and nothing else to do but read pages and pages of small print, you might have figured that out if you spoke lawyerese. But for most people, the notion that you take your credit, you were told that this is the interest rate, you buy things at that interest rate, you incur debt, and they then say, oh, by the way, you know that rate that was at 8 percent, retroactively it's now 12 percent.

This bill doesn't prevent them from going forward with appropriate notice for raising rates. It absolutely does not. It says they can't do it retroactively and they have to give you some notice so they cannot trap you.

It also says that if you mail the bill at a certain time, you are not subject to their saying, oh, by the way, something happened to your payment, we don't know what, and you're going to have to pay extra. All the burden of any misplaced bill falls on you, the payer, not them, the payee.

Let me last say here's a problem. We have had a pattern of abuse. The National Federation of Independent Business and the Federal Reserve agreed with us that there was a pattern of abuse. Members on the other side said, oh, no, these credit card companies, wonderful people. They're just trying to help you out and they are simply trying to give you credit, and if they raise your rates retroactively, that's in your own best interest. Trust us. That's so you don't have to pay higher rates down the road.

So we said we're going to stop these practices. They then said you can't do it right away, it's very complicated, give us some time. So we gave them time, more than I wanted to at the time. They then used that time not to calibrate so they would be ready for the effective date but to start to jack up the rates.

But I reject the notion, first of all, that people who are engaging in abusive practices, as the credit card companies were, according to us, according to the National Federal of Independent Business, according to Federal Reserve, hardly radical Obamaistic organizations, they should not be allowed to stop it by saying but if you try to make things better, we're going to blow things up in advance. We should not give into those kinds of facts. In fact, I reject the notion that we caused any of this. Nothing they have done couldn't have been done without the bill, and they were doing it. All they did was to use this bill as an excuse for doing what they were trying to do anyway.

So we have here a reasonable bill that will prevent them from imposing things retroactively, that will require some notice going forward, that will fairly allocate the risk of a late payment, and that's what we are talking about. And we are talking about speeding up the date. They have many months to get ready for this.

And let me say this: They tell us, oh, my goodness, it's so hard to recalibrate. But you know what? They have very odd computers over there. Maybe they've got great software. They've got software that works perfectly when they want to raise rates, but if they want to hold rates constant, the software goes berserk. Maybe we can implore the software makers to give them some software that works both ways, because they are able to raise people's rates retroactively in violation of what people thought were their contractual rights, very quickly, but they aren't able to get ready to be giving people a 45-day notice before they raise their rates going forward. And the 45-day notice is so that you can say, okay, I will go through one more billing cycle and I don't want them anymore. I will go to shop. What we have here is what we had in April.

By the way, I don't want to be unfair to the entire Republican Party. Individual Members—it's okay, but not to the entire party. Many Republicans voted for this bill. Those who were speaking in opposition to it clearly were not representative of their whole party last time. And what we have, though, is the leadership from the Financial Services Committee of the Republican Party coming firmly to the defense of the credit card firms, telling us that what they were doing was out of economic necessity. They really don't want to raise these rates but they are just forced to do it by sound risk management.

We believe, along with the National Federation of Independent Business and the Federal Reserve and every consumer group that's looked at it, that exactly the opposite is the case. They have abused the time that they asked for because they said it was for getting ready and they used it to do precisely the things the bill will stop them from doing. I, therefore, very much hope that this bill is adopted.

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

Mr. AL GREEN of Texas. Mr. Chair, I extend my support to H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009, and thank my dear friend from New York, Ms. MALONEY, for introducing this important legislation, and Chairman FRANK for expediting it out of committee.

On May 22, 2009, President Obama signed into law the Credit Card Accountability, Responsibility, and Disclosure Act to protect consumers from the most egregious abuses that were being committed by credit card companies. Today, the important legislation before us readdresses this issue and proposes to move up the effective date of certain provisions of the Credit CARD Act to December 1, 2009. I would like to take this time now to express my support for the passage of this legislation.

Today, levels of consumer debt are at an all time high. The most recent data from the 2007 Survey of Consumer Finances shows that half of American families carried a balance on their credit cards and the average balance was $7,300. Add to this amount the debt secured by a primary residence or other consumer and installment loans, and the average American family is hard-pressed to meet these financial obligations.

Many of my colleagues here in Congress and I are concerned about how the current state of the economy is affecting the ability of ordinary Americans to service these high levels of debt. In September, the Bureau of Labor Statistics reported the American economy lost 260,000 jobs. Without work, most families could not afford to service these loans.

The days of easy and exotic credit are over. American families must work themselves out of debt and back into the black. We, as lawmakers, have been tasked with the job of enacting laws and enforcing fair rules that allow people to use credit cards and other financial services made available to them in a safe and responsible way. We are about to do just that today.

The Expedited CARD Reform for Consumers Act of 2009 is good policy for Americans everywhere. It fulfills our promise of establishing protections against abusive practices in the financial services industry and reaffirms our commitment to helping ordinary consumers responsibly manage their finances by ensuring that the choices available to them are fair and safe. I am proud to support H.R. 3639 and urge my colleagues to assure its passage.

Mr. HOLT. Mr. Chair, I rise today in strong support of the Expedited CARD Reform for Consumers Act of 2009, which would establish earlier effective dates for various consumer protections established by the Credit Card Accountability Responsibility and Disclosure Act, Credit CARD Act, enacted earlier this year. I commend Chairman FRANK and Ms. MALONEY for their leadership in bringing this bill to the floor today.

To be clear, my strong support does not stem from any concern that the implementation deadlines set forth in the Credit CARD Act as enacted were ill-conceived or too lax. Indeed, I assume we all thought they were reasonable, and most of us probably still do. What was unreasonable was the punitive, abusive, and—frankly—shameful behavior of some credit card issuers in the wake of enactment of the Credit CARD Act. I have been besieged with letters from outraged constituents, and I'd like to share some of those with you:

> Chase Bank . . . [just increased my interest rate] from 9.99% to 16.24% a 62.5% increase. They are making it harder and harder for Americans to pay-back our loans during this economic downturn. I have never missed a payment! . . . Please help!!!

> I just received a letter from my Citi Bank Master Card (which my husband and I always pay on time) stating that my interest rate is being raised to 29.99%. My research shows that Citi Bank is slipping this rate increase in before the new Credit Card Act takes effect. This is an outrage to so many people like myself.

> Most of the major banks have hiked interest rates on customers' balances, increased penalty fees or doubled minimum payments since the bill was passed in May. . . . The banks are using this lag time before the implementation date to sneak in as many rate hikes and new fees as possible, and countless good customers who pay on time each month are suffering.

I think a reality check is in order. The reality is that many credit card issuers have been abusing their customers. Had they been treating them fairly, there would have been no need for, and no call for, legislation to reign in and prohibit those abusive practices. Another reality is that many of those same credit card issuers behaved recklessly and imprudently, as a result of which they put their own survival in jeopardy and had to come to the American taxpayers hat in hand just to stay afloat. Had those financial institutions managed their own affairs responsibly, they wouldn't have had to rely on the good graces of hard working Americans to stay in business. So where does that leave us? They abused their customers, they compromised their own financial stability, they took their customers' charity to regain that stability, then they retaliated against their customers when the government stepped in told them they had to stop abusing their customers. The whole situation is just plain astounding.

Even so, it is always important to tailor one's response carefully to the actual facts and circumstances. For example, not all credit card issuers abused their customers in the first place. And not all credit card issuers retaliated against them in the wake of enactment of the Credit CARD Act. And as I noted previously, the original implementation deadlines

for the bill were reasonable—we would not have passed it that way if they weren't.

Therefore, although I heartily support this bill and urge my colleagues to do the same, I also offered an amendment to make it stronger, and to fine-tune its application. My amendment would have given credit card issuers the ability to opt out of the expedited implementation schedule set forth in this bill, and win back the right to comply with the bill in accordance with the reasonable schedule we set forth originally, under one of two circumstances.

Any creditor that could have demonstrated that it did not implement detrimental account changes against its customers on or after the date the Credit CARD Act was enacted would have been entitled to implement the bill in accordance with its original implementation schedule. This would insulate the well-behaved credit card issuers from the penalty this bill imposes, because the penalty is only being imposed in response to the bad behavior of other credit card issuers. This is not only fair, it is better for the economy. Expediting application of the implementation deadlines is going to cause disruptions in service and interruptions in the extension of credit, at precisely the same moment we go into the busiest shopping period in the annual cycle. Therefore, any credit card issuers that can justifiably be spared the requirement that they comply with the Credit CARD Act much more rapidly than originally intended, should have been spared.

With respect to credit card issuers that already penalized their customers, preventing them from penalizing any others does not do anything to help the ones they already penalized. Therefore, my amendment would have allowed those institutions to ''buy back'' the right to implement the bill in accordance with its original deadlines if they could demonstrate that they reversed all of the penalties they imposed in the wake of enactment of the Credit CARD Act. Because they will have a fresh record of the interest rates, minimum payments, and penalty fees they just got through increasing, they should expeditiously have been able to reverse those and restore their customers to their pre-Credit CARD Act terms and conditions. Only an actual roll-back can help the consumers whose terms and conditions were already detrimentally changed, and only a strong incentive such as re-applying the original deadline structure would have incentivized any bank to agree to it. But to the extent they would have, this too would have been a boon to the economy, because all customers whose minimum monthly payments go back down would have that much more to spend as we go into the holiday season.

My amendment simply created options. Any institution that fits one of the foregoing descriptions could have availed itself of the option. If they did, well-behaved banks would have been protected, injured consumers would have been restored to their pre-injury terms and conditions, and in each case the economy would have been stimulated. In addition, in each case, my amendment would have provided that implementing any detrimental changes to customer accounts after the exemption was awarded but before the bill is fully implemented would result in immediate revocation of the exemption. I believe the amendment would have made the bill stronger, and applied it more deftly and equitably to the circumstances. But without it, the banks will implement the bill as of December 1, and consumers will be provided the protections we enacted for them last spring that much sooner.

I commend Chairman FRANK and my colleague Mrs. MALONEY again for offering this bill, and I urge my colleagues to support it.

Mr. MEEK of Florida. Mr. Chair, I rise today in full support of the Expedited CARD Reform for Consumers Act of 2009. When the CARD Act came to the floor in April, I rose in support of the bill but was frustrated by the delay in its implementation. I am pleased that this bill makes that correction and puts the CARD Act into effect before the winter holidays, when so many consumers will need the protections that the act creates.

My Statement for the RECORD in April on the CARD Act discussed the need to bring immediate relief to consumers. While expediting the implementation of the CARD Act is a strong first step, I believe we must continue to do more. Consumers desperately need legislation that will allow them to make informed financial decisions and protect them from unfair lending and banking practices. Despite, or perhaps because of the impending enactment of the CARD Act, banks are continuing to charge substantial penalty rates and fees, and raking in over $19 billion from these fees.

With the average American's credit card debt reaching nearly $10,000 in 2007, consumers are in real need of not only protection from unfair fee impositions, but in need of information as well. I am supportive of the CARD Act because it requires consumers to opt-in to over-limit fees at one time for each credit card they have. I believe this is the first step in helping consumers make more informed financial decisions.

Our next step should be to put in place a mechanism to inform consumers at the point that a debit transaction to their checking or savings accounts will result in an overdraft and attendant fees. Consumers should be able to make financial decisions with real-time information at their fingertips. By giving consumers the ability to elect whether or not to perform a transaction that will result in overdraft and the attendant fee on any given transaction, they are given the power to make responsible decisions and many won't have to worry about starting in the red at the beginning of every month.

Consumers should be financially empowered, not defenseless against the whims of credit card issuers. I am pleased to support this bill which works to do that by halting these unfair fee practices and allowing individuals to set their own credit limits, so they don't unwittingly accumulate debt they can't possibly get out of. It also protects those who do make their payments on time, preventing them from being charged interest on debts paid during the grace period. And it gives consumers real information about the financial consequences of their decisions, by showing them the interest they are paying and have paid, and the length of time it will take to pay off the debt at the minimum monthly payment rate.

Consumers are being hit on all sides, with unfair credit card fees, overdraft banking fees and rising costs of goods and services. We must continue to work to protect consumers as financial institutions look to them to make up money lost in the economic downturn. I know I will continue to work hard on my legislation to bring financial relief to millions of Americans through bank abuse protections, and other efforts Chairwoman Maloney makes to protect consumers and small businesses from unfair lending.

I support the Expedited CARD Reform for Consumers Act of 2009 and urge its final passage.

Ms. MCCOLLUM Mr. Chair, I rise today to express my strong support for the Expedited CARD Reform for Consumers Act, H.R. 3639, which will accelerate the effective date for recently enacted credit card reforms to December 1, 2009.

Millions of American families have become trapped in a never-ending cycle of debt due to ''double-billing'' and other dubious credit card industry practices. On May 22, 2009, President Obama signed into law the Credit Card Accountability Responsibility and Disclosure Act, the CARD Act, P.L. 111–24, to end unfair and anticompetitive practices.

In the months following enactment of this law, many credit card companies have attempted to circumvent reforms by raising interest rates and decreasing credit limits on their customers before the reforms take effect in early 2010. According to the Pew Charitable Trusts, interest rates on over 90 percent of all outstanding credit card balances in the United States increased during the first 6 months of this year. This is totally inexcusable and evidence of why strong consumer protections in the credit card industry are needed.

H.R. 3639 accelerates the effective date of the CARD Act reforms while making sensible exceptions for small credit card issuers and prepaid gift cards. I am a co-sponsor of H.R. 3639 and I voted in support of the rule to allow its consideration on the House floor. Unfortunately, I was unavoidably detained when the final vote was taken. Had I been present, I would have voted in favor of passage.

Mr. BLUMENAUER. Mr. Chair, I have been dismayed for many years now about the performance of some of our financial institutions in the way they treat our citizens. There are too many examples of recent banking history that reveal too many tales of abuse and greed.

Americans pay around $15 billion in penalty fees every year. Credit card contracts seem to be drafted not to inform, but to confuse. Mysterious fees appear on statements. Payment deadlines shift. Terms change and interest rates rise arbitrarily.

In May, the President signed the Credit Cardholders' Bill of Rights Act into law, shielding credit cardholders from these widespread abusive practices. That law allowed the credit card companies a grace period to adjust their business practices to the new law. Rather than use this time to prepare for the new consumer protections and procedures, many credit card companies accelerated their aggressively targeted tactics to vulnerable consumers.

In a comprehensive survey of credit card practices, the Pew Charitable Trusts found that in the first half of 2009, credit card rate increases ranged from 13 to 23 percent; that 100 percent of credit cards used practices labeled ''unfair or deceptive'' by the Federal Reserve and none of these cards would meet the standards of the new laws; and that even while the Federal Reserve is promulgating new consumer-oriented standards for penalties, credit card companies are charging substantially higher penalties.

The Expedited CARD Reform for Consumers Act marks a step forward in bringing consumers badly needed relief by moving up the effective date for nearly all of the credit card reforms to December 1, 2009.

Too many Oregonians, like students and families across the country, are heavily burdened by credit card debt. I support this bill because it requires fair terms and it levels the playing field by increasing consumer protections. Not a moment too soon.

Mr. LANGEVIN. Mr. Chair, I rise in strong support of H.R. 3639, the Expedited Card Reform for Consumers Act. I am proud to be a cosponsor of this measure, which would move the effective date of the remaining provisions of the Credit CARD Act of 2009 up to December 1, 2009. This law provides tough new protections for consumers by banning unfair rate increases, abusive fees and penalties, and strengthening enforcement.

So far this year, I have hosted three telephone town halls. During every call, I have received numerous inquiries from constituents asking when Congress is going to put an end to outrageous interest rates, hidden fees, and other deceptive practices by credit card companies that have gone on for far too long.

While credit card companies argued that they needed several months to implement certain provisions included in the Credit CARD Act, many of them have instead taken advantage of this lag time, and their customers, by raising minimum payment amounts and interest rates, decreasing limits, and closing accounts without proper notification. The Pew Charitable Trusts' Safe Credit Cards Project recently reported that every one of the 12 largest bank issuers that control ninety percent of credit card outstanding balances nationwide had at least one provision that is labeled ''unfair or deceptive'' by the Federal Reserve, and they would not meet the tough provisions of the Credit CARD Act.

The actions of these companies highlight the need for the consumer protections we passed into law to take effect as soon as possible. I have heard from too many of my constituents that have experienced these deceptive practices to let this go on any longer. A longstanding cardholder who makes payments on time each month and who is struggling in this economic downturn should not be subjected to a company's attempts to rake in some last-minute revenue before they are forced to abide by the new laws.

Mr. Chair, we must continue our work to put an end to the tricks and traps used by credit card companies to undermine a competitive market. I encourage all my colleagues to vote for H.R. 3639. I would also like to thank Congresswoman MALONEY and Chairman FRANK for their hard work on this issue and bringing this measure to the floor.

Mr. POLIS. Mr. Chair, I rise in support of H.R. 3639, the Expedited CARD Reform for Consumers Act. I would like to thank Chairman FRANK and my colleagues on the Financial Services Committee for bringing us this consumer protection bill. I would also like to acknowledge and thank my friend from New York, Representative MALONEY, for introducing this legislation and her continued dedication to protecting consumers and ensuring the availability of credit.

Earlier this year in response to outrageous abuses of customers, both the Senate and the House passed H.R. 627, the Credit Card Accountability Responsibility and Disclosure Act or the CARD Act. The reforms that we passed and were signed by the President were carefully designed with input from consumer advocacy groups and the financial services industry. We established an implementation date of February 22 to give the entire industry—and particularly credit unions and community banks—ample time to make the necessary adjustments to comply with the new regulations. This additional time was designed to ensure that these institutions, which have been on the side of their consumers, would be able to continue to offer credit cards.

Community Banks and Credit Unions were not responsible for the egregious consumer abuse that required the CARD Act, nor are they the reason that we must pass H.R. 3639 today. Rather, it was the larger institutions, many of whom are receiving public assistance, who took this grace period as an opportunity to double down on the very unconscionable behavior that prompted the action of this body. Their actions were made worse as they occurred in the context of a national recession, when many people found themselves resorting to credit to make ends meet, with salaries and work hours increasingly cut back.

Mr. Chair, my constituents are tired. They see the joblessness caused as the house of cards built by Wall Street collapsed on to Main Street. They have grown impatient with an industry that required unprecedented taxpayer assistance, only to have the very institutions return the generosity of the public with unfair and unannounced interest rate hikes. This behavior is beyond unprofessional, it is beyond irresponsible, and it can only be defined in one way: un-American.

Let me be clear, I do not think the resources of this body are best used by micro-managing any industry. I have consistently supported—and even introduced—legislation that moves private business out of public stewardship as quickly as possible.

But Mr. Chair, when credit card issuers prove they cannot honor their obligation to their customers and fellow Americans, then it is incumbent upon this Congress to act.

The bill we have before us today is simple. By moving the implementation date of the policies we have already supported to December 1st, we say in clear language that the days of credit card companies financing their excess and recklessness on the dime of taxpayers and their customers are over.

To my colleagues, I offer that in joining me in support of this measure, we also speak to our constituents. We tell them that we agree that the bailouts and capricious interest rate hikes are akin to a double taxation, and that this will no longer be tolerated.

Finally Mr. Chair, as we approach the holiday season and Americans prepare to travel and buy gifts for their loved ones—giving themselves a well deserved break from what has been a trying year economically—moving the enforcement of the fair credit reforms we have agreed upon to December 1st will result in increased consumer confidence. Our nation's retailers will benefit from the public being able to shop with the security that a present for a loved one in December won't result in an unwelcome and expensive surprise in January.

Mr. Chair, today we have an opportunity to accelerate the economic and social benefits of the CARD Act. Today we have an opportunity to expedite a return of a decent level of consumer confidence. I ask my colleagues to join me in seizing this opportunity by voting for H.R. 3639.

I would once again acknowledge and thank Chairman FRANK, Representative MALONEY, the members of the Committee on Financial Services, and their staffs for their continued efforts on the issue of fair consumer credit and for this bill. I ask for the quick passage of this bill.

Mr. VAN HOLLEN. Mr. Chair, last Spring, I stood before this body to speak in support of the Credit Card Act of 2009. The bill outlawed predatory and exploitative behavior such as targeting college students regardless of their ability to make payments, shifting due dates so as to trigger penalties and other deceptive practices. I was proud to be a cosponsor of the bill. Even then, however, I argued that the bill should take effect immediately.

Today, I rise in support of H.R. 3639, the Expedited CARD Reform for Consumers Act which moves up the Credit Card Act's implementation date. Accelerating the implementation of this bill is necessary because too many card issuers are taking advantage of the act's February implementation date and increasing fees and the interest rates of their customers.

As the Credit Card Act of 2009 was taking shape, many banks expressed concern that, without time to make the logistical and accounting adjustments necessary to accommodate such a dramatic policy shift, consumers would end up shouldering an increased financial burden in the form of higher fees and diminished access to credit. In light of this concern, we established February 2010 as the date the bill would go into effect. But, to our disappointment, many banks used the time between the President's signing the bill in May and its scheduled implantation in February to increase the exploitative practices the bill was intended to prevent.

According to a recently released report by the Pew Charitable Trust, in which they studied credit card activity in the wake of the Credit Card Act, not only have many credit cards companies continued to use practices deemed ''unfair and deceptive'' under Federal Reserve guidelines, in some cases these practices increased.

I have personally received reports from my constituents that, despite having solid credit histories and long relationships with their card issuers, they were contacted by banks after the Act passed and approached with the Hobbesian choice of accepting either a reduced credit line or an increase in front end interest rates. When they called the companies to complain, they were told that there was nothing they could do and that they should call their Member of Congress. Well, they did call their Members of Congress and this is our response.

I urge my colleagues to join me in supporting H.R. 3639.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House report 111–326, is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered read.

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

H.R. 3639

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 ''Expedited CARD Reform for Consumers Act of 2009''.

SEC. 2. EARLIER EFFECTIVE DATE FOR THE CREDIT CARD PROVISIONS OF THE CREDIT CARD ACT OF 2009.

Section 3 of the Credit Card Accountability Responsibility and Disclosure Act of 2009 (15 U.S.C. 1602 nt.) is amended—

(1) by striking ''This Act'' and inserting ''(a) IN GENERAL.—This Act''; and

(2) by adding at the end the following new subsections:

(b) CERTAIN CREDIT CARD PROVISIONS.—Except as otherwise specifically provided in this Act, titles I, II, and III, and the amendments made by such titles, shall take effect on December 1, 2009.

(c) CERTAIN CREDIT CARD ISSUERS.—Except as otherwise specifically provided in this Act and notwithstanding subsection (b), the effective date established under subsection (a) shall apply with respect to the application of titles I, II, and III, and the amendments made by such titles, to any credit card issuer which is a depository institution (as defined in section 19(b)(1)(A) of the Federal Reserve Act) with fewer than 2,000,000 credit cards in circulation as of the date of the enactment of this Act.''.

SEC. 3. EARLIER EFFECTIVE DATES FOR SPECIFIC PROVISIONS TO PREVENT FURTHER ABUSES.

(a) REVIEW OF PAST CONSUMER INTEREST RATE INCREASES.—Section 148(d) of the Truth in Lending Act (15 U.S.C. 1665c(d)) (as added by section 101(c) of the Credit Card Accountability Responsibility and Disclosure Act of 2009) is amended—

(1) by striking ''9 months after the date of enactment of this section'' and inserting ''December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,''; and

(2) by striking ''become effective 15 months after that date of enactment'' and inserting ''take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be August 22, 2010''.

(b) REQUIREMENT THAT PENALTY FEES BE REASONABLE AND PROPORTIONAL TO THE VIOLATION.—Section 149(b) of the Truth in Lending Act (15 U.S.C. 1665d(b)) (as added by section 102(b) of the Credit Card Accountability Responsibility and Disclosure Act of 2009) is amended—

(1) by striking ''9 months after the date of enactment of this section,'' and inserting ''December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,''; and

(2) by striking ''become effective 15 months after the date of enactment of the section'' and inserting ''take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be August 22, 2010''.

The CHAIR. No further amendment to the bill, as amended, is in order except those printed in part B of the report. Each further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1300

AMENDMENT NO. 1 OFFERED BY MR. HENSARLING

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 111–326.

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. HENSARLING:

Page 7, after line 18, insert the following new section:

SEC. 4. CLARIFICATION THAT 45-DAY DELAY DOES NOT APPLY TO REDUCTIONS IN INTEREST RATES AND FEES.

Subsection (i) of section 127 of the Truth in Lending Act (15 U.S.C. 1637) (as added by section 101(a)(1) of the Credit CARD Act of 2009) is amended by adding at the end the following new paragraph:

''(5) CLARIFICATION.—No provision of this subsection shall be construed as preventing any creditor from putting any reduction in an annual percentage rate, any decrease or elimination of any fee imposed on any consumer, or any significant change in terms solely or primarily for the benefit of the consumer into effect immediately.''.

The CHAIR. Pursuant to House Resolution 884, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, certainly we had a spirited debate on the underlying legislation. I do want to thank the chairman for his efforts for allowing this particular amendment to be made in order. I have always feared that on a number of pieces of legislation that Congress enacts that it is always fraught with unintended consequences. I believe I stumbled across one of those unintended consequences.

I believe it was last week, perhaps the week before, that I was contacted by one of my constituents who had received a credit card offer in the mail that offered him a better interest rate than the interest rate his current credit card offered; but because of a number of other provisions, he wanted to keep his current credit card.

So he called his credit card company and said, Would you match this other deal on the interest rate? I want to stay with you, but will you match this interest rate? He was told by whatever voice was on the other end of the 1–800 number, We would like to match your interest rate, and we will match your interest rate, but we cannot do it for 45 days under a law recently enacted by Congress.

Now, I certainly don't believe that was the intent of the majority, but clearly the language in the underlying bill is being interpreted by some credit card companies to prevent them from lowering rates or lowering fees without a 45-day notice. Again, I do not believe that was the intention of the majority, and they may have written their bill thinking they had taken care of that. But, clearly, the language is sufficiently ambiguous for some companies that they do not feel that they can actually lower interest rates or lower fees or cancel fees or do something that almost every single individual in this body would interpret as only, only benefiting the consumer.

So, Mr. Chairman, my simple amendment would provide a clarification that no provision in the subsection shall be construed as preventing any creditor from putting any reduction in an annual percentage rate, any decrease or elimination of any fee imposed on any consumer or any significant change in terms solely or primarily for the benefit of the consumer into effect immediately.

So, again, what I believe the majority was trying to do would be preserved, and I think what they were trying not to do and, that is, certainly I do not believe it is their intent to have consumers wait for 45 days for lower interest rates. Again, I grant you, in this economic environment, it is not a common occurrence, but apparently it does occur or this constituent wouldn't have called me in the first place.

So I believe it is a simple amendment. Again, I hope it takes care of an unintended consequence. I fear there are many other unintended consequences, but this is one that it would take care of, and I would certainly urge all Members of the body to adopt the amendment.

Again, I thank the chairman for making sure that this particular amendment was made in order.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, if there is anybody opposed to this amendment, I would yield. But in the absence of anybody who is opposed, I will take the time.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. FRANK of Massachusetts. I support the amendment. The gentleman from Texas is a very careful legislator. We disagree a lot. And there were times when I had wished he wasn't as careful as he is, but he is absolutely right in this case. Let me go a step further: this may get entangled, this bill and broader things. If that should happen, I would be prepared, if nothing else worked, to break out this particular amendment at a later date and do it by suspension and hopefully do it unanimously because it, clearly, shouldn't be that way.

So I thank him for calling it to our attention, and I hope the amendment is

adopted. Let me just say that I will be asking for a roll call. Mr. Chairman, I am intending to vote for it; but as you know, one doesn't always ask for roll calls simply because one has an issue on that amendment.

I will yield to the gentlewoman from New York.

Mrs. MALONEY. I join the chairman in congratulating our colleague on the other side of the aisle for this amendment. I think it's a good one. I support it. If credit cards want to decrease interest rates for their customers, there is absolutely no reason that they should have to wait 45 days. We certainly accept it. The problems that we are trying to address in our underlying bill today are the increases that are coming at any time, for any reason without notice. This is a good amendment, and I accept it.

Mr. FRANK of Massachusetts. I take back my time. In fact, in the spirit of conciliation, let me extend to my friends, if I have any left in that industry, a willingness to even allow them to decrease it retroactively for 45 days, not just waive it prospectively.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MRS. MCCARTHY OF NEW YORK

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 111–326.

Mrs. MCCARTHY of New York. I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 offered by Mrs. MCCARTHY of New York:

Page 7, after line 18, insert the following new section:

SEC. 4. MORATORIUM ON INCREASES IN RATES AND FEES AND CHANGES IN TERMS TO THE DETRIMENT OF THE CONSUMER.

Notwithstanding any other provision of this Act or any amendment made by this Act, subsection (b) of section 164 of the Truth in Lending Act (as added by section 104(4) of the Credit Card Accountability Responsibility and Disclosure Act of 2009 (Public Law 111–24)) shall not take effect until February 22, 2010 for any creditor with respect to an existing credit card account under an open end credit plan, or such a plan issued on or after the date of enactment, as long as the creditor does not—

(1) increase any annual percentage rate, fee, or finance charge applicable to any existing or future balance, except as permitted under subsection 171(b) of the Truth in Lending Act (as added by Public Law 111–24); or

(2) change the terms to the detriment of a consumer, including terms governing the repayment of any outstanding balance, except as provided in section 171(c) of the Truth in Lending Act (as added by Public Law 111–24).

The CHAIR. Pursuant to House Resolution 884, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. Mr. Chairman, I thank Chairman FRANK and his committee staff for working with me and Congresswoman MARKEY on this amendment. It has not gone unnoticed that some credit card issuers have used this time before the pending effective date of the Credit Card Accountability Responsibility and Disclosure Act of 2009 to raise interest rates and reduce credit for some consumers.

Let me say, though, that I think there needs to be a reminder here on why we're even standing here. We have seen the economy just about collapse because there has been no oversight. We saw trillions of dollars being lost by our constituents because there was no oversight. So when I say that I'm not alone when I have heard from many in my district who are frustrated with credit card issuers who continue to raise rates during this small window of time before the Credit Card Reform Act is enacted, in these very difficult economic times, when many people are worried about being able to put food on the table or being able to pay their bills, credit card companies choose to push their consumers deeper in debt by raising the interest rates.

Many of us are outraged by this practice and agree with my colleague Congresswoman MARKEY that something has to be and should be done. Our amendment would seek to modify H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009, to allow credit card issuers to choose to impose a freeze on increases to interest rates, fees and the terms of the conditions of the contract. In return for imposing a rate freeze, issuers would be given flexibility to comply with a provision in the act regarding payment allotments until the credit card reform law becomes enacted in February 2010.

Payment options and many of the system changes issues must be made in order to comply with the pending enactment date of the credit card reform law. These changes should be carefully executed so that there is little room for error and confusion to the consumer. I believe our amendment will stop the unfair rate increases and will allow the companies that are doing the right thing to remain on the path of compliance for the pending enactment dates of the provisions, many of which do not have final regulations issued yet by the Federal Reserve.

If the real reason behind this bill is to make issuers stop raising interest rates and other abusive practices, merely moving up the implementation dates on provisions will not address the interest rate problem. My amendment will address the problem by letting the issuer make the decision to do the right thing.

With that, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I rise to claim the time in opposition, although as I seek to understand the amendment, I am not completely certain that I am in opposition.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. HENSARLING. I will yield myself as much time as I may consume.

It appears that if a credit card issuer does not increase an annual percentage rate fee or finance charge applicable to any existing or future balance, it need not comply. With the bill's requirements, payments above the minimum will be allocated first to that balance until February of 2010. So I guess there is a carve-out for credit card issuers who do not increase annual percentage rates. I suppose at the margins it is good to give more choices instead of fewer choices. Whether or not this results, again, in some people having to pay even more in fees, maybe an annual fee, I don't know the answer to that question. I suppose I will urge my colleagues to adopt this.

But again, all of this legislation, Mr. Chairman, has to be put in the context of the legislation that this body will consider this Friday or Saturday and that is the 1,990-page government takeover of our health care system bill. And I think that on every single piece of legislation that we consider in this body prior to that time, we have to ask the question, If our constituents are going to be looking at having to pay for a trillion-dollar government takeover of health care legislation, is any particular amendment going to make our constituents have a greater ability or a lesser ability to pay for that?

I am thinking specifically right now of all the seniors across America, particularly those in the Fifth Congressional District of Texas that I have the honor and privilege of representing, who will see their Medicare Advantage plans cut by $150 billion under the government-takeover-of-health-care plan. Now, if so, on the health care benefits they're receiving under their Medicare Advantage plan that my colleagues on the other side of the aisle will cut $150 billion from Medicare Advantage, will the seniors in the Fifth Congressional District, will they still have access to credit cards, for example, that help them fill the gap to, number one, help pay for the trillion-dollar health care bill and, on the other hand, as $150 billion is taken away from those who receive Medicare Advantage, particularly those in rural areas?

In representing the Fifth Congressional District of Texas, I represent a lot of rural America. So it's a little unclear to me whether the underlying amendment is going to make it easier for seniors to keep those credit cards or not. I believe perhaps at the margin

it does; and because of that, I will urge my colleagues to adopt this.

Again, all of this has to be put in context of the trillion-dollar government takeover of our health care system. And I hope the gentlelady's amendment helps ease the pain of that legislation.

I yield back the balance of my time.

Mrs. MCCARTHY of New York. I would like to say thank you to the gentlelady, Ms. MARKEY, for working on this legislation. Certainly her voice has been a strong voice for the consumers. I will say again, we're in this particular position mainly because there had been no oversight. If you want to talk about health care also, there has been no oversight on giving our constituents the care that they need.

I yield the remainder of my time to Ms. MARKEY.

Ms. MARKEY of Colorado. I thank Congresswoman MCCARTHY for yielding.

Mr. Chair, I rise today to urge my colleagues to support the McCarthy-Markey amendment to H.R. 3639. I have received an alarming number of complaints from my constituents regarding unreasonable credit card rate increases prior to the enactment of the Credit CARD Act reforms. Two of my constituents from Walsh, Colorado, Fred and Kay Lynn Hefley, recently received a notice from Citibank that their interest rate is jumping to 29.99 percent. The Hefleys have had this credit card since 1971 and have been responsible customers.

□ 1315

Sadly, they are not alone. Taylor Grant from Fort Collins is a small business owner. He has been a responsible Citibank cardholder since 2001 and is now facing similar interest rate increases.

Penalizing customers for maintaining responsible credit practices is unconscionable. This uncertainty in the credit market makes it especially difficult for families who are facing tough economic times at the start of the holiday season.

Our amendment offers credit card companies a choice: obey the spirit of the law and freeze increases to interest rates, fees on any existing or future balances, or changes to account terms to the detriment of a customer. In return, credit card issuers will be given until February 22 to comply with the provision of the Credit CARD Act that requires creditors to apply excess payments to the credit card balance with the highest interest rate.

The effective date of the original Credit CARD Act legislation was set for February of 2010 to give credit card companies enough time to comply with these new regulations—not additional time to violate the spirit of the law by hiking interest rates on consumers.

While I am disappointed that credit card companies have continued to raise interest rates in advance of the effective date of the Credit CARD Act, I believe this amendment provides an opportunity and an incentive for issuers to demonstrate some goodwill towards American consumers.

I urge my colleagues to support the McCarthy/Markey amendment, because it gives credit card issuers the chance to do the right thing, while still providing a benefit to consumers.

I would like to thank Congresswoman MCCARTHY, Chairman FRANK and the Financial Services Committee staff for their collaborative efforts on this amendment.

The CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mrs. MCCARTHY of New York. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MAFFEI

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 111–326.

Mr. MAFFEI. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 offered by Mr. MAFFEI:

In section 2 of the bill, strike ''December 1, 2009'' and insert ''the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009''.

Page 6, beginning on line 2, strike ''December 1, 2009'' and insert ''the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009''.

Page 6, line 12, strike ''December 1, 2009'' and insert ''the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009''.

Page 7, beginning on line 2, strike ''December 1, 2009'' and insert ''the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009''.

Page 7, line 12, strike ''December 1, 2009'' and insert ''the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009''.

The CHAIR. Pursuant to House Resolution 884, the gentleman from New York (Mr. MAFFEI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MAFFEI. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Chairman FRANK and Representative MALONEY for all their work on this pressing issue.

Today I am offering a simple amendment to make all provisions of the Credit Cardholders' Bill of Rights effective immediately upon enactment instead of waiting until December 1.

Now why should we care about enacting the bill a matter of just a couple of weeks earlier? Well, earlier this year we worked diligently to pass the Credit Cardholders' Bill of Rights. It was a necessary piece of legislation to protect consumers from the abusive practices that many banks had made standard practice.

While we were working on that legislation, I heard from banks that they could not possibly enact all of the changes by the deadlines we proposed. The banks claimed that to ensure quality customer services they would need months or even years to make the proper changes. Well, that was just last May; and I am frankly disappointed to have to address this situation again today.

Since we passed and enacted the Credit Cardholders' Bill of Rights, credit card companies attempt to fleece customers and hope that Congress didn't notice or have time to act. The same companies that were in my office that claimed that they needed months at least to make changes to their systems apparently only needed in some cases days to find ways to raise interest rates and decrease credit limits on customers across the country.

One caseworker in my Syracuse office watched her card go from 6.9 percent last year to 13.9 earlier this year to a whopping and punitive 29.9 percent in the past few weeks. She carries a balance on that card. But with an interest rate that is suffocating her finances, she almost certainly will not be able to pay that off, so she can't even close the card.

She is not alone. Every day I hear from more and more constituents who tell me they have good credit, that they pay their bills on time, but that the credit card issuers have found a way to raise the rates to extraordinarily high levels. That is why I want to make all provisions of the Credit Cardholders' Bill of Rights effective immediately.

Customers, especially in this economy, cannot wait any longer for these protections. The credit card companies apparently are able to make any changes in interest rates and procedures instantaneously, so why not demand that of them today? If we give them a week or two, they will slam our constituents with even higher rates, trying to squeeze more blood from a stone in the middle of a recession.

We are not allowed to pass legislation retroactively, even though the card companies have retroactively raised rates on consumer balances. What we can do, Mr. Chairman, is make sure that we enact this legislation immediately.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, as I have said before, there is never a good time to enact a bad bill. Here we are again in the midst of a huge credit contraction. Every single day people are waking up, they're losing credit cards. Their interest rates are increasing. We have had at least 3.5 million of our fellow citizens lose their jobs since this

administration has taken office. We have the highest unemployment rate in a quarter of a century. And yet in the midst of this credit contraction, when people are having trouble expanding their business, creating jobs, paying their bills, we are going to enact legislation that simply is procyclical and makes the whole matter worse.

I heard the gentleman say we can't enact this retroactively. I would say, at least in the years I have been in the House, we have certainly tried. I suppose that might be the next amendment. Maybe we can make this retroactive to 1974 or some other fairly arbitrary date.

Again, this particular legislation has to be put in the context of the trillion-dollar legislation, the government takeover of our health care system, that this House is due to vote on, apparently, according to the Speaker, either Friday or Saturday. And I question each and every amendment.

Will our constituents be less able or more able to afford to pay for this $1.3 trillion government takeover of our health care system if we pass this amendment? My guess is that the gentleman from New York's amendment fails that test.

And so I would urge that we reject that amendment.

I reserve the balance of my time.

Mr. MAFFEI. Mr. Chairman, I yield 90 seconds to the distinguished gentlewoman from New York, the sponsor of the bill and the chair of the Joint Economic Committee, Mrs. MALONEY.

Mrs. MALONEY. I rise in support of my colleague from the great State of New York and applaud his work to protect consumers.

The banks and credit card companies have earned this regulation and earned this amendment because they did not use the time allocated to them to upgrade their systems. They used the time to raise rates unfairly, any time, any reason, retroactively on existing balances.

The bill that I proposed would go into effect in 5 weeks, the gentleman moves it up immediately, but I think consumers deserve relief as soon as possible, and I support his amendment.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time is remaining on each side?

The CHAIR. The gentleman from Texas has 3 minutes remaining, and the gentleman from New York has 1½ minutes remaining.

Mr. HENSARLING. Thank you, Mr. Chairman.

Again, I fear that this amendment is simply going to take a bad situation and make it worse. How will all of our constituents be able, again, to pay for this monstrosity of a government takeover of our health care system, one that will directly tax a number of our constituents? Page 297, section 501, imposes a 2.5 percent tax on all individuals who do not purchase the government-approved health insurance; 2.5 percent.

Now, again, a number of our constituents use credit cards to help pay for their medical expenses, to pay for their groceries, to pay for everything else. And now a number of them are going to be subject to a 2.5 percent tax. How will this amendment help them?

New taxes on medical devices, a 2.5 percent excise tax, which many call the wheelchair tax, particularly I assume a number of seniors will be subject to this tax. I know a number of them rely upon credit cards. Will their credit cards ultimately be taken away from them under this legislation?

The underlying legislation takes away the ability, erodes the ability to do risk-based pricing and takes us back to an era where a third fewer people had access to credit cards and everybody paid annual fees and everybody paid one universal high interest rate.

The underlying legislation takes us down that road, and the gentleman from New York's amendment gets us there tomorrow. And then later in this week we're going to tell our constituents, Congratulations, we just passed a $1.3 trillion government takeover of your health care system that you have to pay for through new taxes on individuals, new taxes on medical devices, new taxes on small businesses, at a time where this Congress and this administration has brought us the first trillion-dollar deficit in our Nation's history, tripling the national debt—tripling the national debt—in the next 10 years. The least you can do is at least allow your constituents to have a credit card to help pay for this mammoth takeover of our government health care system.

I yield back the balance of my time.

Mr. MAFFEI. Mr. Chairman, in closing, I admire the gentleman from Texas, because to try to defend what the credit card companies are doing is essentially indefensible, so he very artfully tries to change the subject. But I truly believe that this bill just addresses the abusive practices. It would actually make it a lot easier for people who have credit. They would understand exactly what they are getting and exactly what they are paying for.

Now in terms of the effective date of this particular amendment, some say it would be unreasonable to impose this effective date immediately, but not as unreasonable as the credit card issuers have been with their own customers.

Mr. Chairman, the time for delays is over. We gave the credit card companies a chance and they took advantage of our constituents. We can't take the chance of giving them even a week or a day to do it again.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MAFFEI).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. MAFFEI. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. SUTTON

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 111–326.

Ms. SUTTON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Ms. SUTTON:

Page 7, after line 18, insert the following new section:

SEC. 4. ADDITIONAL LIMITATIONS ESTABLISHED.

Section 127 of the Truth in Lending Act (U.S.C. 1637) is amended by inserting after subsection (r) (as added by the Credit CARD Act of 2009) the following new subsection:

''(s) CANCELLATION OF ACCOUNT WITHOUT DETRIMENTAL EFFECT.—If, in the case of a credit card account under an open end consumer credit plan, the consumer receives notice of the imposition of a new fee, and within the 45-day period beginning on receipt of such notice, pays off any outstanding balance on the account, no creditor and no consumer reporting agency (as defined in section 603) may use such pay off or closure of the consumer credit account to negatively impact the consumer's credit score or consumer report (as such terms are defined in section 609 and 603, respectively).''.

The CHAIR. Pursuant to House Resolution 884, the gentlewoman from Ohio (Ms. SUTTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. SUTTON. I thank you, and I yield myself such time as I may consume.

I would like to thank both Congresswoman MALONEY and Chairman FRANK for bringing this bill to protect consumers from the egregious practices being engaged in by credit card companies to the floor and for their support of this amendment.

In May, Congress overwhelmingly passed major credit card reform legislation to end the many unfair and deceptive practices that credit card companies have been legally perpetrating for some time. But many of these protective provisions do not go into effect until February 2010 or later. So what are credit card companies doing?

Rather than preparing to implement these new consumer protections, the credit card industry saw this as a window of opportunity to squeeze more money out of consumers. They are raising interest rates and minimum payments while lowering credit limits. They are instituting fees of all shapes and sizes. I am sure that every Member of Congress has heard from constituents who have suffered under these practices. I know I have.

The bill before us today, H.R. 3639, will move up the effective date for credit card reforms to December 1, 2009. I am proud to be an original cosponsor of this bill, and I urge its final passage.

The amendment I am offering tackles the dilemma faced by consumers who receive notice of new fees on their

credit card accounts. As credit card companies search for new ways to make money, they are looking to charge fees where there were none before: new annual fees, inactivity fees, fees for failure to carry a monthly balance. Yes, now some credit card companies are indicating they will be charging a fee to consumers who pay off their balances every month. Can you imagine?

I find it outrageous, but the credit card companies argue that if the consumers don't like it, they can close their account. The choice is, pay the fee or close your account. The problem is that closing your account can hurt your credit score, and credit scores and credit reports play a large role in our society and can really impact people's lives. They are used by mortgage lenders, employers, landlords and insurance providers. This amendment is about leveling the playing field.

□ 1330

This amendment protects consumers by preventing the closure of a credit card account because of new fees from negatively impacting a consumer's credit report or credit score. It will allow consumers to cancel their card or shop around for another card with terms without taking a hit on their credit score. I urge a ''yes'' vote on this amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, there are aspects of the legislation I am not sure that I completely understand, and if the gentlelady from Ohio would be willing to explain her amendment, I will be happy to yield her time.

On line 9 of the amendment, it speaks of the notice of the imposition of a new fee, and I am curious whether a new fee, does that include increasing the amount of a fee that is already in existence?

I yield to the gentlelady for a clarification.

Ms. SUTTON. I appreciate the inquiry, and I believe it would.

Mr. HENSARLING. That it would, okay.

So an altogether new fee that had not previously been imposed, that would be included in the language and any increase in an existing fee would come within your definition of new fee, correct?

I yield to the gentlelady.

Ms. SUTTON. I thank the gentleman for yielding. And yes, that would be the understanding because that fee is a new fee to the consumer. They would then have the opportunity to either continue to engage in using that account with that new fee imposed, or they would have a chance to shop around in the free market to find an account that would be more compatible with their interests. They should not be penalized on their credit report for doing so.

Mr. HENSARLING. I thank the gentlelady for her explanation.

The next question I had, on line 14 there is the phrase ''to negatively impact.'' I am curious whether or not certain creditors feel they are getting accurate data, whether or not this could cause them to drop the consumer's credit card in total, but I suppose the language you use is to negatively impact the consumer's credit score or credit report. So if the impact of your amendment, because incomplete or inaccurate data was given by a credit bureau to a creditor and they chose instead not to take the risk, that the negative impact of losing their credit card, that is not assumed in your amendment?

I yield to the gentlelady.

Ms. SUTTON. That is not a problem that would result from what this amendment is striving to do. This would just protect the imposition of a negative credit score because when you cancel a card, it will limit the amount of credit you have available, and then that is used by credit scorers.

Mr. HENSARLING. Reclaiming my time, I thank the gentlelady for her explanation. I fear for, frankly, a number of creditors it might just have that impact.

So again, I would oppose the underlying amendment because I think, again, under the purpose of attempting to help the consumer, you might actually hurt the consumer. And I think what we want is to make sure that creditors receive the most accurate information possible because it has helped allow more Americans to receive credit than otherwise would be possible.

Now I don't know, there may be some credit bureau out there who believe that people like me who wear red ties are a greater credit risk, I don't know, I am not an expert in it, and I feel quite certain that my colleagues are not experts on what constitutes a greater or lesser credit risk, and except for the prohibited classes of race, creed, and color which have been clearly delineated in our civil rights laws, why do we want to start dictating to credit bureaus about what constitutes a greater risk and what constitutes a lesser risk.

Again, it might make us feel better. It may have good optics; but at the end of the day, I fear the result is if you start restricting, if you go down the road of beginning to restrict the information that is available to creditors, with less information, they are either going to make credit less available or they are going to increase the cost of it because it becomes a greater risk.

Listen, on its face the gentlelady's amendment strikes me as fair; but I don't believe Congress has expertise in this. Again, when we are facing the imposition of a trillion dollar government takeover of our health care bill, I believe this will make credit less available and more costly.

I reserve the balance of my time.

Ms. SUTTON. Mr. Chairman, I would inquire how much time we have remaining.

The CHAIR. The gentlewoman from Ohio has 2½ minutes. The gentleman from Texas has 15 seconds.

Ms. SUTTON. At this time I yield 90 seconds to the distinguished gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I rise in strong support of the gentlelady's amendment. It merely gives more responsibility and control to consumers to better manage their own credit. FICO scores should not go down if consumers are trying to do the right thing by getting out of debt. What I hear from my consumers and friends and people who write my office is that they want to cancel a card because of unfair fees and interest rate increases, yet if they cancel their card, then their credit score suffers. This is absolutely wrong when they are doing the right thing of trying to get out of debt, to better control their own finances, to stop unfair fees and unfair interest rates retroactively on their balances.

This is a good amendment. I support it. It would be an important step to take even in a stand-alone bill. It is a very important step and a responsible step to help consumers better manage their own finances and level the playing field between consumers and credit card issuers.

Mr. HENSARLING. Mr. Chairman, I reserve my time to close.

Ms. SUTTON. Mr. Chairman, I appreciate the gentlewoman from New York's remarks. I do indeed feel better when we protect consumers. This amendment is all about leveling the playing field, giving the consumer a fair shake, an opportunity to evaluate whether or not they want to continue with an account that imposes whatever fee has been dreamed up. In this case, the one that really struck a chord was imposing a new fee on credit card users who pay down their balance every month. So we have to think about that. First, they impose all kinds of interest rate increases. Then they impose all kinds of other new fees, and now they are going to actually impose a fee on people who pay down their balances every month.

Mr. FRANK of Massachusetts. Would the gentlewoman yield?

Ms. SUTTON. I yield to the gentleman.

Mr. FRANK of Massachusetts. I very much appreciate the gentlewoman's amendment. The notion that people should be penalized for being prudent is outrageous. What this says is if you close out a credit card account, which is an act of prudence, you shouldn't be penalized for it. It is one of these things that I am embarrassed that we ever had to deal with in the first place because that situation should have never been allowed to have existed. The gentlewoman has a very good amendment.

Ms. SUTTON. I thank the gentleman, and I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I would agree with the chairman of the full committee, people who do it right shouldn't be penalized, and that is exactly what is happening in the underlying legislation.

This particular amendment is simply tantamount to a gag order to tell credit bureaus that they can't report accurate information that creditors want in order to give credit. It is going to take credit away, make it more expensive and less available as we try to finance the trillion dollar government takeover of health care.

The CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. SUTTON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. SUTTON

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 111–326.

Ms. SUTTON. Mr. Chairman, as the designee of Mr. STUPAK, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Ms. SUTTON:

Page 7, after line 18, insert the following new section:

SEC. 4. MORATORIUM ON RATE INCREASES.

(a) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending 9 months after the date of the 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).

(b) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) ANNUAL PERCENTAGE RATE.—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) FINANCE CHARGE.—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) OUTSTANDING BALANCE.—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).

(4) OTHER TERMS.—Any term used in this section that is defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602) and is not otherwise defined in this section shall have the same meanings as in section 103 of the Truth in Lending Act.

(c) REGULATORY AUTHORITY.—

(1) IN GENERAL.—The Board of Governors of the Federal Reserve System may prescribe such regulations as may be necessary to carry out this section.

(2) EFFECTIVE DATE.—The provisions of this section shall take effect upon the date of the enactment of this title, regardless of whether rules are issued under subsection (a).

The CHAIR. Pursuant to House Resolution 884, the gentlewoman from Ohio (Ms. SUTTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. SUTTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the designee of Mr. STUPAK, I am calling up this amendment on behalf of my good friend, the Congressman from Michigan, Mr. STUPAK, who is unable to be here with us today due to a death in his family.

Many of our Nation's largest banks received assistance through the Troubled Assets Relief Program, TARP, and these same banks are some of the largest issuers of credit cards. While executives on Wall Street are paid millions of dollars in executive bonuses on the government's credit line, they continue to engage in deceptive and misleading practices that take advantage of consumers and force them to accumulate more debt.

I and 356 of my colleagues supported the Credit Cardholders' Bill of Rights, H.R. 627, passed by Congress earlier this year. Unfortunately, the reforms put into place by this law are being circumvented, as we heard here today, by credit card companies. Card issuers are raising interest rates, raising minimum payment amounts, and charging extra fees before the bill takes effect.

In this economic crisis, far too many families are forced to rely on short term, high interest credit card debt to pay for food, for housing, and other basic necessities. In Congressman STUPAK's district in northern Michigan, unemployment ranges from 6 to 28 percent. In Ohio, the unemployment rate is 10.1 percent. Families are falling behind on their payments and have fallen victim to the predatory practices of the Nation's credit card companies. Moving the enforcement date forward is critical to helping families across this country.

This amendment will immediately freeze interest rates on existing credit card balances until the Credit Cardholders' Bill of Rights goes into effect. For too long, the credit card industry has preyed upon consumers through omission of honest billing practices and through loopholes in credit regulation that are common among banking institutions.

On behalf of Congressman STUPAK, I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. While I am somewhat unclear why this amendment was made in order, it seems to do precisely the opposite of what the Expedited CARD Reform for Consumers Act was supposedly designed to do. This freezes prices. And yet we have had so many Members on the other side of the aisle tell us the bill doesn't do that.

I see that the chairman of the full committee has come back to the floor. Just in September, on September 23, the chairman was quoted as saying on the House floor, When it comes to rate setting, this bill, to the disappointment of some, doesn't limit future rates. As far as the future is concerned, if proper notice is given, this bill is not restricted.

Well, the adoption of this amendment would seem to fly in the face of that. The chairman, I assume, was correct when he said it. But if the House adopts this amendment, it will no longer be true.

The chairman of the subcommittee, the gentleman from Illinois (Mr. GUTIERREZ), There is no limit in this bill on the interest rate that you can charge. None whatsoever. That was spoken on the House floor on April 29. Again, if the amendment is adopted, that will no longer be true.

This bill aims to bring back some balance in the playing field. Unlike other proposals out there, this bill does not set price controls or rate caps or limit the size of fees. That would be the gentlelady from New York who spoke those words in subcommittee in March of 2008. Again, if the underlying amendment is adopted, it seems to change the nature of the underlying bill.

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. HENSARLING. I would be happy to yield to the chairman.

Mr. FRANK of Massachusetts. The bill does not impose any restrictions other than those in the underlying bill. What it says is, section 4(a) in general, during this period and ending 9 months after the date, it says no creditor may increase any annual percentage rate fee or finance charge except as permitted under subsection 171(b) of the Truth in Lending Act, the CARD Act. So it does have restrictions, but it only reaffirms those that were already in there with the 9-month date. It does not do any new restriction on the ability to raise rates.

□ 1345

Mr. HENSARLING. Well, I thank the chairman.

Reclaiming my time, During the period beginning on the date of the enactment of this act and ending 9 months after the date, no creditor may increase annual percentage rate fee finance charge. Again, under the subsection it appears again ''for at least a 9-month period.''

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. HENSARLING. Yes, I would be happy to yield to the gentleman.

Mr. FRANK of Massachusetts. He stops reading inexplicably. He's got to work on his attention span because it goes on to say, Except——

Mr. HENSARLING. Well, reclaiming my time, I was still reading as I yielded to the chairman. So I can either read or I can yield to the chairman. I would be happy to yield to the chairman.

Mr. FRANK of Massachusetts. I apologize, because the part that we were probably both going to read—and we will work on doing it in unison—says, Except as permitted under subsection 171(b). That is, it imposes no new restrictions. It does revert back to those that are already enacted into law.

Mr. HENSARLING. Well, reclaiming my time, then I would question the body on what particular purpose the amendment then serves.

Mr. FRANK of Massachusetts. Would the gentleman yield? That's not a bad question. I don't have as good an answer to that question as I had to the one before.

The CHAIR. The gentleman from Texas controls the time.

Mr. HENSARLING. At this point, I will reserve the balance of my time.

Ms. SUTTON. This amendment gives immediate protection to the consumer and will end any manipulation of existing credit card contracts by companies prior to the December 1 date. It's as simple as that.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time is remaining?

The CHAIR. The gentleman has 1 minute remaining.

Mr. HENSARLING. Well, one thing of interest, I suppose, is that if we adopt the earlier amendment of the gentleman from New York, this all becomes irrelevant anyway since the effective date would be immediate. So I believe that——

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. HENSARLING. I have only 60 seconds, but yes, I will yield a short time to the chairman.

Mr. FRANK of Massachusetts. The point is this: Given the context of all these amendments, this one doesn't have great effect. But as Members filed amendments, it wasn't clear all the amendments that were there. I think if the gentleman knew everything else that was going to be done, it might not have appeared.

Mr. HENSARLING. I thank the chairman for his clarification.

Again, I believe that ultimately this is an amendment that would simply impose price controls for a limited duration of time, contrary to what some of us were led to believe.

But again, the most important aspect of this legislation has to be put into the context of the $1 trillion government takeover of our health care plan to be voted on Friday or Saturday. This will make credit more expensive and less available. It should be defeated.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. SUTTON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 111–326 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. HENSARLING of Texas;

Amendment No. 2 by Mrs. MCCARTHY of New York;

Amendment No. 3 by Mr. MAFFEI of New York;

Amendment No. 4 by Ms. SUTTON of Ohio;

Amendment No. 5 by Ms. SUTTON of Ohio.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. HENSARLING

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 427, noes 0, not voting 11, as follows:

[Roll No. 845]

AYES—427

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
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
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz

Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Braley (IA)
Coffman (CO)
Davis (TN)
Deal (GA)
Gerlach
Murphy, Patrick
Norton
Nunes
Pierluisi
Sánchez, Linda T.
Stupak

□ 1414

Messrs. WITTMAN, DINGELL and PALLONE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MRS. MCCARTHY OF NEW YORK

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 427, noes 0, not voting 11, as follows:

[Roll No. 846]

AYES—427

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

NOT VOTING—11

Braley (IA)
Coffman (CO)
Davis (TN)
Deal (GA)
Gerlach
Murphy, Patrick
Norton
Nunes
Sánchez, Linda T.
Slaughter
Stupak

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remain in this vote.

□ 1422

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. MAFFEI

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. MAFFEI) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 174, not voting 13, as follows:

[Roll No. 847]

AYES—251

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bordallo
Boren
Boswell
Boyd
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)

Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—174

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

NOT VOTING—13

Akin
Braley (IA)
Coffman (CO)
Davis (TN)
Deal (GA)
Gerlach
Murphy, Patrick
Norton
Nunes
Rothman (NJ)
Sánchez, Linda T.
Stupak
Wexler

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remain in this vote.

□ 1430

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. COFFMAN of Colorado. Mr. Chair, on rollcall Nos. 845, 846, and 847 I was unavoidably detained.

Had I been present, I would have voted on rollcall 845—"aye," on rollcall 846—"aye," and on rollcall 847—"no."

AMENDMENT NO. 4 OFFERED BY MS. SUTTON

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 353, noes 71, not voting 14, as follows:

[Roll No. 848]

AYES—353

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McNerney
Meek (FL)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOES—71

Akin
Austria
Bachmann
Bachus
Barrett (SC)
Boehner
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Calvert
Cantor
Carter
Castle
Cole
Conaway
Davis (KY)
Dreier
Flake
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Granger
Hall (TX)
Hastings (WA)
Hensarling
Himes
Inglis

Issa
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Lamborn
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Mack
Marchant
McCaul
McClintock
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Neugebauer
Olson
Paul
Pence
Poe (TX)
Price (GA)
Radanovich
Rohrabacher
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sessions
Smith (TX)
Sullivan
Thompson (PA)
Thornberry
Westmoreland

NOT VOTING—14

Becerra
Braley (IA)
Davis (TN)
Deal (GA)
Gerlach
Hastings (FL)
Meeks (NY)
Murphy, Patrick
Norton
Nunes
Sánchez, Linda T.
Stupak
Wasserman Schultz
Yarmuth

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1436

Messrs. HIMES and ROHRABACHER changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. SUTTON

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 173, not voting 16, as follows:

[Roll No. 849]

AYES—249

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Andrews
Arcuri
Baird
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Bordallo
Boswell
Boyd
Brady (PA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Fudge
Giffords
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NOES—173

Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cardoza
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Himes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (NY)
Myrick
Neugebauer
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—16

Baca
Boucher
Braley (IA)
Davis (TN)
Deal (GA)
Gerlach
Gonzalez
Griffith
Gutierrez
Kind
Murphy, Patrick
Norton
Nunes
Sánchez, Linda T.
Stupak
Waters

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1444

Mr. CHILDERS changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BACA. Mr. Chair, on rollcall No. 849, had I been present, I would have voted "aye."

The CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. DEGETTE) having assumed the chair, Mr. PASTOR of Arizona, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (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, and for other purposes, pursuant to House Resolution 884, he reported the bill, as amended pursuant to that resolution, back to the House with sundry further amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 884, the question of adoption of the further amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

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

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

Mr. CASTLE. In its current form, I am, yes.

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

The Clerk read as follows:

Mr. Castle moves to recommit the bill H.R. 3639 to the Committee on Financial Services with instructions to report the same back to

the House forthwith with an amendment as follows:

Page 7, after 18, insert the following new section:

SEC. 4. FEDERAL RESERVE CERTIFICATION.

Not later than the end of the 1-week period beginning on the date of the enactment of this Act, the Board of Governors of the Federal Reserve System shall submit a report to the Congress certifying whether or not the implementation of necessary regulations under those provisions affected by the amendments made by section 2 and section 3 of this Act is feasible by December 1, 2009. Unless such certification states that such implementation is feasible by December 1, 2009, section 2 and section 3 of this Act shall have no force or effect.

□ 1445

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

Mr. CASTLE. Madam Speaker, let me just give a little background on all of this. This is not a very complex motion to recommit. This legislation, which I supported, by the way, in its original form, the Credit Card Accountability Responsibility and Disclosure Act of 2009, was negotiated, I think fairly, by the chairman of the committee and various members. It was on a parallel track with what the Federal Reserve was doing as a way of protecting consumers as well.

The legislation took precedence. It was considered in committee, and there was some negotiation about the date on which it would go into effect because of the time it would take for the various credit card companies and others involved in this process to be able to manage all of this. The date that was negotiated was February 22 of next year, 2010. That would have been about 3 or 4 months sooner than what the Federal Reserve had been considering, which I believe was in July of 2010.

In the interim period of time, there has been a lot of work by various people trying to put this into place, and a lot of things have happened in arguments which we've heard on the floor, that is, that some small businesses are being impacted by this, some people have lost credit or whatever, for better or for worse.

But the bottom line is that the various credit card companies have a lot of work to do to implement this, to put their plans into place, and some probably have done it better than others, if I had to guess. The bottom line is that I don't know, I can't judge this. I don't know if they are ready to do this by the date of December 1 or not.

So the motion to recommit is relatively simple. It basically indicates that the governors of the Federal Reserve System within no more than a 1-week period of time should submit a report to us in Congress about whether these provisions under the sections of this bill that would implement it, sections 2 and 3, should go into effect or because of the mechanics of doing this, it should wait until the February 22 date.

That is simply what it does. It doesn't change it. It doesn't alter it. It just speaks to the date of all this going into place. There is a certain fairness issue in this, Madam Speaker, that we have to deal with. Even for those of us who supported this legislation, it seems to me that we're going back on these negotiations.

We're basically telling all the issuers out there, except for the smaller issuers—and I thank the chairman and others who worked on the rule change to eliminate some of the smaller issuers—but having said that, some of the others have to deal with this. They have to deal with their implementation. They have to deal with the question of whether they can do it in that kind of time or not.

As I have indicated, I don't know if any of us here can really stand in judgment of that, and we believe that the Federal Reserve is the best to do that. As a matter of fact, Saundra Bernstein, who is the Fed's own director of consumer affairs, testified at one of our hearings that the reason for this timeline is because card issuers would need to rethink their entire business models to reprogram their systems and redesign their marketing materials, solicitations, periodic statements, and contracts. It's all well and good for us to stand here as Members of Congress and say, Gee, we'll make this change that would benefit consumers or whatever, but it may not be practical.

I would encourage both sides of the aisle to listen to this. Indeed, if the Federal Reserve makes a decision—and I have no idea how they would judge it—but they make a decision that it could be done by December 1, we'll move ahead in that time. If they don't, it will be kept at the original time that was in the bill to begin with. In States like mine, which has a good deal of banking activity, and in States like Connecticut, New York, South Dakota, Nebraska, Rhode Island, the other States that have a lot of banking activity, this has been a very significant issue. They have already lost jobs in the banking world. They continue to.

My judgment is that we do need to give them the time to properly implement acts such as this. My sense is that we should at least review this before that determination is made that we can move it from February 22 to the December 1 date, which is in this legislation.

So I would encourage everybody here to look at this and to support it. It doesn't alter the fact that we are going to have this change. It just takes this date and allows it to be reviewed by people who have some expertise to determine if they should move forward at this point or not. So I would hope that this is a motion which could be considered by both sides of the aisle.

With that, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Speaker, I rise in opposition to the recommit motion.

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

Mr. FRANK of Massachusetts. Yes, Madam Speaker.

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

Mr. FRANK of Massachusetts. Madam Speaker, first, I will acknowledge—and the gentleman from Delaware was quite civil—I will acknowledge that this is a moderate approach. I only hope, given the current situation, he is not in political trouble for taking a moderate approach in his party, but that's a matter for another day.

The issue for me here is the extent to which many of my colleagues on the other side are engaged in an on-again/off-again love affair with the Federal Reserve. The Federal Reserve has often been the object of their scorn, but when it comes to consumer protection, the Federal Reserve is sometimes a convenient bulwark against that. For example, when the committee passed the Consumer Financial Protection Agency Act, which transfers more power from the Federal Reserve than any other group of Federal entities, many of my Republican colleagues ran to the defense of the Federal Reserve by quoting the Chairman of the Federal Reserve as saying, Don't take this away from us. We have this on-again/off-again.

What this bill does is really quite remarkable. It empowers the Federal Reserve to cancel an act of Congress. We are hoping to get this bill passed, and there was some concern in the Senate from the Senate chairman. And thanks to the amendment that was offered by the gentlewoman from New York (Mrs. MCCARTHY) and the gentlewoman from Colorado (Ms. MARKEY), we have accommodated his concerns. We think we have a workable proposal here.

What the recommit says is, if the bill passes the House and passes the Senate and is signed by the President, we will then wait for the permission of the Federal Reserve Board of Governors to implement it; and if they say it's not feasible, then the bill dies. In fact, they did write us, however, and say that if they had to do it by December 1—we wrote to them a couple of weeks ago—here is this problem that they wouldn't be able to get full comments in.

But they also note the Administrative Procedures Act does provide a good clause exception when the notice and comment period would be impractical, unnecessary, or contrary to the public interest.

So what they say is, if the effective date for these provisions were moved to December 1, the board would have to issue final regulations without waiting for comments. But the point is that they've had a lot of time for comments. The Federal Reserve proposed this earlier after the gentlewoman from New York initiated it. The President signed the bill, the underlying bill, the effective date of what we're trying to do in advance, on May 22. They've had—what is that, 5½ months to study it. This is not the most complicated thing in the world.

And by the way, if this was so complicated to figure out, how did the banks manage to be able to increase so quickly? Apparently, the banks have this problem: when it comes to implementing the law, they're working with typewriters. When it comes to raising your rates retroactively—remember, the biggest single part of this bill is that it says, if you've got a credit card and are abiding by the terms of that credit card, you bought things and you are charging them at the interest rate you were told would apply, and you make every payment you were obligated to make, they can retroactively raise your rates.

That is the biggest single thing we stopped. I don't see why it is going to take them 8 or 9 or 10 months or a year to figure it out. I thought February was too much time in the first place.

But here is the basic point: several of us said, okay, we will reluctantly agree to February for a bill that is passed in May, to do something that's not that complicated. But if you abuse it, if you use the time to raise rates and then blame us for it, adding insult to injury, then we are going to speed it up. So I think our credibility is at issue here. We in good faith said, take some time to implement it. May 22 until February. Many of you have heard what they did was to speed this up. There is an element of fairness here. And, yes, the Federal Reserve will have to forgo some public comments. I think I would say to people, You know, we have until December 1. If you are out there and you think the Federal Reserve is going to listen to you—Madam Speaker, let me violate the rule, please, and address people who aren't here. If you're listening, and you really need to talk to the Federal Reserve, write them a letter, send them an email, call them up. You don't have to wait. So we can get your comments in now, and we can go into effect by December 1.

We should certainly never set the precedent that any agency, and certainly not the Federal Reserve, which has become so controversial, should be given the power to suspend an act of Congress before it goes into effect. That is what this does. It says that we will pass this law; but unless it is certified as feasible by the Federal Reserve, it doesn't go into effect. I have a lot of respect for the Federal Reserve, but they're not in charge of what we think is feasible. They're not in charge of telling us that we have to wait more for public comments when our constituents, we believe, are being mistreated.

So I hope the motion to recommit is defeated.

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

There was no objection.

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

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

RECORDED VOTE

Mr. CASTLE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 171, noes 253, not voting 8, as follows:

[Roll No. 850]

AYES—171

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

NOES—253

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

NOT VOTING—8

Braley (IA)
Davis (TN)
Deal (GA)
Gerlach
Murphy, Patrick
Nunes
Sánchez, Linda T.
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1517

Ms. WATERS, Messrs. VISCLOSKY, QUIGLEY, and Ms. SLAUGHTER changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 331, noes 92, not voting 9, as follows:

[Roll No. 851]

AYES—331

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Giffords
Gonzalez
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCotter
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tiberi
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Upton
Van Hollen
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Wasserman Schultz
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Watson
Watt
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Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

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Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bishop (UT)
Blackburn
Boehner
Bonner
Boustany
Brady (TX)
Broun (GA)
Burton (IN)
Campbell
Cantor
Carter
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Davis (KY)
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
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Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
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Herger
Herseth Sandlin
Inglis
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kline (MN)
Lamborn
Latta
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
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Myrick
Neugebauer
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Pence
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Poe (TX)
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Radanovich
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Westmoreland

NOT VOTING—9

Braley (IA)
Chandler
Deal (GA)
Gerlach
McCollum
Murphy, Patrick
Nunes
Sánchez, Linda T.
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1525

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CHANDLER. Madam Speaker, during rollcall vote No. 851 on H.R. 3639, I was unavoidably detained. Had I been present, I would have voted "aye."

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 later.

COMMISSIONING OF THE USS "NEW YORK" LPD 21

Mr. TAYLOR. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 856) recognizing the Commissioning of the USS *New York* LPD 21.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 856

Whereas, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two of them into the twin towers of the World Trade Center in New York City, a third into the Pentagon, and a fourth near Shanksville, Pennsylvania;

Whereas nearly 3,000 people were killed on September 11, 2001, in the most lethal terrorist attack ever committed against the United States;

Whereas then-Governor George Pataki requested the Navy name a ship involved in counterterrorism efforts after the State of New York shortly after September 11, 2001;

Whereas, on September 6, 2002, the Secretary of the Navy announced the name of the fifth vessel of the San Antonio-class Amphibious Transport Dock ships would be named USS New York LPD 21;

Whereas, on March 1, 2008, the USS New York LPD 21 was christened at the Avondale Shipyard in Avondale, Louisiana, by Mrs. Dotty England, in a ceremony attended by officials of the New York City fire and police departments as well as surviving family and friends of those lost on September 11, 2001;

Whereas the USS New York LPD 21's bow is comprised of 7.5 tons of steel forged from the wreckage of the World Trade Center and erected onto the vessel in conjunction with a dignified ceremony conducted on September 9, 2003, and attended by officials of the New York City fire and police departments as well as surviving family and friends of those lost on September 11, 2001;

Whereas the USS New York LPD 21 is the newest entry to the Navy's fleet of San Antonio-class Amphibious Transport Dock (LPD) warships;

Whereas the USS New York LPD 21 will serve as an integral part of Navy and Marine Corps Expeditionary Strike Groups and will be able to deploy 700 Marines and associated equipment of the Strike Group Marine Expeditionary Unit;

Whereas the USS New York LPD 21's primary mission will be to deploy amphibious assault capability anywhere in the world, on short notice, and that this force is the only force in the United States Armed Forces with such capability, and that such amphibious operation is central and key to suppression of terrorist organizations;

Whereas the USS New York LPD 21 displaces 24,900 tons at sea, with the capability of cruising at speeds in excess of 22 knots;

Whereas everyday, the men and women of the United States Armed Forces continue global efforts to protect and defend the United States;

Whereas nearly 10 percent of the commissioning crew of USS New York LPD 21 hail from the Empire State;

Whereas the USS New York LPD 21 has a main passageway dubbed "Broadway", the ship's insignia references the Statue of Liberty, the Twin Towers, the New York Police Department, and the Fire Department of New York, and the galley features a pre-9/11 neon outline of the city;

Whereas the motto of the USS New York LPD 21 is "Strength Forged Through Sacrifice. Never Forget"; and

Whereas the USS New York LPD 21 will be officially commissioned November 7, 2009, Commander F. Curtis Jones, United States Navy, commanding, a native son of New York, in New York waters on Pier 88 on the West Side of New York City next to the USS Intrepid CV 11: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the commissioning of the USS New York LPD 21;

(2) congratulates the captain and commissioning crew of the USS New York LPD 21 on the occasion of their vessel entering into the service of the United States Navy;

(3) recognizes the sacrifices made by the men and women in uniform who put themselves in harm's way in order to protect and defend the United States;

(4) honors those who lost their lives at the World Trade Center, the Pentagon, and Shanksville, Pennsylvania, on September 11, 2001; and

(5) recommits itself to the counter-terrorism mission of the USS New York LPD 21 and all the members of the United States Armed Forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. TAYLOR) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. TAYLOR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

I rise today to support House Resolution 856, recognizing the commissioning of the USS *New York*. I would like to thank my colleague, the gentleman from New York (Mr. NADLER), for his work in bringing this resolution to the floor.

The attacks in New York, Washington, and Pennsylvania on September 11, 2001, will live on in American memory as one of the darkest days in our Nation's history. We can never forget the images of the members of the New York City Fire Department and Police Department, as well as other first responders, who demonstrated unsurpassed courage and bravery as they worked day and night to retrieve and rescue victims from Ground Zero. In the days shortly after September 11, Governor George Pataki asked the Navy to name a ship involved in counterterrorism after the State of New York to honor the sacrifice and strength of the people lost that fateful day.

On November 7, 2009, the fifth San Antonio-class amphibious transport dock ship will be commissioned as the USS *New York* LPD 21. The ship's bow is comprised of 7½ tons of steel forged from the World Trade Center wreckage. F. Curtis Jones, a native son of New York, will serve as Commander. The USS *New York* will be able to deploy 700 marines and equipment to execute amphibious assault capability anywhere in the world on a moment's notice. This ability is critical to our ongoing efforts to suppress terrorist organizations, as well as protect and defend the United States of America.

Madam Speaker, I hope my colleagues will join me in congratulating the captain and commissioning crew of the USS *New York* as their ship joins the United States Navy by supporting H. Res. 856.

As a Mississippian, I want to commend the Mississippi, Louisiana, Texas, and Alabama shipbuilders who built this fine vessel.

I reserve the balance of my time.

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

Madam Speaker, I rise in support of House Resolution 856, which was introduced by the gentleman from New York (Mr. NADLER).

This resolution recognizes the commissioning of the USS *New York*, the newest of the U.S. Navy's San Antonio-class ships known as the landing platform dock, or LPD.

□ 1530

As has already been stated by my colleague, this is no ordinary commissioning. On Monday this week, it arrived in New York Harbor to fanfare, including a 21-gun salute near the site of the 2001 terrorist attack.

It was September 2002, in a ceremony aboard the USS *Intrepid* in New York City, that then-Secretary of the Navy Gordon England announced the decision to name the fifth amphibious ship of the San Antonio class the *New York*. During the ceremony, Secretary England stated, ''USS *New York* will project American power to the far corners of the Earth and support the cause of freedom well into the 21st century. From the war for independence through the war on terrorism, which we wage today, the courage and heroism of the people of New York have been an inspiration.''

During that same ceremony in 2002, Governor Pataki highlighted one special aspect of this new ship: ''We are very proud that the twisted steel from the World Trade Center towers will soon be used to forge an even stronger national defense. The USS *New York* will soon be defending freedom and combating terrorism around the globe while also ensuring that the world never forgets the evil attacks of September 11, 2001, and the courage and strength New Yorkers showed in response to terror.''

I am honored to speak in favor of this resolution, and I urge my colleagues to join me in support of House Resolution 856.

Madam Speaker, I reserve the balance of my time.

Mr. TAYLOR. Madam Speaker, I yield such time as he may consume to my friend and colleague, the original sponsor of this measure, the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. I thank the gentleman for yielding.

Madam Speaker, I rise in support of this resolution recognizing the commissioning of the USS *New York* LPD 21.

When the USS *New York* is commissioned on Saturday, it will serve as a memorial of September 11, 2001, in more than just name. Its bow, made from 7.5 tons of steel forged from the wreckage of the World Trade Center, will serve as evidence of America's persistent determination.

This ship will serve in our Navy, will serve to defend freedom, and will serve to recognize the fearless amongst us, those who willingly sacrifice their safety in order to protect our own and our freedom. The bravery and dedication of our men and women in uniform serving overseas never cease to amaze me and can never be forgotten.

I want to commend the captain, Commander Curt Jones, a native New Yorker, and the crew of the USS *New York* and the United States Navy on the commissioning of our newest naval vessel. The presence of the USS *New York* in the naval fleet will serve as a constant reminder of the sacrifices made by so many Americans on September 11, 2001.

The Navy should be commended for naming the ship the USS *New York* and for naming two future San Antonio class vessels, the USS *Somerset* and the USS *Arlington*, currently under construction in honor of those who gave their lives defending the country at the Pentagon and on United Flight 93 on September 11. This is a fitting tribute to our fallen friends.

Thousands died on September 11, 2001, at the World Trade Center, at the Pentagon, and near Shanksville, Pennsylvania, and many more police, firefighters, first responders, residents, workers, school children, and others continue to suffer terrible health consequences as a result of the collapse of the World Trade Center towers because of the attacks by the terrorists.

I want to take a brief moment today to note and to urge my colleagues to support the 9/11 Health and Compensation Act, H.R. 847, which would provide health care and a path to compensation for the first responders and community members who still suffer the effects of that terrible attack. We ought to honor their continuing sacrifices today as well.

I would like to thank the entire New York delegation who joined me as original cosponsors of this resolution, and also all the additional cosponsors of H. Res. 856 who, by their actions, have helped us move this resolution so quickly to the House floor. I must also thank Chairman SKELTON and his staff for their help in crafting the resolution and building support for its passage. Furthermore, I was pleased that we were able to do this in a bipartisan fashion, and I want to thank Ranking

Member MCKEON for cosponsoring the resolution as well.

I am proud to say there are some things that rise above partisan politics. Supporting our troops, honoring those who defend us, and honoring the victims of September 11 is neither Democratic nor Republican; it is simply American. This resolution can be characterized the same way. I urge everyone to support it.

Mr. LAMBORN. Madam Speaker, I am once again urging all of my colleagues to support this wonderful resolution. I am proud that I can do so as well.

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

Mr. TAYLOR. Madam Speaker, again, I would like to thank the gentleman—one of the many gentle men and women from the State of New York—for introducing this resolution, and I encourage every Member to vote for it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. TAYLOR) that the House suspend the rules and agree to the resolution, H. Res. 856.

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. NADLER of New York. Madam 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.

HONORING CURRENT AND FORMER FEMALE MEMBERS OF THE ARMED FORCES

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 868) honoring and recognizing the service and achievements of current and former female members of the Armed Forces.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 868

Whereas women are and have historically been an important part of all United States war efforts, voluntarily serving in every military conflict in United States history since the Revolutionary War;

Whereas 34,000 women served in World War I, 400,000 served in World War II, 120,000 served in the Korean War, over 7,000 served in the Vietnam War, and more than 41,000 served in the first Gulf War;

Whereas more than 185,000 women have been deployed in support of Operation Enduring Freedom, Operation Iraqi Freedom, and other missions since 2001;

Whereas over 350 servicewomen have given their lives for the Nation in combat zones since World War I, and more than 85 have been held as prisoners of war;

Whereas over 350,000 women serving in the Armed Forces make up approximately 15 percent of active duty personnel, 15 percent of Reserves, and 17 percent of the National Guard;

Whereas women are now playing an increasingly important role in America's military forces; and

Whereas the women of America's military, past and present, have served their Nation in times of peace and war, at great personal sacrifice for both themselves and their families: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors and recognizes the service and achievements of current and former female members of the Armed Forces;

(2) encourages all people in the United States to recognize the service and achievements of women in the military and female veterans on Memorial Day;

(3) encourages all people in the United States to learn about the history of service and achievements of women in the military; and

(4) supports groups that raise awareness about the service and achievements of women in the military and female veterans through exhibitions, museums, statues, and other programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days with which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Mrs. DAVIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, every time I visit military installations I am constantly impressed by the tremendous job our servicemembers are doing.

Today, I rise to pay special tribute to the women of America's military, past and present, who have served their Nation in peace and at war at great personal sacrifice for both themselves and their families.

With Veterans Day approaching, we should recognize that our servicewomen play an increasingly important role in America's modern military forces, and our country is the better for it.

As Chair of the House Armed Services Subcommittee on Military Personnel and co-Chair of the Women's Caucus Task Force on Women in the Military and Veterans, I am privileged to honor the legacy of servicewomen in the past, the courage with which women serve today, and the enthusiasm of the young women who dream of serving this great Nation in the future. Part of honoring them is asking the tough questions about the expanding roles our servicewomen are taking on. We hear from women in the military, in person and through the media, about their contributions in combat zones and their willingness to risk their lives in defense of their fellow servicemembers, our country, and our families.

Last year, Madam Speaker, I had the opportunity to meet a group of servicewomen that are an extraordinary example of what female servicemembers are capable of. Their mission is to provide culturally sensitive search and engagement activities for combat units deployed in Iraq and Afghanistan. They are referred to as the Lionesses, and this is a very apt name. Like a lioness, their work demands a unique combination of sensitivity and strength on the ground, underlined by loyalty to their units and their country.

In my conversations with them, I was astounded by their work and their bravery. And yet, despite that dedication, these women have encountered difficulties in gaining proper recognition for their service, both within the services and in seeking assistance from the Department of Veterans Affairs.

A recent article in the New York Times underscores this problem. Female veterans worry that their combat-related physical and psychological injuries will not be validated by a military system that defines combat as an all-male activity. Because the military and the VA have not adapted to the reality of women's roles, these veterans often have to work harder than they should to prove their eligibility for benefits and combat titles that they so greatly deserve. For example, servicewomen who volunteered to accompany units during the Battle of Fallujah in 2004 have had to rely on the support of an outside organization to get recognized for their work under fire so that they can receive health care and disability benefits from the Department of Veterans Affairs.

Yet, it's not just agencies that must catch up. Female veterans confront confusion and sometimes outright disbelief about their service from those of us on the homefront. This continuous demand for proof can be exasperating. They deserve better. One veteran explained that she no longer cared about getting money; she simply wanted a little more recognition. In her own words, ''Just admit it happened.''

Resolutions like this one today before the House help show support for women like the Lionesses and all of the other female servicemembers and veterans, but it is legislation like the National Defense Authorization Act that truly puts our congressional sentiments into action.

Last week, I had the chance to stand by the President as he signed the NDAA into law. Contained in the House report of that bill were provisions to better recognize the service of these courageous women by reviewing the way the additional duties some servicemembers perform are documented.

There were also provisions to ensure a systematic training program that takes into account the unique mission for which Lionesses have volunteered so that they feel just as equipped as their male counterparts when on active duty.

I will continue to work to ensure women in the military are treated equally and with respect, and that they receive all of the training, the support, and the services that they need. They certainly deserve nothing less.

The dedication of women in the Armed Forces and the insight they offer about it is invaluable, but they are adamant that they do not want to be treated differently. They do not seek special recognition, but their service is just as real as their counterparts'. This resolution recognizes the sacrifices our servicewomen and their families make to keep everyone's family safe.

Madam Speaker, thank you for the opportunity to offer this resolution. I urge my colleagues to join me in supporting it.

I reserve the balance of my time.

Mr. LAMBORN. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I rise, too, in support of House Resolution 868, which honors and recognizes the service and achievements of current and former female members of the Armed Forces.

Throughout this great Nation's history, women have answered the call without hesitation to defend our democracy and freedom. Since colonial America, women have fought for our independence and have continued to serve with distinction in some capacity in every one of our Nation's conflicts. Before women were formally allowed to serve in the military, they served on the battlefields as nurses, waterbearers, cooks, and saboteurs.

Since 1901, when the Army Nurse Corps was established and formally granted women rank and military status, hundreds of thousands of women have served with honor in the Armed Forces. They have never shirked responsibility, shied away from tough jobs, or hesitated to go in harm's way; 34,000 women served in World War I, 400,000 in World War II, 120,000 in the Korean War, over 7,500 in Vietnam, and over 41,000 served in Desert Storm, the first Gulf War.

Today, over 350,000 women are serving in our Armed Forces. Over 190,000 have deployed to Iraq, Afghanistan, and other unheard of troubled spots around the world to help rid the world of tyranny and terrorism. They serve on land, at sea, and in the air, performing the technically challenging and dangerous missions we hear of in the news, including pilots, military police, and convoy truck drivers.

These women, just like the men in our Armed Forces, are volunteers. They have always been volunteers. They have chosen to serve and chosen to make the sacrifices that are inherent in military service. They endure long hours, long separations from loved ones, and the hardships and horrors of combat. These women have been wounded, imprisoned, and have paid the ultimate price for their devotion and duty to this great country.

It is without question that our military forces are unsurpassed. It is also undeniable that women have played a significant role in developing the extraordinarily capable military we are so proud of today.

□ 1545

Military women have been pioneers in computer science, space, undersea exploration, and medicine. Through their accomplishments, America has made great strides in technology, mathematics, and engineering.

Next week, as we take the time to remember our veterans, I ask that all Americans take a moment to thank the men and women who serve today and who have served our Armed Forces in the past. I strongly urge all Members to support this resolution.

I reserve the balance of my time.

Mrs. DAVIS of California. Madam Speaker, I yield 2 minutes to my friend and colleague, the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentlewoman from California for yielding to me and for her great leadership on behalf of members of our Armed Forces and, in particular, the women.

Madam Speaker, I rise in strong support of House Resolution 868, a resolution to honor women serving in our military and women veterans.

As co-Chair of the Congressional Caucus for Women's Issues, I am happy to be saluting the 350,000 hardworking, brave and dedicated women serving in our Armed Forces. I particularly want to say a special ''thank you'' to the 54,000 women veterans, living in my State of Illinois, for their commitment to our freedom.

Women have logged more than 170,000 tours of duty in Iraq and Afghanistan; 30,000 single mothers have served their country in those two wars. They have sacrificed time with their families, time from their careers here at home, and many have sacrificed their lives. It is only right that we recognize them in this Chamber today.

Year after year, we have seen the numbers of both women veterans and active duty members increase. Women are in leadership roles, and they have ascended to the highest ranks of our Armed Forces through hard work and often in the face of extreme opposition. We will continue to stand with them.

I am proud to stand in support of House Resolution 868. I urge my colleagues to support the thousands of women servicemembers and veterans by passing H. Res. 868.

Mr. LAMBORN. Madam Speaker, I yield such time as she might consume to the gentlewoman from Oklahoma (Ms. FALLIN). I want to say that she has been a welcomed and strong addition to the Armed Services Committee.

Ms. FALLIN. Madam Speaker, as a member of the Armed Services Committee and also as co-Chair of the Women's Congressional Caucus, I am very proud to support H. Res. 868, honoring the service and achievements of women in the Armed Forces and our female veterans.

With Veterans Day just around the corner, I know that many Americans will stop this week and will thank veterans in their families or in their communities. They may meet a young soldier back from a tour of duty in Iraq and will quietly thank God that they were born in a Nation where freedom is valued and where our ideals that we have fought for are still alive and well, or they may pause to remember a loved one who is no longer with us who proudly wore the uniform.

Today, it is becoming likely that a veteran may be a woman. While men still outnumber women in the Armed Forces, military service is no longer a career choice for men only. There are many to whom we must offer thanks who are women. We have had over 200,000 women in the military, serving in all five branches, in the National Guard and in the Reserves. These women are heroes and are role models for their willingness to step in harm's way. When women choose to serve their country, they prove that there is no profession and no honor out of the reach for women of America today.

As we have since the Revolution, women are playing a vital role in the defense of our Nation. Today, deployed in two different theaters and in every corner of the world, women have played a significant role in our victory and success; but as we remember their accomplishments, we must remember those who have made the ultimate sacrifice. Since the United States went to war in Iraq and Afghanistan, over 122 women in uniform have lost their lives in support of our ongoing operations. Their sacrifice and the sacrifice of their families is very painful, but it is a sacrifice of freedom.

When faced with such sadness, it is easy to feel only the loss. While it is our duty to mourn the fallen, it is also our duty to honor those who have served with dignity and who have returned to take their places back among society. Those women today have answered that call. They chose to serve in the military. They did so because they believed in America—in freedom and in the power of our American ideals—and they believed in the need to protect those ideals here and abroad.

Today, there are more women than ever choosing to serve our country. They are pilots; they are engineers; they are commanders of ships; they are military police; they are nurses. These transitions, by the way, have not come without controversy. We have, or are working through, many of them and are finding that women are bringing new and vital skill sets to today's modern military with courage and, certainly, with honor.

By supporting House Resolution 868, we can send a clear message to our women in the military and to our women veterans in all areas that your service is not forgotten, that we honor and respect you and that we appreciate your courage, your patriotism, and your sacrifice. Today, we recognize that service.

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

Mrs. DAVIS of California. Madam Speaker, it has really been an honor to present this resolution today.

I was recalling the trip that we last made to Kandahar, Afghanistan. We had an opportunity to meet with about 40-plus, maybe 50, women there in all of the different services, just asking them about why they were there and about why they joined the service. The kind of work they were doing was truly inspiring; and, of course, they always wanted to tell us about their children, who were at home.

These women are providing a tremendous service to our country. We honor them, and I certainly encourage and know that all of my colleagues will be supporting this resolution.

Mr. SKELTON. Madam Speaker, I rise to express my support for H. Res. 868 and to request that the following exchange of letters regarding this resolution be included in the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, October 28, 2009.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On October 23, 2009, H. Res. 868, ''Honoring and recognizing the service and achievements of current and former female members of the Armed Forces,'' was introduced in the House of Representatives. This measure was sequentially referred to the Committee on Veterans' Affairs.

The Committee on Veterans' Affairs recognizes the importance of H. Res. 868 and the need to move this resolution expeditiously in order to honor the current and former female members of the Armed Forces. Therefore, while we have valid jurisdictional claims to this resolution, the Committee on Veterans' Affairs will waive further consideration of H. Res. 868. The Committee does so with the understanding that by waiving further consideration of this resolution it does not waive any future jurisdictional claims over similar measures.

I would appreciate the inclusion of this letter and a copy of your response in the Congressional Record during consideration of H. Res. 868 on the House floor.

Sincerely,

BOB FILNER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, November 2, 2009.

Hon. BOB FILNER,
Chairman, House Committee on Veterans' Affairs, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding House Resolution 868, ''Honoring and recognizing the service and achievements of current and former female members of the Armed Forces.'' This measure was referred 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.

I agree that the Committee on Veterans' Affairs has certain valid jurisdictional claims to this resolution, and I appreciate your decision to waive further consideration of H. Res. 868 in the interest of expediting consideration of this important measure. I agree that by agreeing to waive further consideration, the Committee on Veteran's Affairs is not waiving its jurisdictional claims over similar measures in the future.

During consideration of this measure on the House floor, I will ask that this exchange of letters be included in the Congressional Record.

Very truly yours,

IKE SKELTON,
Chairman.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise before you today in support of H. Res. 868, ''Honoring and recognizing the service and achievements of current and former female members of the Armed Forces.'' I would like to thank my colleague, Representative DAVIS, for introducing this resolution.

As a member of the Congressional Caucus for Women's Issues I think that it is important to recognize our sisters in uniform. Today over 350,000 women serving in the Armed Forces make up approximately 15 percent of active duty personnel, 15 percent of Reserves, and 17 percent of the National Guard. Women are often overlooked and underappreciated in the military even though women are and have historically been an important part of all United States war efforts, voluntarily serving in every military conflict in United States history since the Revolutionary War.

The first American woman soldier was Deborah Sampson of Massachusetts. She enlisted as a Continental Army soldier under the name of ''Robert Shurtliff.'' She served for 3 years in the Revolutionary War and was wounded twice; she cut a musket ball out of her own thigh so no doctor would find out she was a woman. Finally, at the end of the hostilities her secret was discovered—even so, George Washington gave her an honorable discharge. She later lectured on her experiences and became a champion of women's rights.

The Woman's Army Auxiliary Corps was established in the United States in 1941. However, political pressures stalled the attempts to create more roles for women in the American Armed Forces. Women saw combat during World War II, first as nurses in the Pearl Harbor attacks on December 7, 1941. The Woman's Naval Reserve and Marine Corps Women's Reserve were also created during this conflict. In July 1943 a bill was signed removing ''auxiliary'' from the Women's Army Auxiliary Corps, making it an official part of the regular army. In 1944 the Women's Army Corps, WAC, arrived in the Pacific and landed in Normandy on D-day. During the war, 67 Army nurses and 16 Navy nurses were captured and spent 3 years as Japanese prisoners of war. There were more than 350,000 American women who served during World War II and 16 were killed in action; in total, they gained over 1,500 medals, citations, and commendations.

Women are now playing an increasingly important role in America's military forces; more than 185,000 women have been deployed in support of Operation Enduring Freedom, Operation Iraqi Freedom, and other missions since 2001.

Today, women can serve on American combat ships, including in command roles. Female enlisted members and officers can hold staff positions in every branch of the Army except infantry and armor, although they can in fact serve on the staffs of infantry and armor units at division level and above, and be members of Special Operations Forces. Women can fly military aircraft and make up 2 percent of all pilots in the U.S. military.

However, women are still limited solely due to gender. Women are not permitted to serve on submarines or to participate in Special Forces programs such as Navy SEALs. Women enlisted soldiers are barred from serving in Infantry, Special Forces, Artillery, Armor, and Air Defense Artillery. So far the positions closest to combat open to women in the U.S. Army are in the Military Police, where women operate machine-guns on armoured Humvees, guarding truck convoys. Although Army regulations bar women from infantry assignments, some female MPs are detailed to accompany male infantry units to handle search and interrogation of Iraqi suspects.

I urge my colleagues and all Americans to honor and recognize the service and achievements of current and former female members of the Armed Forces. Over 350 servicewomen have given their lives for the Nation in combat zones since World War I, and more than 85 have been held as prisoners of war; 34,000 women served in World War I, 350,000 served in World War II, 120,000 served in the Korean war, over 7,000 served in the Vietnam war, and more than 41,000 served in the first gulf war.

Madam Speaker, the women of America's military, past and present, have served their Nation in times of peace and war, at great personal sacrifice for both themselves and their families. I hope that this Congress will recognize the service and achievements of women in the military.

Mrs. DAVIS of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 868.

The question was taken.

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

Mrs. DAVIS of California. Madam 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 FIRST UNITED STATES AIR FORCE ACADEMY GRADUATION CLASS ON ITS 50TH ANNIVERSARY

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution

(H. Con. Res. 139) congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 139

Whereas, on April 1, 1954, President Dwight D. Eisenhower signed legislation establishing the United States Air Force Academy to prepare young men for careers as Air Force officers;

Whereas, on July 11, 1955, the first class entered the Air Force Academy, attending classes in temporary facilities at Lowry Air Force Base in Denver, Colorado;

Whereas the Air Force Academy moved to its permanent home near Colorado Springs, Colorado, in August 1958;

Whereas the first class of 207 cadets graduated June 3, 1959, at the Air Force Academy in Colorado Springs, Colorado;

Whereas in 1964, President Lyndon B. Johnson signed legislation authorizing each of the Service Academies to expand enrollment from 2,529 to 4,417 students, and today, over 4,000 cadets attend the Air Force Academy;

Whereas 50 classes and more than 41,000 cadets have graduated from the Air Force Academy in its 54-year history;

Whereas the mission of the Air Force Academy is to educate, train, and inspire outstanding young men and women to become Air Force officers of character and to prepare and motivate them to lead the Air Force in its service to the Nation;

Whereas the Air Force Academy is recognized worldwide as the premier developer of air, space, and cyberspace officers and leaders with impeccable character and knowledge; and

Whereas, June 3, 2009, marks the 50th anniversary of the first graduating class of the Air Force Academy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) congratulates the 207 graduates (157 surviving as of April 2009) of the first United States Air Force Academy class on the 50th anniversary of their graduation;

(2) acknowledges the continued excellence of the United States Air Force Academy and its critical role in the defense of the United States; and

(3) recognizes the outstanding service to the Nation that graduates from the United States Air Force Academy have provided.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

Mrs. DAVIS of California. I yield myself such time as I may consume.

Madam Speaker, I rise in support of House Concurrent Resolution 139, congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their many contributions to our Nation.

I thank my colleague, Mr. LAMBORN of Colorado, for introducing this measure.

According to Forbes Magazine, the United States Air Force Academy is among the most selective public colleges in the United States. It is among only five colleges with a special mission of educating, training and inspiring young men and women in the military to serve as officers of character and preparing and motivating them to lead in its service to our great Nation. As such, the Air Force Academy has developed a strong reputation that distinguishes itself for consistently producing America's future leaders both in military service and in our society.

The youngest of the five United States service academies, the United States Air Force Academy has produced excellent officers. Since opening its doors in 1955, the academy has produced over 41,000 cadets, which includes 495 general officers, 35 Rhodes Scholars, 10 Marshall Scholars, 13 Harry S. Truman Scholars, 116 Kennedy School of Government Scholars, 92 Guggenheim Fellows, and 32 Gearhart scholarships to study in France.

Additionally, academy graduates have served in every major military conflict since the Vietnam War with the highest level of integrity and honor and, at times, paying the ultimate price in service to America, as 172 graduates have been killed in combat and another 36 were repatriated prisoners of war. Two graduates are combat aces, and one is a Medal of Honor recipient.

Their contributions to every industry and component of American life has been significant: 34 astronauts, the second highest number of astronauts of any higher learning institution, are Air Force Academy graduates. There are Olympic gold medal winners, NFL Super Bowl championship winners, and CEOs and presidents of Fortune 500 corporations. Truly, the United States Air Force Academy produces professional officers who have the knowledge, the character and the motivation which make them leaders in our military and in other aspects of society.

House Concurrent Resolution 139 is our way, as the United States Congress, of recognizing the exemplary service and contributions made by the United States Air Force Academy to the Air Force and to our Nation. This resolution also commends the first graduating class of the United States Air Force on their 50th anniversary and on their significant contributions to shaping the Air Force Academy and the Air Force to the excellence it is known for today.

I urge my colleagues to join me in honoring the United States Air Force Academy.

I reserve the balance of my time.

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

I rise in support of House Concurrent Resolution 139, and I thank the gentlewoman from California for her kind and supportive remarks. Like me, she is a member of the Armed Services Committee, and I enjoy serving with her on that committee.

Madam Speaker, I introduced this resolution on June 3 of this year. That date was significant because the resolution celebrates the 50th anniversary of the first graduating class of the United States Air Force Academy.

Of the 306 men who entered the newly created Air Force Academy on July 11, 1955, 207 completed the grueling coursework and the transition to military life; 205 graduates were commissioned as second lieutenants in the Air Force; one was commissioned as a second lieutenant in the U.S. Marine Corps; and one graduate was medically disqualified.

The class included one football Academic All-American, Brock Strom. The academy's top graduate, Lieutenant General (now retired) Bradley C. Hosmer, went on to study at Oxford University as a Rhodes Scholar—the first of 35 Rhodes Scholars who graduated from the academy.

The class of '59 spent its first 3 years in refurbished World War II barracks at Lowry Air Force Base in Denver. The upperclassmen were stand-ins—active duty Air Force officers, some who had graduated from other military academies. The cadet uniforms and the campus in Colorado Springs were still works in progress. By graduation day, June 3 of 1959, the academy had earned full academic accreditation.

Ninety percent of the graduates entered pilot training and were already certified pilots in fighter and bomber aircraft during the 1962 Cuban Missile Crisis. The remainder became navigators or pursued other Air Force specialties. During the Cold War, they saw action in the Southeast Asia theater and in the Vietnam war, and they served in major commands of the day, including strategic air command, tactical air command and military airlift command.

Since that historic day in 1959, members of the class went on to serve with distinction, as has been noted already, as astronaut, general, Thunderbird pilot, CEO, doctor, farmer, entrepreneur, commander of major commands, and vice chief of staff of the Air Force.

Sixty-five percent of that graduating class served until retirement. Many of them went on to second careers in fields including defense, finance, management, education, and religion. Fifteen graduates' impressive careers culminated in being selected as general officers with three members achieving the rank of four-star general. When Secretary of the Air Force James Douglas, Jr., awarded the diplomas in 1959, he applauded the advances in science and technology that the new graduates would embrace and explore.

The Colorado Springs campus was chosen as the ideal site of the Air

Force Academy because of its unlimited training opportunities and majestic beauty.

□ 1600

The famous aviator Charles Lindbergh, a member of the site selection committee, even rented a small plane and confirmed the area was fit for flight training.

Additionally, business leaders of Colorado Springs met with local ranchers who owned the land along the Rampart Range north of town. Most agreed to sell if the site were chosen. In tribute to Colorado's strong military commitment, State leaders offered $1 million to be put towards the purchase of the present day 18,500-acre campus, an investment that continues to yield immeasurable returns to our Nation.

The Class of '59 created traditions and set high standards for the 41,000 cadets to date who have followed. I am honored to represent the United States Air Force Academy in my district, and I personally congratulate all the living members of the Class of '59 for their 50 years of service to our great Nation, both in their military and civilian successes.

I urge my colleagues to join me in support of House Concurrent Resolution 139.

Madam Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Madam Speaker, I yield 3 minutes to my friend and colleague, the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. I want to thank the gentlewoman for recognizing me.

Madam Speaker, I rise today in support of H. Con. Res. 139, a bill congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary. I want to commend my colleague the gentleman from Colorado (Mr. LAMBORN) for introducing this resolution.

The Air Force Academy is located just a few miles from my district, the Third Congressional District, in my home State of Colorado. Since its creation after being signed into law on April 1, 1954, by President Dwight D. Eisenhower, the Air Force Academy has not only stood as an integral training ground for our Nation's officer corps, but is recognized nationally as a pillar of education.

Since the swearing in of the 306 young men who made up the first class, many of our Nation's best and brightest have started their careers in the Air Force Academy. Each year around this time I receive applications from students across my district looking for recommendations to attend the Academy. I am proud to lend my support to hard-working students from the Third Congressional District of Colorado who are looking to advance their education while also serving their Nation. Today's cadets enthusiastically hope to follow in the steps of their predecessors who we are honoring today.

Madam Speaker, I encourage Members on both sides of the aisle to support this measure, and congratulate those who took the first step as part of the initial graduating class 50 years ago.

Once again, I commend the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Madam Speaker, I want to thank my colleague and friend from Colorado for his kind and supportive remarks.

At this time. I would like to yield such time as he may consume to my friend, the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Madam Speaker, I thank all of the authors and supporters of this resolution, but I come as any Member of the House of Representatives could come, because we all have the distinct privilege of nominating and then appointing great Americans to all of our service academies. So, literally, today all 435 of us could come and tell stories of great young people who commit to serve their country in a very meaningful way that we have had the privilege of nominating and appointing to the United States Air Force Academy or the other service academies.

But I come today in support of this resolution honoring the United States Air Force Academy because a year-and-a-half ago, in February of 2008, I had the distinct privilege and one of my highest privileges in my 15 years of service of being the keynote speaker at National Character Day at the United States Air Force Academy.

When you fly in to Colorado Springs and you are able to go and be greeted there in the way that you are and have dinner with them, and then go into Arnold Auditorium and you are able to present to 2,800 cadets in their dress blues at the United States Air Force Academy, it will raise the hair on the back of your neck because it is such an exhilarating and inspirational experience.

But something happened during the hour that I spent with them that I want to share with the House today. It was supernatural, in a way, but it speaks to the culture, the commitment of those cadets at the United States Air Force Academy, and in doing so honors this 50th anniversary of the first graduating class at the United States Air Force Academy.

They did not know that I committed John Stuart Mill's quote to memory, nor did I know that they all have to commit John Stuart Mill's quote to memory. So in the course of my address, I began to say, War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse. A person who has nothing for which they are willing to fight, nothing they care more about than their personal safety, is a miserable creature who has no chance of ever being free unless those very freedoms are made and kept by better persons than themselves.

I was saying that so that they would understand that the people, the better persons than themselves that John Stuart Mill was talking about, is those 2,800 cadets and all those that came before them. What I didn't know is they all have to memorize it. So I was no more than about six words into it and it became a chorus of 2,801 persons together quoting John Stuart Mill's eternal quote about the value of our men and women in uniform who will stand between the threat and our civilian population and preserve our way of life, and we must remember that our very freedoms are kept by those better persons.

So, today we honor, rightly, this particular institution which has made extraordinary contributions to our way of life, our freedom, everything that we hold dear, all of our constitutional liberties. These men and women dedicate themselves to excellence and to service above and beyond all measure, and we honor every single one of them today and all of our service academies.

I commend so much this resolution to the House, and I know that we will all stand together to honor the United States Air Force Academy.

Mr. COFFMAN of Colorado. Madam Speaker, I want to take a moment to comment on H. Con. Res. 139, congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation.

I should start by complimenting my friend and colleague, Representative DOUG LAMBORN, for his effort to pass this resolution.

It is Colorado's honor to host the Air Force Academy. The fact that we are the home of one of our nation's premier training grounds for the best and brightest of our nation's youth is an immense point of pride to every citizen of our state. Driving down 1–25 into Colorado Springs and seeing the Academy and its famous chapel nestled in the foothills of the Rockies is always gratifying.

The 157 surviving members of the first United States Air Force Academy class, recognized today on the 50th anniversary of their graduation, were leaders not only in their own years of service to our country, but also in that they were a vanguard establishing the Air Force Academy, the city of Colorado Springs, and the State of Colorado as important and productive centers of military excellence. I am pleased we passed this resolution.

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

Mrs. DAVIS of California. Madam Speaker, I have no further requests at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 139, 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.

Mrs. DAVIS of California. 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.

RECOGNIZING THE EFFORTS OF CAREER AND TECHNICAL COLLEGES

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 880) recognizing the efforts of career and technical colleges to educate and train workers for positions in high demand industries, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 880

Whereas the Bureau of Labor Statistics estimated that 15,600,000 new jobs will be added to the labor force between 2006 and 2016, with population shifts and new technologies fueling job growth;

Whereas more than 80 percent of respondents in the 2005 National Association of Manufacturers Skills Gap report indicated that they are experiencing a shortage of qualified workers;

Whereas postsecondary institutions offering career and technical education provide the real-world situations necessary to engage students and prepare them for the workforce;

Whereas postsecondary institutions offering career and technical education provide an environment where students can apply fundamental academic skills and employability skills to complex job-related problems;

Whereas postsecondary institutions offering career and technical education connections with local business leaders allow the use of workforce readiness credentials to spread from the ground up in a way that is mutually beneficial to students and employers;

Whereas 14 percent of all employers reported being a member of a career and technical education advisory committee in a Census Bureau Survey; and

Whereas employers assist postsecondary institutions offering career and technical education in developing programs that reflect the needs of industry: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the efforts of postsecondary institutions offering career and technical education to educate and train workers for positions in high-demand industries; and

(2) supports the connection postsecondary institutions offering career and technical education provide between employers and students.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. CASSIDY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 880 into the RECORD.

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

There was no objection.

Mr. BISHOP of New York. I rise today in support of H. Res. 880, which recognizes the efforts of career and technical education colleges that educate and train workers for positions in high-demand industries. This resolution supports partnerships between career and technical colleges, employers, and students so that students can be prepared to enter high demand technical fields.

Career and technical education colleges help students apply practical information learned in the classroom to employment. CTE schools serve a diverse set of students. They serve secondary students who need job skills to transition into the workplace and employees who need to upgrade their skills for new technologies. Employers work with CTE programs to hire fully competent, well-trained workers for professional technical positions.

As America has evolved from an industrial economy to a knowledge economy, the globalization of business and industry requires workers to acquire core knowledge and skills that can be applied in a wide and rapidly changing variety of work settings.

With the changing business industry, employers want more competent, skilled workers, but they are having a difficult time finding these workers. More than 80 percent of respondents in the 2005 National Association of Manufacturers Skills Gap Report indicate that employers are experiencing a shortage of qualified workers. CTEs are situated to respond rapidly to changing job market demand to prepare potential employees.

Along with CTEs, community colleges help spur the economy and provide a skilled workforce that contributes more than $31 billion to the Nation's economy. This year, community colleges in this country will award more than 500,000 associate degrees and 270,000 associate certificates.

In September of this year, the House of Representatives passed the Student Aid and Fiscal Responsibility Act. This bill includes an unprecedented investment of $10 billion into community colleges by encouraging partnerships between community colleges, States, businesses, job training, and adult education programs, and by creating a new competitive grant program for community colleges to improve instruction, bolster student services and implement other innovative reforms. Community colleges play an important role in career and technical education, and in many communities are leading the way in providing workforce development programs that meet the needs of local businesses.

Madam Speaker, I again wish to express my support for H. Res. 880, and I thank Congressman CASSIDY for bringing this bill forward. I urge my colleagues to support this resolution.

I reserve the balance of my time.

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

Madam Speaker, I rise today in support of House Resolution 880, recognizing the efforts of post-secondary institutions offering career and technical education to educate and train workers for positions in high-demand industries.

Post-secondary institutions that offer career and technical education are an incredibly valuable resource to our communities. These institutions enable adults in the community to improve their lives by furthering their education in order to improve their employability and working life. Career and technical education enables students to learn specific skills or earn a certificate or a degree that employers require or prefer.

Many institutions that offer career and technical education also have valuable connections with employers in the community. These connections allow these institutions to better serve their students. Employers in high-demand industries are able to communicate with post-secondary institutions what skills, certificates and degrees they expect potential employees to exhibit. The close relationship between post-secondary institutions that offer career and technical education and employers provide students, and potential employees, with a valuable advantage.

The Bureau of Labor Statistics estimated that 15.6 million new jobs will be added to the labor force between 2006 and 2016. These industries and employers also benefit from the unique relationship between post-secondary institutions that offer career and technical education and local business leaders. The relationship enables industries and businesses to communicate where there are experience and employment gaps and what skills they require for such positions.

Post-secondary institutions that offer career and technical education provide students and the business community with an invaluable connection.

I am honored to support this resolution, and I ask my colleagues to join me.

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

Mr. BISHOP of New York. Madam Speaker, we have no further speakers on our side, so with my gratitude to Mr. CASSIDY, I urge my colleagues to approve this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 880, 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. BISHOP of New York. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. 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.

□ 1615

RECOGNIZING THE TRAGIC LOSS OF LIFE THAT OCCURRED AT THE CHERRY MINE IN CHERRY, ILLINOIS

Mr. BISHOP of New York. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 752) recognizing the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois, on its 100th anniversary and the contributions to worker and mine safety that resulted from this and other disasters, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 752

Whereas the St. Paul Mine Company Mine in Cherry, a town in Bureau County, Illinois, began operation in 1905;

Whereas the mine supplied the Chicago, Milwaukee, and St. Paul Railroad with 300,000 tons of coal annually for its locomotives;

Whereas coal remains an abundant source of energy in Illinois and across the country;

Whereas the majority of Cherry miners were immigrants working to achieve the American dream;

Whereas 490 men and boys were working in the mine on Saturday, November 13, 1909;

Whereas 10 of the Cherry miners were boys under the age of 16, including one who was 10 years old, were hired illegally;

Whereas United Mine Workers represented miners at the Cherry Mine in 1909 and continue to represent workers throughout the United States and Canada;

Whereas according to the Mine Safety and Health Administration, there were 2,642 coal mining fatalities in the United States in 1909;

Whereas the main and secondary shafts of the Cherry Mine contained wooden stairs and ladders;

Whereas an electrical outage at the Cherry Mine caused the workers to light kerosene lanterns and torches;

Whereas a torch caught fire 500 feet below the surface in the Cherry Mine;

Whereas the efforts to redirect the fire caused flammable material such as wood to ignite and rapidly spread the fire;

Whereas two shafts were closed to smother the fire;

Whereas the shaft closings cut off oxygen to the workers, and allowed ''black damp'', a mixture of deadly carbon dioxide and nitrogen to spread through the mine;

Whereas over 200 miners managed to make their way to the surface to escape the fire;

Whereas a group of miners, lead by John Bundy, showed incredible courage by journeying down the mine shaft 6 times to rescue their fellow miners;

Whereas on the seventh attempt the miners caught fire and burned to death;

Whereas a group of 21 miners, who later became known as the ''eight-day men'', sealed themselves from the fire;

Whereas the ''eight-day men'' exhibited behavior that can only be described as selfless when helping each other survive;

Whereas a team rescued these men after 8 grueling days underground in torturous conditions;

Whereas 259 miners, including 4 children, perished in what became known as the Great Cherry Mine Disaster;

Whereas the United Mine Workers pressed successfully for mine safety reforms following this and other disasters like it;

Whereas the United States Bureau of Mines was created in 1910 as a result of disasters like the Great Cherry Mine Disaster;

Whereas the State of Illinois reacted by passing stronger mine safety regulations;

Whereas those mine regulations included requiring mine owners to maintain firefighting equipment and require certain workers to pass safety tests;

Whereas the Illinois' Worker's Compensation Act of 1911 recognized the dangers that mine workers faced and continue to face today; and

Whereas November 13, 2009, marks the 100th anniversary of the Great Cherry Mine Disaster: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the 259 miners lost in the tragedy known as the Great Cherry Mine Disaster on its 100th anniversary; and

(2) supports the important safety measures that were enacted as a result of this terrible incident and others around the country like it.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. CASSIDY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 752 into the RECORD.

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

There was no objection.

Mr. BISHOP of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of House Resolution 752, memorializing the 100th anniversary of the Cherry Mine disaster of November 13, 1909, in Cherry, Illinois.

This landmark mine disaster, which took the lives of 259 men and children and left 600 grieving widows and orphans, should not be forgotten. I commend Representative HALVORSON for bringing this important chapter in labor history to the Nation's attention.

The fire began in the Cherry Mine after an electricity outage, when burning fuel from a makeshift torch dripped on an underground hay bale. With no firefighting equipment in the mine, workers tried to douse the flames with water from an underground mule stable. The flames grew and the timber structures lining the mine quickly ignited. Some diggers in the lower level noticed the smoke and suggested to their supervisors that they get out. They were told to continue working. Other workers were reluctant to leave for fear of losing income as they were paid on a piecework basis. Company supervisors waited about an hour before making a systematic attempt to alert workers about the fire. Some of the immigrant workers spoke little English and could not understand the orders to evacuate. No fire drill had ever been practiced. At some point, the mine fan reversed, sucking flames further up the shaft. The ventilation system broke and the escape stairway was consumed in flames.

The 259 deaths from this 1909 mine disaster, coupled with 362 killed from the Monongah disaster in West Virginia in 1907, spurred Congress to create the Bureau of Mines in 1910 as a research agency. However, without enforcement powers, the bureau failed to produce significant changes.

In 1947, amidst fierce industry opposition, the bureau was finally given the power to inspect mines. A mine explosion in West Frankfort, Illinois, which took 119 lives, spurred Congress to give the Bureau of Mines the power to close mines for safety violations in 1951. Many more accidents followed until Congress created the Federal Coal Mine Safety and Health Act of 1969. That law requires quarterly mine inspections and authorized fines for violations.

In 2006, miner deaths soared to a 10-year high with disasters at Sago and Aracoma Mines in West Virginia and the Darby Mine in Kentucky. Congress responded by passing the Mine Improvement and New Emergency Response Act, the MINER Act, which requires mine operators to provide caches of air, have rescue teams organized, develop wireless communications, and install tracking systems to locate miners who are trapped underground.

This resolution also recognizes the pioneering work of the United Mine Workers in pressing successfully for mine safety reforms in the wake of the Cherry Mine disaster and other disasters like it.

It is often said that our mine safety laws had been written with the blood of miners. That is, it is only after horrific disasters like the Cherry Mine or Sago that progress is made because of the ensuing public outcry.

While improvements have been made in recent years, more work needs to be done to make sure miners return home safely to their families at the end of each shift. Preventable disasters still occur, like the tragic loss of life we saw at Crandall Canyon Mine in Utah in 2007. Although there have been nearly 100 years of effort in Congress since the Cherry Mine disaster to protect underground miners, this resolution reminds us that our work is far from over.

Madam Speaker, once again I express my support for H. Res. 752. I thank Representative HALVORSON for bringing

this forward. I urge my colleagues to support this measure.

Madam Speaker, I reserve the balance of my time.

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

I rise today in support of House Resolution 752, recognizing the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois, on its 100th anniversary and the contributions to worker and mine safety that resulted from this and other disasters.

On November 13, 1909, 400 miners went to work at the Cherry Mine in Cherry, Illinois. This mine was one of the first to have electric lighting, but on the day of the disaster, the system was not working. Instead, miners were using torches to light their way. Mules were being used to bring coal to the mine elevator, and the hay to feed those mules provided the fuel that started the fire that ultimately killed 263 miners. Miraculously, 200 miners working that day escaped. Even more amazing, though, 21 miners survived for 8 days underground with no food and little water.

In order to suppress the fire, those above ground sealed the mine. Conditions below ground deteriorated rapidly. Led by mine manager George Eddy, the 21 miners who survived went into the recesses of the mine to escape the fire and seek good air. Ultimately, the miners barricaded themselves deep in the mine, attempting to block out the bad air. They were able to pool water from seepage in their shelter.

The tragedy of the Cherry Mine has sadly been repeated in one form or another throughout the history of mining. With this resolution, we honor those lost in the mine. We also honor those who demonstrated their courage and resolve in the face of the tragedy. Just as we see in today's miners, those trapped in the mine fought hard to stay alive. The men above ground did everything they could to put out the fire with the hope of saving their fellow workers.

I rise today to recognize the loss at the Cherry Mine and to honor those who work in our mines today. I ask my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. BISHOP of New York. Madam Speaker, I am pleased to yield 5 minutes to the gentlewoman from Illinois (Mrs. HALVORSON), the sponsor of this legislation.

Mrs. HALVORSON. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of House Resolution 752, a resolution I introduced to commemorate the 100th anniversary of the Great Cherry Mine Disaster.

The Great Cherry Mine Disaster was a tragic coal mining accident that took place in Cherry, Illinois, which is a small town in Bureau County in my district. House Resolution 752 recognizes the historical significance of this mining accident, which led to the passage of landmark mine safety and worker safety legislation both in Illinois and at the Federal level.

I want to thank Chairman GEORGE MILLER and Ranking Member JOHN KLINE for bringing my resolution to the floor. And I also want to thank Calla Brown, Jody Calemine, and Richard Miller from the majority staff on Education and Labor for working with my staff on this resolution.

Madam Speaker, on Saturday, November 13, 1909, 419 employees of the St. Paul Mine Company showed up to work at the company's coal mine in Cherry. The majority of them were immigrants working to achieve the American Dream. Most were Italian or Slovenian, but others were German, Greek, French, Irish, and British. These workers were represented by the United Mine Workers of America.

In 1909, coal mining was an extremely dangerous line of work. In that year alone, there were 2,642 recorded coal mining fatalities in the United States. Two years earlier, coal mining disasters in West Virginia and Pennsylvania resulted in over 200 deaths. These deaths and disasters were often the result of inadequate workplace safety regulation, which was the case in Cherry.

On November 13, 1909, the workers at Cherry were using kerosene lanterns and torches because of an electric outage in the mine. About 500 feet below the surface, one of the torches ignited some flammable material and the fire spread rapidly. Two shafts were closed in an attempt to smother the fire, which cut off oxygen to many of the workers. The lack of oxygen created a mixture of carbon dioxide and nitrogen known as black damp, which made its way throughout the mine, suffocating many of the workers.

Two hundred of the miners quickly made their way to the surface, but the rest were trapped in the mine. One of the mine managers, a man named John Bundy, led a courageous group of miners back into the mine to rescue their fellow workers. On the seventh trip, Bundy and his rescue group caught fire and burned to death. Another group of 21 miners, who became known as the ''eight-day men,'' managed to survive in the mine for 8 days before they were rescued. When the disaster was over, 259 miners had died, including four children.

The Great Cherry Mine Disaster was the third deadliest mine disaster in American history. The Great Cherry Mine Disaster and other similar mine disasters moved lawmakers to enact landmark mine safety and worker safety reforms. In 1910, the Illinois General Assembly passed legislation requiring mine operators to maintain firefighting equipment and certain mine workers to pass safety tests. Also that year, Congress passed legislation creating the U.S. Bureau of Mines. In 1911, Illinois enacted its first worker compensation law.

The United Mine Workers and organized labor played a very important role in pushing for these reforms. Over the last century, we have made great progress on mine safety, but we still have more work to do. We learned this the hard way with the tragic Sago Mine disaster in West Virginia in 2006, which killed 13 coal miners.

As we move forward, we need to continue to update and improve our Nation's mine safety laws. House Resolution 752 honors the memory of those who lost their lives in the Great Cherry Mine Disaster and recognizes the important mine safety reforms enacted as a result of this and similar disasters. As we look into the future, it's important that we always remember the important lessons of the past.

Madam Speaker, I ask my colleagues to join me in supporting House Resolution 752.

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

Mr. BISHOP of New York. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 752, 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.

NATIONAL FAMILY LITERACY DAY

Mr. BISHOP of New York. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 878) expressing support for the goals and ideals of National Family Literacy Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 878

Whereas National Family Literacy Day is held on November 1;

Whereas children spend 5 times as much time outside the classroom as they do in school, and a parent's education and income are 2 of the biggest factors in determining a child's success in school;

Whereas children who participate in family literacy programs demonstrate significant gains in oral language skills and score higher on standardized tests;

Whereas National Family Literacy Day encourages parents to become involved in their children's education and schoolwork;

Whereas approximately 8,000 literacy programs and schools will hold readings, workshops, book drives, and family activities at libraries and community centers across the country in honor of National Family Literacy Day; and

Whereas National Family Literacy Day highlights multigenerational learning, the importance of literacy for children and adults, and parental involvement in the education of their children: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Family Literacy Day; and

(2) recognizes the benefits of parental involvement in a child's education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. CASSIDY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous materials on H. Res. 878 into the RECORD.

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

There was no objection.

Mr. BISHOP of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H. Res. 878, which recognizes November 1, 2009, as National Family Literacy Day and acknowledges the benefits of parent involvement in their child's education.

Family literacy programs address the literacy needs and challenges children and families in our country deal with every day. These programs provide parents with knowledge and skills that allow them to be their child's first and most important teacher. Family literacy programs also help parents to be active participants in their child's education. For children, family literacy programs help increase children's literary and oral skills. In addition, research has shown these programs can help improve children's scores on standardized tests.

National Family Literacy Day promotes the importance of literacy for both children and adults. According to the National Center for Family Literacy, parent-child literacy activities, such as parents reading to their children, improve children's language skills and increase their interest in books.

Parent-child literacy activities also benefit low-literacy adults. It helps adults build confidence and develop their literary skills and contributes to self-sufficiency for adults and families across the Nation, leading to better jobs, workforce readiness, and higher education degrees.

In honor of National Family Literacy Day, approximately 8,000 literacy programs and schools will hold workshops, book drives, and family reading activities in libraries and community centers across the Nation.

Madam Speaker, once again I express my support for National Family Literacy Day. I thank Representative PLATTS for bringing this resolution forward, and I urge my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

□ 1630

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

I rise today in support of House Resolution 878, expressing support for the goals and ideals of National Family Literacy Day. Literacy is an issue that is important to people of all ages, from kindergarteners just learning to read to adults whose everyday lives require reading skills. Problems with literacy also affect people of all ages. Children with literacy problems are far more likely to drop out of school before they graduate than those without literacy problems. In addition, approximately 85 percent of all juvenile offenders have problems reading.

Approximately one in seven American adults have difficulty reading, according to the most recent literacy report. Difficulty reading spans generations and affects people of all ages. Family literacy encourages parents and children to learn together and encourages parents to become involved in their children's education. Multigenerational learning enables every willing family member to engage in learning and improve their ability to read.

Children specifically can benefit from family literacy in a number of ways. Children spend a large majority of their time outside of school. Engaging children in reading in their family environment allows children to extend their learning time beyond the time they spend in school. Additionally, research has shown that children whose parents are involved in their education perform better in school. Family literacy encourages families to learn together and support each other in improving their literacy skills.

National Family Literacy Day took place November 1 this year. On this day, schools, libraries and community centers were encouraged to hold book drives, family reading events, workshops and other events that encourage families to read together. Approximately 8,000 literacy programs and schools held events to honor National Family Literacy Day this year. By recognizing National Family Literacy Day, we honor the importance of families learning and reading together.

I am honored to support this resolution, and I ask my colleagues to join me.

Mr. PLATTS. Madam Speaker, I rise today in support of House Resolution 878. I am proud to have introduced this resolution that recognizes the benefits of parental involvement in a child's education, and supports the goals and ideals of National Family Literacy Day.

As we all know, the role of a parent or guardian in a child's life is one that is irreplaceable and lasts far beyond the adolescent years. Today, I stand in recognition of the importance of family literacy in the education of children. While a child's education at school is irrevocably important, we must fully recognize that education begins at home.

National Family Literacy Day occurred on November 1st of this year reminding us of the integral role parents play in their child's pathway to learning. Approximately 8,000 literacy programs and schools held readings, workshops, book drives, and family activities at libraries and community centers across the country in honor of this important day.

Research has shown that a parent's education and income are the two largest indicators of a child's success in school. Given that children spend five times as much time outside of the classroom as in school, we must continue to focus on the importance of family literacy programs. Children who participate in family literacy programs demonstrate significant gains in oral language skills and score higher on standardized tests. The future and prosperity of our great Nation is dependent on the quality of education that our children receive today.

That is why I stand in support of this resolution, recognizing the goals and ideals of Family Literacy Day. I ask for my colleagues' support of House Resolution 878.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Res. 878, which "expresses support for the goals and ideals of National Family Literacy Day." A great American, Fredrick Douglass, once said "Once you learn to read, you will be forever free." For America, literacy is the key that unlocks the door to our success, to our defense, and to our freedom.

Illiteracy should be considered the root of many problems in our lives today; it leads to alienation of students in school and their community. For example, in my home district, the 18th District of Texas approximately 68 percent of those arrested, 75 percent of welfare dependants, 85 percent of dropouts, and 72 percent of the unemployed are identified as functionally illiterate (Youth Plus). One in three adults in the greater Houston metropolitan area functions at the lowest level of literacy, they are unable to read and comprehend a menu or a street map, fill out a job application, or read the directions on a medicine bottle (Literacy Advance of Houston). And in Texas, 85 percent of teenagers appearing in juvenile court are functionally illiterate (Youth Plus).

No skill can be rendered more crucial to our future, nor to a democratic and prosperous society, than literacy. Literacy and knowledge is the premise of reaching one's full potential as an upstanding citizen. President Lyndon B. Johnson once said, "A book is the most effective weapon against intolerance and ignorance," in order for us to utilize this priceless weapon, we must educate one another.

Our children are made readers on the laps of their parents. Therefore the literacy of parents has a direct impact on the educational success of their children. Parental involvement is an intricate part of a child's success and as the level of parental involvement increases the education level of the child increases. Unfortunately, according to the National Adult Literacy Survey, 42 million adult Americans can't read. Another 50 million can recognize so few printed words they are limited to a 4th or 5th grade reading level; one out of every four teenagers drops out of high school, and of those who graduate, one out of every four has the equivalent or less of an eighth grade education. Parents in family literacy programs have proven to become more involved in their children's education and gain the tools necessary to obtain a job or find better employment.

A parent's education and income are two of the biggest factors in determining a child's

success in school. Advocating literacy across America will result in children's lives becoming more stable, lead to higher achievement in the classroom and success in all future endeavors becomes inevitable. Studies have shown that two important factors that influence student achievement are the mother's education level and poverty in the home. It is clear that if adults are not part of the learning equation, then there is no long-term solution to our Nation's education challenges. The National Assessment of Adult Literacy reports that 90,000,000 adults lack the literacy, numeracy, or English language skills to succeed at home, in the workplace, and in society. National Family Literacy Day would highlight the need for our government to support efforts to ensure each and every citizen has the necessary literacy skills to succeed at home, at work, and in society. I support the designation of National Family Literacy Day on November 1, which encourages parents to become involved in their children's education and schoolwork, as well as people across the United States to support programs to assist those in need of adult education and family literacy programs.

Children who participate in family literacy programs demonstrate significant gains in oral language skills and score higher on standardized tests. I call upon the Federal Government, States, localities, schools, libraries, nonprofit organizations, community-based organizations, consumer advocates, institutions of higher education, labor unions, and businesses to support increased access to adult education and family literacy programs to ensure a literate society.

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

Mr. BISHOP of New York. I yield back the balance of my time as well, Madam Speaker.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 878.

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. BISHOP of New York. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. 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.

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:

H. Res. 863, by the yeas and nays;

H. Res. 641, by the yeas and nays;

H. Res. 711, de novo;

H. Res. 856, by the yeas and nays.

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

WORLD PNEUMONIA DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 863, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 863, as amended.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 10, as follows:

[Roll No. 852]

YEAS—421

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

NAYS—1

Paul

NOT VOTING—10

Bishop (UT)
Braley (IA)
Capuano
Deal (GA)
Jordan (OH)
Murphy, Patrick
Nunes
Sánchez, Linda T.
Shuster
Stupak

□ 1659

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

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

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: ''Recognizing the scourge of pneumonia, urging the United States and the world to mobilize cooperation and focus resources to fight pneumonia and save children's lives, and recognizing November 2 as World Pneumonia Day.''.

A motion to reconsider was laid on the table.

RECOGNIZING 60TH ANNIVERSARY OF RADIO FREE EUROPE/RADIO LIBERTY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 641, 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 California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 641, as amended.

The vote was taken by electronic device, and there were—yeas 422, nays 1, not voting 9, as follows:

[Roll No. 853]

YEAS—422

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

NAYS—1

Paul

NOT VOTING—9

Braley (IA)
Deal (GA)
Grijalva
Jordan (OH)
Murphy, Patrick
Nunes
Sánchez, Linda T.
Shuster
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in the vote.

□ 1706

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CALLING ON THE U.S. AND INTERNATIONAL COMMUNITY TO ADDRESS THE NEEDS OF SRI LANKA'S TAMIL INTERNALLY DISPLACED PERSONS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 711, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 711, as amended.

The question was taken.

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

RECORDED VOTE

Mr. SCHAUER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 421, noes 1, not voting 10, as follows:

[Roll No. 854]

AYES—421

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle

Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—10

Braley (IA)
Deal (GA)
Grijalva
Jordan (OH)
Larson (CT)
Murphy, Patrick
Nunes
Sánchez, Linda T.
Shuster
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes to vote.

□ 1715

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: ''Calling on the Government of Sri Lanka to address the human rights and humanitarian needs of its civilian internally displaced Tamil population currently living in government-run camps by working with the United Nations and the international community to implement a process of release and resettlement of such internally displaced persons (IDPs), and allowing foreign aid groups to provide relief and resources throughout the process.''.

A motion to reconsider was laid on the table.

COMMISSIONING OF THE USS NEW YORK LPD 21

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 856, 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 Mississippi (Mr. TAYLOR) that the House suspend the rules and agree to the resolution, H. Res. 856.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 855]

YEAS—420

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz

Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Braley (IA)
Cantor
Deal (GA)
Grijalva
Jordan (OH)
Miller (NC)
Murphy, Patrick
Nunes
Paul
Sánchez, Linda T.
Shuster
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1723

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.

PERSONAL EXPLANATION

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, due to illness, I was unable to be present in the Capitol for votes on today, Wednesday, November 4, 2009.

However, had I been present, I would have voted the following way: Ordering the Previous Question on H.R. 3639—''yea''; the rule to Debate H.R. 3639—''aye''; H. Res. 858 congratulating the Inter-American Foundation (IAF) on its 40th anniversary—''yea''; H. Res. 839 condemning the illegal extraction of Madagascar's natural resources—''yea''; Hensarling (TX) Amendment to H.R. 3639—''aye''; McCarthy (NY) Amendment to H.R. 3639—''aye''; Maffei (NY) Amendment to H.R. 3639—''aye''; Sutton (OH) Amendment to H.R. 3639—''aye''; Sutton (OH)/Stupak (MI) Amendment to H.R. 3639—''aye''; final Passage of H.R. 3639—Expedited CARD Reform for Consumers Act of 2009—''aye''; H. Res. 863—Recognizing November 2 as World Pneumonia Day—''yea''; H. Res. 641—Recognizing the 60th anniversary of the founding of Radio Free Europe/Radio Liberty—''yea''; H. Res. 711—Calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil—''aye''; H. Res. 856—Recognizing the Commissioning of the USS New York LPD 21—''yea''.

I also would have voted ''no'' on the Motion to Recommit H.R. 3639.

PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Madam Speaker, I missed votes today, Wednesday, November 4, 2009. If I were present, I would have voted:

''Yea'' on rollcall 841, On Ordering the Previous Question, Providing for consideration of H.R. 3639, Expedited CARD Reform for Consumers Act of 2009; ''aye'' on rollcall 842, On Agreeing to the Resolution, Providing for consideration of H.R. 3639, Expedited CARD Reform for Consumers Act of 2009; ''yea'' on rollcall 843, On Motion to Suspend the Rules and Pass H. Res. 858—Congratulating the Inter-American Foundation (IAF) on its 40th anniversary and recognizing its significant accomplishments and contributions; ''yea'' on rollcall 844, On Motion to Suspend the Rules and Pass H. Res. 839—Condemning the illegal extraction of Madagascar's natural resources; ''aye'' on rollcall 845, On agreeing to the Hensarling Amendment to H.R. 3639; ''aye'' on rollcall 846, On agreeing to the McCarthy Amendment to H.R. 3639; ''aye'' on rollcall 847, On agreeing to the Maffei Amendment to H.R. 3639; ''aye'' on rollcall 848, On agreeing to the Sutton Amendment Number 4 to H.R. 3639; ''aye'' on rollcall 849, On agreeing to the Sutton Amendment Number 5 to H.R. 3639; ''no'' on rollcall 850, On Motion to Recommit with Instructions to H.R. 3639; ''aye'' on rollcall 851, On Final Passage of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009; ''yea'' on rollcall 852, On Motion to Suspend the Rules and Agree, as Amended H. Res. 863, Recognizing the scourge of pneumonia, urging the United States and the world to mobilize cooperation and prioritize resources to fight pneumonia and save children's lives, and recognizing November 2 as World Pneumonia Day; ''yea'' on rollcall 853, On Motion to Suspend the Rules and Agree, as Amended H. Res. 641, Recognizing the 60th anniversary of the founding of Radio Free Europe/Radio Liberty; ''yea'' on rollcall 954, On Motion to Suspend the Rules and Agree, as Amended H. Res. 711, Calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons (IDP's); ''yea'' on rollcall 855, On Motion to Suspend the Rules and Agree to H. Res. 856, Recognizing the Commissioning of the USS New York LPD 21.

HONORING SEATTLE POLICE OFFICER TIM BRENTON

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

Mr. McDERMOTT. Madam Speaker, I rise today to honor a public servant, Seattle Police Officer Tim Brenton. Officer Brenton was killed in the line of duty last week on October 31, 2009. Officer Brenton lost his life in an apparent deliberate murder that has shocked Seattle and frozen our hearts.

Officer Brenton leaves behind his wife and two children and the rest of his family, including a father and an uncle who also served the public as police officers and a brother who is a firefighter. He leaves behind a partner, Officer Britt Sweeney, who was also wounded that night.

He leaves behind a police department in mourning, and he leaves behind a community in shock because of this brutal and senseless crime. But more than that, he leaves behind a legacy of selflessness, of caring, and of commitment to service. We all owe a great debt to Officer Brenton and to the many public servants who place their lives on the line to protect us.

The Seattle Times newspaper noted that a neighbor called the Brentons ''just a regular American family, going to work, making a living.'' But the Brentons are no regular family. They have been doubly marked by valor and by sacrifice. The perpetrators of this tragic crime have marked all of us as we mourn the effects of this violence on the family and friends of Officer Brenton.

I ask you all to join me in bowing your heads in remembrance of Officer Brenton.

HONORING U.N. GUARD LOUIS MAXWELL

(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 tonight to honor a courageous south Floridian who made the ultimate sacrifice in the line of duty. U.N. Guard Louis Maxwell died fighting Taliban attackers at a hotel in Afghanistan last week. Louis and another U.N. security guard held off the terrorists and, in the process, saved innocent lives.

Louis graduated from Miami Central High School in the year 2000. He was such an outstanding trumpet player that he was offered a full music scholarship to Florida A&M University, yet he decided to serve his country and enlisted in the United States Navy. Louis later became a U.N. guard in the year 2007.

U.N. Secretary General Ban Ki-moon praised Louis' bravery by saying the following: ''They fought through the corridors of the building and from the rooftop. They held off the attackers long enough for their colleagues to escape, armed only with pistols against assailants carrying automatic weapons and grenades and wearing suicide vests.''

I hope Louis' mother, Sandra, takes comfort in knowing that 17 people are alive today because of her son. I join her and the rest of his family in thanking Louis for his service, honoring his memory, and making sure that Louis will never be forgotten.

□ 1730

TORT REFORM NEEDED

(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, according to a Harvard School of Public Health study, 40 percent of medical malpractice suits in the U.S. are ''without merit.'' These frivolous lawsuits enrich trial lawyers while increasing the cost of health care for everyone.

Despite the fact that tort reform would help reduce health care costs, the administration refuses to propose this commonsense solution. Why is that?

According to former Democratic National Committee Chairman Howard Dean, ''Tort reform is not in the (health care) bill because the people who wrote it don't want to take on the trial lawyers.''

In the handful of States that have enacted tort reform, health care costs have fallen, and the availability of medical care has expanded.

Tort reform and reducing the number of frivolous lawsuits against hospitals and doctors would help all Americans.

NO PUBLIC FUNDING FOR ABORTIONS

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

Mr. INGLIS. Madam Speaker, there are many things wrong with the Pelosi health care bill. Some of them rise to moral issues, and certainly the moral issue that I am focused on right now is the abortion issue.

There are a lot of people who want to say, Well, there won't be public funds used for abortion, but really, please, when we debate this bill, let's not insult the intelligence of other Members of Congress or of the American people. There is a clear commingling of resources. If you set up a public option and then there is money flowing into that from taxpayers, that money will ultimately find its way to abortion services.

So what we need in order to avoid that problem that many of us have of funding abortions with taxpayer money is an expressed prohibition on abortion services. There needs to be a bright line in this bill saying there will be no support for abortion services anywhere in the bill, similar to the Hyde amendment in HHS appropriations.

So, Madam Speaker, this is something that needs to be done in order to make it clear and to avoid this moral challenge.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. TITUS). 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.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

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

Mr. CUMMINGS. Madam Speaker, I am compelled to address this body tonight after having listened to my colleagues over the last few days fabricate falsely about the Affordable Health Care for America Act.

Every 12 minutes, an American dies in the greatest country on Earth simply because he cannot afford to live. Americans lie right now, as I speak, in their homes while in pain, suffering because they cannot afford the care that would bring them relief.

I meet people in my district who choose between medication and food, parents who go without medical treatment to pay for heat and clothing for their children, and family members who believe with all their hearts that loved ones have died because they lacked adequate health care.

Like the misrepresentations about this bill, these injustices must stop. The time to act is now. In the words of President Obama, we must have the urgency of now.

H.R. 3962 helps uninsured Americans immediately. It immediately creates an insurance program with financial assistance for those who are uninsured or for those who have been denied policies because of preexisting conditions. It also allows those who are unemployed to keep their COBRA coverage until the exchange is operational.

Health insurance reform will mean greater stability and lower costs for all Americans. That means affordability for the middle class, security for our seniors, and responsibility to our children. It also will mean coverage for 96 percent of Americans. According to the CBO, the bill reduces the deficit by $30 billion over the first 10 years.

In their speeches, Republicans have described this bill as the Speaker's bill. They call it the ''Pelosi bill.'' This bill does not belong to the Speaker, although she has done a phenomenal job in helping us to craft it.

This bill belongs to the hardworking Americans who have insurance but who want a more transparent and stable health care marketplace that focuses on quality, affordable choices for all Americans, and that keeps insurers honest.

It belongs to 47 million Americans who are suffering and who have no help on the horizon.

This bill belongs to the seniors living in rural areas all over our country who will receive better Medicare coverage because of this bill.

It belongs to the children throughout our Nation who are so poor that their parents cannot even afford checkups. These are the children whose lives will be crippled by diabetes simply because doctors have not diagnosed them as being at risk.

Our children are our living messages we send to a future we will never see. The question is: What type of message are we sending? They will suffer simply because they do not know how to reverse the symptoms leading them down a troubled road.

This bill belongs to 44,000 Americans who die every year because they lack insurance. They have been guaranteed life, liberty, and the pursuit of happiness by founding documents to which my colleagues on the other side of the aisle constantly refer. Americans are denied those things by the thousands. They cannot afford care and so they die.

That's right, Madam Speaker. For every page that Republicans have printed out and have used as props, for every page, 22 Americans will die this year because they cannot pay for the care that will save their lives.

It is telling that, using valuable tax dollars, they printed those pages to make copies of a bill that is available, searchable, and downloadable online. It is a perfect metaphor for the millions of dollars this bill will save Americans.

Our health care system will save more than $150 billion every year, a call that President Obama made in the beginning of his campaign. The bill moves America to a health care system with an electronic recordkeeping system, cutting fraud, excessive administrative costs and medical mistakes.

Republicans do not care about those savings or about that progress. Like the pages of the taxpayer-provided paper used here today on this floor, they are props—only interested in being weights to drag down, to slow down, and to eventually stop true health care reform.

It pains me to say these words, but this is how I feel.

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

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

ABRAHAM LINCOLN ON PRESERVING OUR FREEDOM

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. Madam Speaker, in the ongoing debate over health care reform, the topic of freedom is often overlooked, but it ought not be. The Democrats' health care bill is a massive expansion of government that will alter the lives and livelihoods of every person in America. For many, that means higher taxes; and for even more, it will mean an unprecedented intrusion of Federal Government bureaucrats into the way we receive health care. This is a fundamental erosion of our freedom.

The great freedom fighter, Abraham Lincoln, gave a speech in Springfield, Illinois, in 1838 where he touched on the idea of the loss of freedom. He was very explicit. He explained that our country could one day suffer a loss of freedom, not by an outside attack but from within. I will quote what Lincoln said and then give it in its larger context:

''At what point then is the approach of danger to be expected? I answer: If it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide.''

The larger context of those words is as follows:

''In the great journal of things happening under the sun, we, the American people, find our account running, under date of the 19th century of the Christian era. We find ourselves in the peaceful possession of the fairest portion of the Earth as regards extent of territory, fertility of soil and salubrity of climate. We find ourselves under the government of a system of political institutions, conducing more essentially to the ends of civil and religious liberty than any of which the history of former times tells us. We, when mounting the stage of existence, found ourselves the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them. They are a legacy bequeathed us by a once hardy, brave and patriotic but now lamented and departed race of ancestors. Theirs was the task, and nobly they performed it, to possess themselves and, through themselves, us, of this goodly land; and to uprear upon its hills and its valleys a political edifice of liberty and equal rights; 'tis ours only to transmit these—the former, unprofaned—by the foot of an invader; the latter, undecayed by the lapse of time and untorn by usurpation, to the latest generation that fate shall permit the world to know. This task of gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general all imperatively require us faithfully to perform.

''How then shall we perform it? At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never. All the armies of Europe, Asia and Africa combined, with all the treasure of the Earth, our own excepted, in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

''At what point then is the approach of danger to be expected? I answer: If it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide.''

□ 1745

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

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

SUPPORTING BETTER HOME CARE FOR OLDER AMERICANS

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

Mr. GRIFFITH. Madam Speaker, almost one in seven residents in my home State of Alabama is over the age of 65, a sector of the American population that is expected to grow dramatically over the next 2 decades. As our citizens age, many will develop costly and debilitating health conditions that will require additional care and additional expenditures for the Medicare system.

Advanced home health treatments are now targeting some of the most serious illnesses and have been successful in keeping more of the elderly out of the hospitals and reducing the cost to Medicare. There are numerous cases in Alabama where home health care has been instrumental in preventing emergency room visits and hospital readmissions and helping older residents to live more independently at home for as long as possible.

Our goal is to improve the care of Americans and control rising costs, especially in our Medicare population. Home health care is meeting these goals and has the potential to do even more.

Yet there are provisions in the House health reform legislation that would cut $57 billion from the Medicare home health program over the next decade. If these reductions remain in the bill, they will surely have an adverse effect on the access to home care for our senior citizens.

The cuts in home health care services in the bill are significantly disproportionate to other provider sectors. The bill seeks 14 percent of all Medicare cuts from home health care, while home health makes up only 4 percent of the Medicare program currently. This disproportionate impact is further magnified by the fact that, unlike most other health care providers and insurers, expanding health insurance will have no meaningful increase in the home health care business.

Home health patients average nearly 80 years of age and are already insured by Medicare and Medicaid. This means that the Medicare cuts to home health agencies are not offset by new revenues from newly insured patients. Instead, the proposed cuts of over 14 percent of spending on home health services will be as can be.

For these reasons, I urge my colleagues to reject the proposed cuts to home health care and support better care at home for all older Americans.

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 of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE ACCOMPLISHMENTS OF FURMAN BISHER

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

Mr. GINGREY of Georgia. Madam Speaker, I rise today to honor the accomplishments of famed Atlanta sports reporter Furman Bisher upon his retirement from the Atlanta Journal Constitution after 59 years.

Furman Bisher was born on November 4, 1918, in Denton, North Carolina, and became the editor of the Charlotte News in 1940. During World War II, he honorably serve our Nation from 1941 until 1945.

In 1950, Furman Bisher became a sports editor for the Atlanta Constitution, and in 1957 he became sports editor and columnist for the Atlanta Journal and the Sunday Journal-Constitution.

Furman Bisher's accomplishments are legendary. He was the president of the Football Writers Association of America in 1959 and 1960 and named one of the Nation's five best columnists by Time Magazine in 1961. Furman was president of the National Sportscasters and Sports Writers Association from 1974 to 1976, and he covered every Kentucky Derby since 1950. He also covered every National Football League Super Bowl, except the very first one played in 1967.

As an Atlanta Braves fan, I am particularly grateful for the crucial role Furman played in facilitating the arrival of the Braves baseball team to Atlanta, which was Atlanta's very first professional sports team.

Furman Bisher is a member of the Atlanta Sports Hall of Fame, the International Golf Writers Hall of Fame and the National Sportscasters and Sports Writers Hall of Fame, and he was a recipient of Professional Golfers Association's Lifetime Achievement in Journalism Award in 1996.

A testament to Furman's reputation from the very beginning can be traced to 1949, when he became the only person since 1919 to secure an interview with ''Shoeless'' Joe Jackson, who had been banned from baseball.

Furman Bisher retired from the Atlanta Journal Constitution on October 10, 2009, after 59 years of service, typing his last column on the Royal typewriter that was the instrument of his first Constitution column back in 1950.

At age 90, Furman is still going strong, splitting his time between a homestead in Fayette County and a retreat on St. Simons Island with his wife of 21 years, Linda.

Furman Bisher's legacy is lasting. He wrote over 10,000 columns in the Atlanta Journal Constitution and hundreds more in newspapers in North Carolina dating back to 1938.

He forever impacted sports reporting and the Atlanta sports landscape with his actions and commentary. I know I, for one, like millions of others throughout the years, always enjoyed reading his column, and will deeply miss flipping to the sports section to find what he had to say about the sports news of the day, for it was in 1960 as a freshman at Georgia Tech that I first read his column and every Sunday morning watched his college football roundup in the TV lab at the Sigma Nu fraternity house.

I wish Furman and Linda Bisher all the best as they enjoy their retirement.

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.)

ENOUGH IS ENOUGH IN AFGHANISTAN

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

Mr. MASSA. Madam Speaker, on the 7th of October of 2001, when we invaded Afghanistan, a soldier's then 10-year-old child in 5th grade is now 18, and either out of the house, off to college, or starting a young adulthood of his or her own, having grown up virtually without the benefit of military parents, some of whom today face their fifth deployment.

Today marks the 2,950th day of combat in the war in Afghanistan; 2,950 days, without asking for a concurrent sacrifice from the American people. It is only the uniformed forces and their families upon whom we have placed the burden of these 2,950 days of war.

The Congressional Research Service estimates that we have now spent or committed $300 billion, and that is only the money for which we can account. Some will say it is twice that, for this war, like the war in Iraq, was funded off-budget with no transparency. $300 billion. That is about $101 million per day for 2,950 days. Or, to put out another average, that is $3,947 per family of four that every American family has paid to date.

Tragically, that is the good news, because the irrevocable loss is comprised of 911 American combatants killed and 4,198 seriously wounded, and we do not have the ability to estimate the long-term wounds that we cannot see or quantify that will be carried by the soldiers and sailors and airmen and marines of this conflict for the rest of their lives.

We have now been in Afghanistan for 2,950 days. We fought World War I for 584 days. We have been in Afghanistan five times longer than we fought the ''war to end all wars.'' And we have been in Afghanistan twice as long as the entire combined combatant days of World War II fought by the Greatest Generation.

Today is the 2,950th day of this war. It has cost us $300 billion, $3,947 per American family.

Enough is enough. It is time to bring our troops home.

More than any other issue that I have studied, sought counsel on, and drawn from my own life's experience for guidance since becoming a Member of the United States Congress, the expansion of the war in Afghanistan has drawn my late night focus. There, in the quiet of the office, I have arrived at the inevitable conclusion that the deployment of additional troops in Afghanistan and the continuation of this conflict is both not in the interest of our Nation, and, in fact, is on par with a potential error the size of our initial invasion in Iraq.

The recent election in Afghanistan has underscored the fact that we will never create a Jeffersonian democracy in that nation. After Hamid Karzai had about one-third of his ballots thrown out due to election fraud, his opponent withdrew from the coming election because he stated publicly there could not be a scenario under which he could trust the election process.

A continued escalation of this conflict to do things like secure elections and build an Afghan national identity is a false and foolish waste of American lives and treasure. Quite simply, we will never create a Jeffersonian democracy, and to continue to fight and die for what the people of Afghanistan will not fight and die for is simply wrong.

Our military should not be expended to secure elections, nor should we continue to engage in global nation building. To those who would say that we must win in Afghanistan, I simply ask after 24 years of service in the United States military and a degree from the United States War College, what does a victory look like and when can we obtain this indefinable goal?

Are we now to subordinate ourselves to an Afghan Government that has, at best, limited legitimacy in its own nation following a travesty of an election that only recently was determined to be the number one priority of our on-scene and on-the-ground commander?

When we first invaded Afghanistan, the mission was to identify, locate, capture and kill those who did or would do us harm. Al Qaeda terrorists and their camps were destroyed and the remaining elements of the organization are now in Pakistan. The regional Commander of U.S. military forces has clearly stated this reality.

Today, November 4, 2009, is the 2,950th day of the war in Afghanistan and I think that is long enough.

After these 8 years, it is clear that only the Afghan people themselves can determine their future. We built the army that destroyed Nazi Germany and Imperial Japan in 3 years. We have now been fighting a war for the Afghan people for 8 years. Enough is enough. We have achieved our military goals, and our forces have been militarily victorious. We are now fighting an enemy who is attacking us because we are in their country and are perceived as an occupying military police force. We are not, and it is time to come home.

To continue this war at its current level and to escalate it beyond its current scope is a trillion dollar question. Are those who would so cavalierly make this commitment willing to demand another $3,947.36 from every American family of four to pay for it? Thousands have protested federal spending to rebuild America's schools, roads, bridges and critical infrastructure, but are they willing to do the same when their taxes are being spent to rebuild Kabul? At the end of the day, what will we have bought? What have we purchased for the $300 billion we have already spent or committed to the war in Afghanistan and where will the next $300 billion come from?

Should terrorist camps reemerge there, we must deal with that, but there is no evidence that any of the numerous tribal factions want this; in fact, it is clear that they do not. The ''war of necessity'' has been fought, our enemies killed or captured. We have won and it is our clear, patriotic duty to bring our military forces home to defend vital American interests; 2,950 days and $300 billion is enough.

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

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

HONORING MR. ROBERT J. ''BOB'' JENSEN

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, I rise tonight to honor the accomplishments and the ongoing work of one of South Florida's finest residents, Mr. Robert J. ''Bob'' Jensen of Homestead. Bob and his wonderful wife, Meda, are well-known for their caring and giving personalities and for their selfless work on behalf of our community.

Meda tells us that Bob's history began in a small town in Iowa where he was born and raised. He left Iowa in 1954 to serve in our U.S. Navy. He enlisted, excelled, and made Chief in 7 years. Three years later, Bob was selected for Officer Candidate School and was commissioned.

Commander Bob Jensen's specialty in the Navy was cryptology. I happen to know that his work is still classified, so please don't ask Bob. He still can't tell you about it.

The last place that Bob was stationed was our dear Homestead, Florida, and after 28 years in the United States Navy, Bob retired and chose to stay in Homestead with his wife Meda and family; Russell, Robert, Christian and

Jessica. The Jensens now have lots of beautiful grandchildren.

In 1983, First National Bank's President Bill Losner asked Bob to join the bank. Bill Losner knew Bob Jensen well. He picked out a career that perfectly suited Bob and that helped First National Bank excel in Community Outreach and Marketing.

As Vice President, Bob Jensen invested the bank's resources and began investing all his time to touch and nurture groups, organizations, and projects throughout Miami-Dade County. Everyone has told us, out of all of his volunteer and community work, Bob is proudest of his efforts to create better farm workforce housing.

Bob is also the former Chair and Commissioner with Homestead Housing and has served on the board for Centro Campesino. This outfit trains farm workers for better jobs, mostly in construction, and helps enable farm workers to build and purchase their own homes. These are wonderful legacies for Bob, his fellow board members, and those farm workers who have achieved the American dream of home ownership.

Did I mention Bob and Meda's work with the Pioneer Museum? Well, almost every Saturday of the year the Jensens and their trained docents give historical tours about our area at a restored railroad station house on Krome Avenue. He has also collected hundreds of historical photographs, on display at local shops, hotels, and other businesses in the Homestead area.

□ 1800

Bob is also a member of the Agri-Council, which educates south Floridians and visitors on the history of the agricultural sector of south Florida. Bob serves on the Military Affairs Committee of the Homestead and Florida City Chamber of Commerce, helping our active duty, reserve, and retired military personnel. And just 5 years ago, Bob created the Heritage Hall Museum at Homestead Air Reserve Base to record its history. He's called ''Mr. Homestead,'' a term of affection from a grateful community.

Indeed, Bob Jensen is a man about town. He's helping save the meal program that provides breakfast and lunch to the vast majority of school children at Laura Saunders Elementary.

He's received numerous awards and honors: Leadership South Dade's Leader of the Year; Presidential Award from the Homestead Chamber; honors from the Boy Scouts of America, the Mexican American Council, the American Red Cross, Miami-Dade County Public Schools, and the Miami-Dade Legislative Delegation.

Bob Jensen is a historian, a volunteer, a mentor, a leader, and a friend to all whom he touches. God has blessed our Nation and our community with a great man, Bob Jensen.

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

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

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

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

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

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

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

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

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

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

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from California (Ms. WATSON) is recognized for 60 minutes as the designee of the majority leader.

Ms. WATSON. Mr. Speaker, the Affordable Health Care for America Act, our House bill, 3962, will make health care affordable for middle class families, provide security for seniors, and guaranteed access to health insurance coverage for the uninsured.

I'd like to go through these charts to let the viewing audience, Americans, and particularly Californians, know what will be provided by the Affordable Health Care for America Act. And this is a blend of three different bills that came out of various committees in front of the public, voted out by the committee, amended, and now combined in one bill.

Our first interest is making health care affordable for the middle class families. We want to guarantee security for our seniors. We want responsibility to our children, and it will not add a dime to the deficit.

The health insurance reform means ending discrimination for people who have preexisting medical conditions. You can never be denied coverage because you have a preexisting condition. No dropped coverage if you become sick. You know, so many people get into the health care system when they're acutely ill, and that means they cannot go to work. Then they find that they're having trouble paying their house note, paying their car note, even buying food. And we want them to know that there will be no dropped coverage if you become ill or you lose your job. No copays for preventative care. And we want Americans to go see their health care provider as often as they need to so they can stay healthy. We want to prevent conditions that require medical care. But if you should fall ill, you can be covered for your medical treatment.

Yearly caps on what you pay and no caps on what insurance companies pay. Reining in health costs for families is one of our major targets, reining in health care costs for businesses and for government.

You know, people talk about not wanting government in between their doctor and themselves. Well, just think about that statement. What is Medicare and Medicaid? What is Social Security? These are government programs. We call them the safety net so you will not fall through the cracks and into devastation. We want fiscal responsibility and we want to reduce the deficit. We want to eliminate from health care waste, fraud, and overpayments to private insurance companies. Why should health care of Americans be for profit? Health care ought to be guaranteed to every American. There's major emphasis on innovation, on keeping people well, and prevention.

Now, misinformation is out there galore. You need to understand this: If you have insurance, you like your insurance, you keep it. And if you have a doctor, you can keep that doctor. Certainly you can keep that plan. And, remember, this bill came about because there were 38 million people in America that were uncovered, and every American should have health coverage.

We want to emphasize for seniors we strengthen Medicare and we improve the benefits. There is one Member that is telling everyone that we're going to take away the benefits from our seniors. That is so untrue. We want to improve benefits, including closing the doughnut hole, and we will get into that a little later.

If you don't have or you lose your insurance, a new health insurance exchange. It's more like a one-stop-shopping marketplace, and it includes a public option. Now, what does ''option'' mean? It means a decision. It means a choice. It means you have the right to make your own choice. And a public

option for consumers means competition for better prices and better coverage. We want to be sure your coverage is affordable and accessible and of quality. And there will be affordability credits to help Americans and small businesses buy insurance.

Now, if we don't have health reform, there will be skyrocketing health care costs, and it will increase by $1,800 each year for the average family. Care and medication already postponed by more than half of all Americans may become more unaffordable, and Americans face a 50/50 chance of losing their insurance in the next 10 years.

Mr. Speaker, I would like to yield to our Member from California, JUDY CHU, who might make some comments, and then we might have some questions back and forth.

Ms. CHU. Mr. Speaker, the health care reform bill is crucial to Californians across the State, but it will especially benefit my constituents in the San Gabriel Valley and East L.A. who struggle every day to survive without proper health care.

The percentage of California residents that lack health insurance is about 19 percent, one of the highest rates in the country. But fully one-third or 33 percent of the residents of my district are uninsured. This is a situation that is simply unacceptable for a State and the Nation that prides itself on being the most advanced and wealthiest in the world.

But this bill will provide everybody stability, security, and peace of mind. It will provide peace of mind for the low income and uninsured. People like Patricia, who is age 64 and had insurance until she retired. Then she was left without insurance and she got very sick. Her kidneys failed, and she was too young for Medicare. It was not until she was in the intensive care unit and dying of renal failure that she was able to qualify for early Medicare benefits. This situation will not occur with health care reform. With health care reform, people like Patricia will be able to buy health care and there will be credits provided to her so that she can afford it.

Health care reform will be good for people who don't have coverage right now, people like Scott, who had insurance all his life but changed jobs, became self-employed, and wanted to buy insurance but found, to his shock, that he was denied because of a preexisting condition. He had asthma as a child. Health care reform will help him because he will not be denied because of a preexisting condition. He will not have to worry about being dropped from insurance because of a serious illness. He will not have to worry about copays and deductibles that will cause him to go into bankruptcy. He will not have to worry about a lifetime cap on medical care in case of a very serious illness. In fact, with passage of health care reform, never again will American families face bankruptcy because of unexpected health care costs, as they will not have to pay more than $10,000 a year for out-of-pocket health care costs.

And this bill will give peace of mind to small businesses. Small businesses and their workers are particularly impacted by the high cost of health care in this country. They account for the largest share of the uninsured. Small businesses pay higher rates today because they do not have the advantage of large numbers of employees over which to spread insurance risk.

Even if a small employer currently has healthy workers, the small business faces the prospect of dramatically increased future premiums if any employee actually needs to use the coverage, such as one small company in my district, an insurance company with five workers. One worker had a baby that was premature, causing very, very expensive care. The next year, the insurance company drastically raised their rates, and now the business has to make a decision about whether to continue covering its employees. But this bill will allow small businesses to afford health care coverage and reduce health care costs through tax credits that are available to the smallest of employers.

It is clear that the status quo is unacceptable. If we do nothing, health care costs will continue to rise, quality of care will deteriorate, and every American will risk losing their health care. The growing cost of health care is one of the biggest drains on our economy. If we are to bring our Nation back to fiscal health, we must have real, fundamental health care reform.

□ 1815

This bill is good for my district, and it's good for California, where hospitals are overwhelmed with uninsured patients, where thousands are without jobs and without insurance and where the State doesn't have the financial resources to pick up the slack. Not in six decades have we been this close to achieving this most crucial task of reforming our health care system. Let me be clear, we would be derelict in our duty to the American people if we let this opportunity go to waste.

Ms. WATSON. Congresswoman CHU, do you find in your districts the demographics that have changed in the last few years, that people in your district are going into the health care system more acutely ill?

Ms. CHU. Yes. They wait until the last minute, such as the person I talked about, Patricia, who was age 64 and had insurance. But during this 10-year period between the time she retired at age 55 and age 65, where she would have qualified for Medicare, she had no alternative. She had kidney failure, but she waited until the last minute, and she was almost dying before she got care. This is a situation that people in California are faced with in California every day.

Ms. WATSON. You know, California being the largest State in the Union and being the first State to become a majority of minorities, people come over the Pacific as well as over the border. Many people think that many of our immigrants come from over the border. But those who come from across the Pacific have many different ways of receiving health care, more traditional and so on. So they try to treat at home. Then when they come into the system, they are more acutely ill. So I have been concerned about the formulary and having brand names on the formulary to treat these odd kinds of conditions, rather than always pushing generics.

So I understand that the bill that will come in front of us very soon will allow for not only generics but these brands to be prescribed by their physicians. I know that in my district, the 33rd Congressional District in Los Angeles—I include Hollywood, Hollywood Hills and so on—there was a young man at an event taking pictures, and when I finished explaining the bill, H.R. 3200 at that time, he sat down beside me, and he said, Thank goodness the government is looking at health care reform because I require a medication—and get this—that costs $74,000 a month. I thought I didn't hear him correctly. I said, Are you talking about $74,000? He said, Yes. I said, Well, what is this condition? He said, I have a condition that I was born with that starts the skeletal system, the muscular system and vital organs to deteriorate. My copayment is over $696 a month. Thank goodness for the government helping me live.

Helping people live is so important, and I know that you have heard from people in your district, much like the ones I have described.

Ms. CHU. Yes, I have heard many stories like that. In fact, I had a town hall for people who just spoke Spanish. I had a town hall for people who just spoke Chinese. I will never forget one woman who was speaking Spanish, talking about the fact that she was covered but that her son, age 21, was not covered and, in fact, when she tried to get coverage for him, he was denied because of a preexisting condition. So they were forced to go down to Tijuana every month to just buy medication out of pocket.

But with this health care bill, insurance companies can cover children of parents up until the age of their 27th birthday. So young adults like that will be covered with this health care reform bill.

Ms. WATSON. Isn't that wonderful. I have not been able to understand, you know, during the month of August why there was so much ranting over health care. It appeared to me that some mean-spirited persons went out and gathered people up, misinformed them and told them government is trying to take something away from them. What we're trying to do is to give something. I understand one of our own Members has asked for people to come from across the country tomorrow to confront us in the halls and say, Don't

take away my health care. My response would be, We want to guarantee you health care at very little cost, at high quality.

I think it's foolish. You know, why the ranting and not the reasoning? As you know, our President has said not a penny over $1 trillion. In fact, not a penny over $900 billion. We are reinventing, innovating the system so that we can guarantee Americans the best, the most affordable, the most accessible quality.

Ms. CHU. Absolutely. My town halls actually showed the opposite of what some might think. It showed people who were very sincerely concerned about their futures, who wanted to have that security and stability and peace of mind and who very much needed this alternative.

But you raise a very good point. Not only will this do so much good for the people of America; it is also fiscally responsible. The Congressional Budget Office has actually said that this will actually reduce the budget deficit over the next 20 years.

Ms. WATSON. JUDY, you bring so much credibility because you were a statewide officer in California, and you dealt with a lot of these fiscal issues. So we're very pleased to have you here. I represent Hollywood, and anything can happen there. We had a rally out in front of the Catholic church on Sunset Boulevard, Blessed Sacrament. Right behind the church was Selma Avenue School, the last school I taught in. We had the Catholic priest who was emceeing; we had a rabbi, female; we had a Muslim priest—Muslim minister; and we had Protestant ministers there; and they were testifying.

One gentleman came up—he had a heavy accent. He said, I am an American citizen. I have worked four jobs. My 2-year-old daughter got sick. I did not make enough money to pay for insurance coverage. My daughter died. There wasn't a dry eye because everyone in the audience could put themselves in that position. There was a real tall gentleman off to my left. He had a placard that he kept pushing up, and it had the face of our President, Barack Obama, with a Hitler kind of moustache. So disrespectful. So when I got to the mic—you know, I'm Catholic. I made the sign of the cross. I spoke to him in Latin and pax Domini. He put that sign down, and a woman in front of him kind of hid it. I found out he was an actor, and someone paid him to come.

I would like to kind of give the viewing public some idea of how the health reform bill will impact on my district. Forty-eight percent of the district has employer-based coverage. These constituents can keep their own insurance if they like. In my public forum, I had the audience raise their hands if they were insured, and most hands went up. How many of you like your insurance? Most of the hands went down. So I said, If you like it, you keep it. If you don't, you have a marketplace to choose the plan that best fits your family's needs.

So the bill that will be in front of us in a few days improves employer-based coverage for over 304,000 residents in the 33rd Congressional District of California. That's Los Angeles, Culver City and Hollywood. It provides credits towards insurance costs for up to 173,000 households. There are 22,200 individuals who have preexisting medical conditions that could prevent them from obtaining health insurance. The bill ensures that they will be able to obtain insurance, where they have been denied in the past. It will improve Medicare for 75,000 beneficiaries, including closing the prescription drug doughnut hole for 6,100 seniors.

It provides a tax credit for 15,100 small businesses in my district that have 25 employees or less and pay an average wage of less than $40,000. It allows 16,300 small businesses to obtain affordable health care coverage by joining the exchange. It provides coverage to 138,000 uninsured individuals, and that includes 30 percent of the district's residents below the age of 65. It protects 1,100 vulnerable families from bankruptcy due to unaffordable health care costs. It reduces the cost of uncompensated care for hospitals and health care providers by $29 million. That is the direct impact on my district.

In the State of California, more than 20 percent of the population is uninsured. Workers at private sector businesses of all sizes are experiencing an increased likelihood of being uninsured, although it is most pronounced in businesses with fewer than 10 employees. More than a third of the uninsured have family incomes of more than $50,000 per year. Of families with incomes between $25,000 and $50,000 in the State of California, 27 percent are uninsured. Seventy percent of uninsured children are in families where the head of the household has a year-round full-time job.

Mr. Speaker, we are so pleased that this House can come up with a piece of legislation that will guarantee our children, our working-class families, and our seniors full coverage so families won't have to go bankrupt because they had preexisting conditions, and the poorer the family, the less health care they have had because they simply can't afford it.

So, Mr. Speaker, it's incumbent on us—it should be bipartisan because I don't understand why people would rant and rave over providing all Americans with affordable health insurance.

□ 1830

If we are going to be the strongest country on the globe, then we need to ensure that we have a healthy population. If we choose to go thousands of miles away and fight unnecessary wars, and we want victory, then we have to be sure our military is healthy. We have to be sure that our families can sustain themselves while their loved ones are over fighting for this country. If we want to ensure a victory, then let's provide the infrastructure on our land that will help Americans be the strongest people on Earth.

It is an embarrassment, and right now the Inter-Parliamentary Union is meeting here in the Capitol Visitor Center. When we went over a few months ago to join them, they said, Why is America not at the table with us? We were embarrassed to say that we're caught up in a health care debate whether to give health insurance to all Americans. How can we pride ourselves of being the strongest leader, and we cannot even provide health care in an affordable fashion to our citizens?

I want everyone to hear this. A robust option, a robust health option, says that you can make a choice. You can look at a marketplace of plans that will address your family's needs. You can buy into that plan. It also says that seniors, when they get to that doughnut hole, when they have spent 24 or $2,500, they are not going to fall into that hole where they have to make decisions whether to pay their rent, pay their house note, their car note or buy food, because this bill will help you lift that burden. We are going to pull people out of the doughnut hole.

We are going to say to you, if you lose your job, your coverage will continue. We want to say to you Americans, if you fall ill, you don't have to be bankrupt. We want to say to America that we care about your health. We are willing to put our policies on the line for you.

Do not be confused, and do not let the opposition misstate the benefits. You will receive more health benefits under this plan. Just know, we are providing for you the best health care insurance, and we are keeping it within the budget that our President has set.

I do hope that if you come here to the Capitol, or you go to the offices of your Representative, or if you write them, e-mail them or call them, encourage them to vote for a policy that will insure all Americans. We want to be sure we are the strongest, the healthiest and the happiest nation in the world.

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

MESSAGE FROM THE SENATE

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

H.R. 3548. An act to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60

minutes as the designee of the minority leader.

Mr. AKIN. Thank you, Mr. Speaker.

It's a pleasure to be able to once again join my colleagues and others who might be interested in listening in to our discussion on this compelling subject of health care, which has absorbed the attention of people political and the people who work down here at the Capitol, lo these many months. We are on the verge of perhaps taking a landmark kind of vote as to the direction that we are going to go in health care.

I was preceded by one of my colleagues, an esteemed colleague, who was asking the question, Why would we do something that would keep us from being a prosperous and happy and a nation reflecting leadership in the world?

The reason that America has been in the past prosperous and happy and has enjoyed world leadership is not because we have rushed headlong into European socialism but because, instead, we have adopted the path of freedom. Freedom has its drawbacks. One of the drawbacks of freedom is that people can fail and that there are responsibilities required of citizens.

When a government tries to insure everybody about everything that can go wrong, unfortunately, it's trying to repeal the basic laws of supply and demand; and we are no more effective in doing that or has any government in history been effective in doing that than repealing the law of gravity.

I was aware that there was an attempt one time—I was told it was in the State of Tennessee—where the teachers unions were frustrated at trying to teach students about pi, that little funny-looking thing with the number 3.1415 after it. They decided that it would be easier in terms of teaching to change pi from 3.1415, to just make it 3, to keep it simpler.

I'm not sure how the wagon wheels in Tennessee went after that legislative change was made. I imagine that mathematics continued to operate under the same set of laws in spite of what the legislature said. Now there are many things that Americans agree to on the subject of health care. It doesn't have to be particularly complicated.

One of the big problems is covering preexisting conditions. This is something that happens when people could be quite responsible, work hard at a job; but all of a sudden after a number of years, something comes up, either a child, a wife or a husband, someone in the family develops a medical condition which you didn't see coming, which is going to break the back financially of the house, and something which occurs in America too frequently. We must deal with that question. I think Americans agree that we need to deal with it.

Stopping the cost shifting and reforming medical liability law. The cost shifting, if you take a look at the problems in American health care today, you could think of American health care in a sense in two halves. The first half is the front half. That's the provider system. It's the doctors, the nurses, the hospitals, the many staff people and the fancy equipment that continues to provide Americans with the very best health care in the world. If you don't believe that, in spite of people complaining about American health care and talking about all these problems, if you are a multimillion-dollar sheikh from Bahrain or whatever and you are sick, guess where it is that you want to come get your health care? Yes, you've got it right—good old America. People vote with their feet and come to our country. That's the provider system.

The back half of that system is how do you pay for it, and that is the part of the system that is feeling increasing stress. If there is something broken, certainly the back half is the place where there are the most problems. From a macro level, if you take a look and say, well, what really is the problem? The problem is pretty simple; that is, two-thirds of Americans are paying for the system and one-third is not. As the people that are not paying anything for health care increase in number, it puts more pressure on the people that do pay, and that is creating a lot of cost-shifting and problems.

So one of the things we've got to do is stop the cost-shifting, and one of the ways that you can reduce the cost of health care in America is reforming medical liability law. Unfortunately, the bill that's being considered by the Democrat Congress, the Pelosi bill, goes exactly in reverse in liability and says that States that have already on a State-to-State basis passed medical liability reform are not going to be able to have those laws take place. We are going supercede the law of a whole series of States in order to raise the price of health care. This bill is going in the wrong direction if we are trying to save money. More on that later.

Making people sure that they can keep the insurance coverage that they like. Today, there are about 100 million Americans who have insurance coverage. They have relations with doctors, they are reasonably comfortable that they are getting good medical care, and they really don't want to change that. They don't want us, because there may be some problems in the system, to, in a sense, burn down the barn in order to kill a few rats, or, as another person has phrased it, to say, When you've got a leaky sink, you don't remodel your entire kitchen. Many people who have insurance coverage that they like are going to be affected by a plan that's thousands of pages long, trillions of dollars in expense, and essentially tries to remodel an entire kitchen or, if you will, burns down the barn.

And then preserving the doctor-patient relationship. If there's anything that I think is more personal or more important in the health care debate and discussion, it is this very question. I don't think anybody wants to be sick, but when they do get sick, they try to find a doctor that they trust.

Maybe, after getting a couple of opinions, they decide on some course of action, they and the doctor; the patient and the doctor decide on what is best for their health care. And whenever something gets in the way of that decision-making, it tends to be, by definition, a very bad outcome.

We want to preserve the doctor-patient relationship. There are several things that get in the way of that relationship. One that has been too common would be the fact that some insurance companies will try to second-guess the doctor, claim that they have some medical expertise, that the doctor is being too cautious, that we don't really need to spend this money. Insurance companies do that sometimes. We have found that in the Pelosi bill, there is even a section which preserves, under ERISA, the insurance company's right to second-guess the doctor-patient relationship and then, if something goes wrong, to avoid any financial or legal responsibility for that decision.

There was a press conference earlier today on that very same subject, pointing out the exact pages in the bill and how this section, which is pretty onerous, the fact that a patient can make a decision with a doctor and be second-guessed by an insurance company and when the decision goes wrong, the insurance company skates without any liability. That's part of the Pelosi bill. We don't want insurance companies coming between a patient and a doctor. That press conference was led by Congressman JOHN SHADEGG, who did a very good job and has raised some very serious questions in this regard.

There is something worse, believe it or not, than an insurance company coming between a doctor and a patient, and that is a Federal bureaucrat coming between a doctor and a patient. If the Federal Government decides, just like the auto industry, the insurance industry, the banking industry, the student loan industry and all these other places that it wants to get into the medical business, which the Pelosi bill puts them in that business, then in order to control costs, what's going to happen is you are going to end up with bureaucrats with nice big calculators and they'll figure out whether or not you qualify to get medical care.

Now we need to make a distinction between two very important things. The first thing is medical insurance; the other is medical care. In foreign countries, all of the citizens have medical insurance. That's wonderful. But if the medical insurance doesn't result in medical care, it doesn't do you much good. One of the things that happens in foreign governments, the whole idea of a government-run medical care, they can't provide Cadillac kind of medical care for everybody in their country because they can't break the laws of supply and demand. And so how do they

control costs? Well, they control costs with these bureaucrats with their calculators.

If you're a certain age, and you want to get this particular test, ''Sorry, Bub, here's some aspirin. Go home and sleep it off.'' Now that's called rationing. If you are a more political government and you don't want to get your citizens quite as mad at you, instead of just telling somebody to go home and die, what you can do is you create these waiting lists; so you can say to some woman who's pregnant, You can have your C-section in 14 months. She might start scratching her head saying, I don't think you're doing me any favors with that. But we also see that in the socialized medicines of other countries, these long waiting lists.

The result of that, of course, is that in certain kinds of illnesses, the waiting list is very dangerous. Certainly in heart disease, which is a leading cause of death in America, if you have a long waiting period, that's not a good thing.

□ 1845

Likewise, in cancer, cancer is something that you want to catch early. If you do, you can have some very good outcomes. If you don't, the outcomes are far more gloomy. And so timeliness is very important. And when you are trying to keep your costs low, with the government trying to manage their budget, what they are going to do is create waiting lists which then have bad outcomes. And that is what the record shows of survival rates in cancer, for instance, in the U.K., which is a socialized system as opposed to a more free enterprise system in America.

Now these are things that Americans agree to. The question is what is being proposed, will it help these things and what is the cost?

In fact, when we take a look at the issue in most any department of the Federal Government, when the government does something, or particularly if it does too much, we see some outcomes that are pretty common, regardless of what area of government that it is. We see bureaucratic rationing, which I was just talking about, inefficient allocation of resources, degraded quality, and excessive expense. All of these things come when the government does too much.

Well, would the government takeover be something that would qualify as the government doing too much? I think the old adage that ''if you think health care is expensive now, just wait until it is free'' might apply here.

Is the government doing too much with the Pelosi health care proposal? The first thing to understand, and this is actually a chart that was drawn up on the earlier Pelosi bill, which I believe was only about a thousand pages, the new version of this plan, which is very similar, is 2,000 pages. So this chart may not be completely accurate. In fact, it may be too simplified.

What you have here, every one of these colored boxes is some new bureaucracy, some new moving part that is created by the Pelosi health care proposal. You can see, trying to take a thousand-page bill and putting it on a chart, it is going to look a little complicated. But if you think about it, we are going to be taking one-sixth of the U.S. economy and then we are going to turn that over to the Federal Government to run with this proposal.

So you have the consumers. It is almost like a maze. Can the consumers get over to the doctors, or not?

So one of the things that you run into when the government does this is tremendous complexity. That is why when the President last July came here to the Congress and said we need to get this done, none of the other Presidents before me could get it done, but I am determined to get it done, so you need to put a bill together and I would like to have it done before the end of July, he was asking for a pretty tall order. In fact, he was asking for the impossible because trying to put this together, even if you buy the assumption that the government should take over health care, is not a simple procedure. This gives just a little bit of the sense of how complicated that is.

Now one of the other things that you have to associate with a high level of complexity is also a high level of cost. We have a number of statements that were made by the President, and certainly he has the bully pulpit. Everyone listens when he speaks, and he makes a number of different statements which I would take a look at those and see how really accurate are they.

This is one of his statements before the Joint Session of Congress that was on August 9 before the summer break. ''Most of this plan can be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse.''

This sounds pretty good on the surface. We can simply take the health care system that we have, and there are pockets of waste and abuse, we tap into that like unused oil, and we can all of a sudden come up with something that the Federal Government runs which is going to be less expensive because we can pay for this government-run system by using waste and abuse. It is almost as though waste and abuse are a line item in the budget and we simply pull money out of the waste and abuse account and we stick it into health care, and we have everything taken care of financially.

Unfortunately, the government running various entities does produce a tremendous amount of waste and abuse, but it is not so easy to squeeze that fat out of the system. It is not a simple line item. The place where he is looking for this waste and abuse turns out to be an area that is politically highly controversial, particularly taking it out of Medicare.

Let's take a look at this efficiency that he is talking about that he can create by having the government take the system over. We do have some experience. We have experience of two other government, Big Government entitlement programs in the area of medicine. One is known as Medicaid; the other, of course, is Medicare. The other big entitlement is Social Security.

If we look at Medicare and Medicaid, if we look at the history of those two government-run medical systems, what we find is when the Congressional Budget Office scored those bills when they were passed by Congress some many years ago, it was found that their estimates were extremely optimistic and very low. In fact, in the case of one of them, the estimates were more than four times too low and the other one, as I recall, even many times more than that. So we are not saying a couple of percentages off, not 10, 20, 30 percent off, we are talking about 4, 5, 600 percent, that these things were estimated to be lower in cost than they were going to be. And worst, what we see with this chart, we see that the cost of these programs is rapidly expanding. In fact, they are expanding so fast that people, both conservative and liberal alike, will say that these three entitlements will destroy the financial solvency of the United States in a period of time. This chart shows that being somewhere in the 2052 range.

Why would that be? Well, part of it is that the actual revenues that the Federal Government takes in are to a degree limited. That seems like an odd thing to say because you think, can't we always crank up the taxes? If 24 percent, or 28 or 18 percent tax rate isn't enough, let's kick it up to 50 percent. The problem is that the mechanisms that the Federal Government has to try to increase taxes, what happens is they can increase the tax but the government revenues don't go up. Now that might seem like a really odd thing. Let me stop and explain what I am talking about.

You would say if you raised taxes, you are going to get more money. So aren't you saying that water is running uphill or something to say that raising taxes doesn't generate more money? Well, in fact it does not at a certain point.

Let's use the illustration that you are king for a day. Your job is to put some taxes onto a loaf of bread and you think about Americans buying loaves of bread. You think, well, I can raise a certain amount of tax if I just put 1 penny on a loaf of bread. But then you think to yourself, or I can raise a whole lot more if I put $100 on a loaf. But nobody would buy a $100 loaf of bread. So common sense tells you somewhere between a penny and a hundred dollars, there is some optimum point where people will still be buying a lot of bread, but if you raise the tax more, no one will buy bread any more. So there is this sort of optimum taxation.

What this chart in actual Federal revenue shows is what that point is. So what happens is you can raise taxes

above it, but what you do is stall the economy. Therefore, even though you have a high tax rate, you end up getting less money in the government.

Just to give you an example of how that principle worked, when I was first elected in Congress in 2001 and 2002, we were in a recession. If you took a look at the Federal budget, there were a lot of liberals and Democrats complaining about the large tax cut that President Bush and the Republicans passed. They said, that is costing us billions of dollars. Actually, we were following President Kennedy's model, Ronald Reagan's model, and Bush II followed that same pattern, realizing that if you reduce the taxes, you can actually increase the Federal revenues because the economy pulls out of a recession and gets going.

But if you were to add the supposed cost of those tax cuts to the cost of the war in Iraq and Afghanistan, add that all together, it was less money than the cost of the recession. So when the economy gets flat, it not only hammers mom and dad back home, it hammers the States terribly because many of them are balanced budget, and it also affects the budget of the Federal Government.

So as these programs grow out of control, what is going to happen is there is going to come a real financial breaking point.

So we are told that the government taking over all of health care is not going to follow this pattern, this is the government taking over some of health care, but in fact if we take over all of it, my goodness, we are going to have all kinds of savings. Well, if you believe that, I think there are some people that sell swampland in New Jersey.

So this is the track record of government control of health care. Now that is not the only example. There are other examples such as Massachusetts and Tennessee, and they have tried this government takeover and the government providing insurance for health care, and it hasn't worked for them and it has raised their cost of medicine in those States to the point that it has threatened the provision of good medical services.

So you have in response to the Pelosi health care bill, the Democrat Governor of Tennessee calling it ''the monster of all unfunded mandates.'' So in order to keep the cost of the Pelosi plan under $1 trillion, guess what, they are cost shifting costs to the States and even the Democrat Governor of Tennessee, who has had experience with this type of program, is saying that this is the monster of unfunded mandates. In other words, the Federal Government makes the State do something which is going to cost the State a whole lot of money.

Let's go on here. This is a statement by our President. ''Here is what you need to know. First, I won't sign a plan that adds one dime to our deficits, either now or into the future, period.''

Boy, do I feel better when I read that. The President is telling me he is not going to sign a bill that adds one dime to our deficits, either now or into the future, period.

This is one of those things you better make sure that you know what ''is'' is and what is this really saying because in a technical sense he can make the statement that he is not going to add one dime because it appears that he is going to add over a trillion dollars, and even that doesn't show the accurate cost. So let's be careful when we take this statement. Does he really mean that this is something that is going to be financially solvent and is going to really work well? Or is he just being a little bit cute and saying he isn't going to add a dime, no, he is going to add a trillion dollars.

Well, it turns out that the Pelosi health care plan is going to cost over a trillion dollars.

Well, we have taken a look at how serious is the President since the beginning of the year. How serious is he in worrying about excessive spending in the Federal Government. Well, certainly President Bush was accused for overspending. But it turns out he was merely a piker because this year isn't even over yet, and the total spending from the Obama administration and the Pelosi administration is $3.6 trillion. Now, the worst year that President Bush had was when the Democrats controlled Congress, and it was about somewhere in that $400-plus billion of deficit. And here we have $3.6 trillion in less than a year.

So when he says he is not going to add a dime, we have to say, wait a minute, I am not sure that passes the sniff test. Here we have the Wall Street bailout, half of that was under this administration. That is $350 billion. Then we have the so-called economic stimulus, I call it ''porkulus,'' it didn't have much stimulus in it at all. That is why unemployment is high.

We were promised if we didn't pass stimulus, why unemployment would get as high as 8 percent. We passed it, and it is 9.7 percent and rising. That was $787 billion. That is a chunk of change, it really is. In fact, as we went through the year, we had already spent all of the money that the Federal Government was going to collect this year by March or April, as I recall.

SCHIP, another $66 billion. And here are these appropriations at 410, and then we have these other tax bills that are coming along trying to compensate for this incredible $3.6 trillion level of spending.

So when the President says I am not going to sign a bill that adds one dime, we say maybe not a dime, but you are talking over a trillion dollars and that is not even talking about what is being shifted to the States.

I would like to take a look at some of the other comments that have been made because I think trying to get a little bit of truth into this debate and kind of balance things out, it is very helpful tonight.

This is a very nice promise. I really like this promise. First, and this is the President again, ''First, if you are among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid, or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have.''

Whew. That is good news. Do you know there are a hundred million people in America who have health insurance. They have doctors, and they are very pleased with their health care and they are not so sure that they want the Federal Government to come in and stir it all up and change it.

□ 1900

So if we can assure those hundred million Americans that already have insurance that they like that everything is going to be okay, then the idea would be let's just try and fix the—however many, people argue about it—10 to 20 million who do not have insurance that could have insurance that don't, well, then that would be okay.

Well, the question is is this true. We heard the last one the President said, that he's not going to add one dime. Now he's saying that you can keep what you've got. Well, that's a great promise. I wish that one were true because I think that's really nice, a lot of people would like to keep what they have.

Here is an MIT health economist, Jon Gruber. He said, in reference to this claim, With or without reform, that won't be true, said Gruber. His point is—that is, the President's point is—that the government is not going to force you to give up what you have, but that's not to say other circumstances won't make that happen. In other words, what's being said here is, yeah, the plan doesn't specifically say you can't have your current insurance and your current doctor, but it does say that all of these insurance plans have to be just like the Federal Government's insurance plan at some time in the future. And that being the case, the insurance company is going to change the plan that you have or go out of business, or quit offering it, or whatever a whole series of alternatives might be. Therefore, this statement is not true either.

In fact, what's going to happen is, just as we've talked about, this is the government takeover, either slowly or rapidly, of one-sixth of the U.S. economy. And so the idea that you can keep what you have and everything is going to stay the same, you could say that, and maybe it will stay the same—for today and tomorrow and next week and next month, but next year, maybe not; 2 years from now, certainly not; 4 years, very, very different. So, yes, can you keep what you've got and enjoy your insurance and your doctor? Yes. For how long? No promise on how long.

Then we have another promise here. There are those who also claim that our reform effort will insure illegal immigrants. This, too, is false. The reforms I'm proposing would not apply to

those who are here illegally. Well, I think a lot of Americans should think, my golly, you're going to spend another $1 trillion charging all kinds of Americans a lot more money to have this government-run health care plan, and they're thinking to themselves, I'm not sure I can afford to pay for people who come here illegally over the border to try to get free health care off the back of the American workers.

So there is a legitimate concern, and of course that's already happening around some of our borders. It's very hard to get into emergency rooms in many hospitals because people come here from other countries and just walk straight to the emergency room and get care. And of course all that cost is being shifted to other hardworking Americans.

And so, this is a good promise that the President made. I wish this one were true, too. This would be really good if this were true; like the other ones, it would be nice if they were true.

There are also those who claim that the government will insure illegal immigrants. Well, okay. So what's the truth here? Well, one of the ways to check on whether that's true, we have an organization here in the Congress called the Congressional Research Service. They're a bunch of people who are experts at researching things. They're expert at law. And they're not Republican. They're not Democrat. They're not particularly biased. Their job is just to say just the facts, ma'am, just the facts. Here's what they said about this statement. This is the Pelosi health care bill before it was beefed up by another thousand pages, but the section that's in the bill is the same, relatively speaking, in dealing with this problem.

This 3200 health insurance exchange would begin operation in 2013 and would offer private plans alongside a public option. H.R. 3200 does not contain any restrictions on noncitizens, whether legally or illegally present, or in the United States temporarily or permanently, participating in the exchange. So what this is saying is, well, you know, the President can say the illegals won't get the service, but the fact of the matter is the way the bill is written, people who are here illegally can sign up and get the service on the backs of the hardworking American taxpayers. And so what the President said again is not true.

Now, there are other ways to try to tell whether something is true other than just something like the Congressional Research Service. One of those means of telling if something is true or not is to offer amendments. Now, because of the great transparency that we've been promised, there will not be any amendments here on the floor; if there are, it's going to be one or two.

Members who are concerned about, for instance, illegals, making sure that they have to prove their citizenship before they sign up for free health care, people who are concerned about that might offer an amendment. The amendment might say, hey, before you get into this exchange and get this insurance, here's the deal. What you have to do is you have to prove your citizenship. And so an amendment such as that was offered in committee. It can't be offered on the floor because of our procedure. The Democrat Party does not want to have a lot of those amendments on the floor. And especially with a 2,000-page bill, it's true, we would be here a long time.

Some of those amendments are kind of important, but they don't want to take those votes. But those votes occur—although the public doesn't see them as much—in committees. That amendment to make sure that illegals didn't get health care was taken in committee. The vote was just about a straight party line—Republicans for it, Democrats against it. And so, with that amendment failing the way it did, it doesn't give people any comfort that what the President has promised is true, or that perhaps it almost seems as though it is disingenuous.

A similar criticism and complaint—there's a lot to talk about in a 2,000-page bill, my goodness. This is another statement that was made by our President, and it is, he says, a misunderstanding. ''And one more misunderstanding I want to clear up—under our plan, no Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place.''

Well, this is a pretty controversial question. Most people know that America is deeply divided on the abortion issue. There are many good-meaning Americans who believe that abortion is the killing of an innocent child. And there are good-meaning Americans, I suppose, who think that abortion is a choice question and a mother should be able to kill her child. Well, people are going to disagree on that. But this is, in a way, a different question.

And it's interesting that the people who want to have abortion rights say that people should have choice, and yet in this particular question there is no question of choice at all, because when it comes to paying your taxes, you don't have any choice. The tax man comes to your door. If you don't pay your taxes, you go to the free hotel. And so paying taxes is compulsory, there is no choice involved in it. And is it reasonable—at least you have to acknowledge, or some people think it's wrong. Is it reasonable to tax them and have their money go for paying for abortion services for people all over the country? And so this is a very big ethical question. In fact, the National Right to Life and some of those groups would rate this as one of the biggest decisions on the abortion question since Roe v. Wade or Doe v. Bolton.

So these questions are something that is percolating within this overall health care bill of thousands of pages. And the President's saying, hey, don't worry about it. We're not going to use taxpayer money to fund abortions. The only trouble is that, like the illegal immigrant question, an amendment was offered in a committee—it would never be allowed on the floor, but it was offered in committee—and that amendment said that we're not going to be using any of these Federal dollars and that we will not be funding abortions with Federal money. Again, that was close to but not entirely a party line vote. That amendment failed.

So as it fails, it leaves you with the irrevocable kind of conclusion that we're not going to have protection. In fact, the bill—or even if the bill doesn't do it, under Federal rules and regulations, you will have people getting abortions using taxpayers' money. This is something that actually quite a number of pro-life Democrats are hung up about, and there is a big argument about this subject. I've never been invited to those meetings. I'm a Republican. But it is interesting to note that again the President says one thing, and yet in fact, when you look at the committee votes and the amendments offered in committee, this is not true.

One of the things that's interesting to look at, you can look at health care from so many different angles. One of the angles that's interesting is what is it that women want, because it turns out in families, many times women are the ones that are involved in the details of the family health insurance, making health insurance decisions for families. And here is a survey that's just been conducted October 19–25, 2009. So this is a very, very recent survey, independent women for a nationwide survey. So they were polling people from all over this country.

Let's see, what did the survey say? Well, first of all, 64 percent of American women would rather have private health insurance than a government-run health insurance plan. You know, it's interesting. In the political world, you can ask questions in several different ways. One thing you could say is, ''Would you like the government to buy you a house?'' And you think, hey, that sounds pretty good. The government would buy me a house, really? ''Hey, Congressman AKIN, I would really like it if the government bought me a house.'' So if you said, ''Would you like the government to buy you a house?'' probably a lot of people would say, ''Well, yeah.'' You could ask the same question a different way, ''Would you like to live in government housing?'' I don't think you would find as many people that want to live in government housing. Well, this is a situation here like that.

They're saying 64 percent of American women, that they would rather have this private health insurance than a government-run health insurance plan. And that's actually kind of common sense, because, for one thing, if you like the idea of having some flexibility and choices, if you don't like your private health insurance, guess what you can do? You can go try and find somebody else. What happens if

your only choice is a government-run plan? Well, that's just like Henry Ford. You can have any color car you want as long as it's black. And the nations that have health plans that are run by the government, when you get some sour and unresponsive and underproductive Federal employee running a hospital and the hospital care is terrible, what are your alternatives? Are you going to call your Congressman and say, hey, they haven't mopped the floor and changed the sheets in X, Y, Z hospital? How much good is that going to do you? So these women here, they weren't born just yesterday. They would rather have private health insurance than government.

Sixty-six percent of them described their insurance as excellent or good. So you have a great number of Americans, that's that 100 million, or at least a good number of them, that are saying their current health insurance is excellent or good. What that means is that, as I was saying as we started our discussion on health care, that that provider network is, in America, still pretty good. You don't find so many Americans going to Canada for health care or to Mexico for health care, but you do find a fairer number of Canadians coming to America for health care or Mexicans coming to America for health care. So it's not surprising that we find two-thirds of these women saying that they think their health care is excellent or good.

Seventy-four percent of them describe their health care as excellent or good. Let's see now, what's the difference here? Health insurance. Oh, health care. This is health insurance; this is their health care. So while they weren't quite as crazy about their insurance, they said their health care, 74 percent of them—again, this is the case of the old sheikh that's sick. He wants to come to the USA to get his health care. These women are saying the same thing. Seventy-four percent of them said that actually their care is excellent or good. It doesn't make too much difference what you think of your health insurance in a way if you're getting good care.

On the other hand, you can have wonderful health insurance, but if you don't get any medical care, it's like paper Monopoly money. It doesn't do you any good.

Then here is 75 percent want few to no changes made to their own health care. So this, again, is where a lot of people are. They would like to keep what they have, they're comfortable with what they have, and they don't want us to remodel the kitchen when the drain in the sink is stopped up. They just want to fix the plumbing, but they don't want to remodel the entire kitchen. That makes a whole lot of sense. And actually, from a legislator's point of view, it also makes a lot of sense.

What you're seeing going on politically right now is an attempt to move a bill, to nationalize one-sixth of the U.S. economy. That is a very ambitious project. While I think the Democrats are wrong in trying to do that, I will take my hat off to them at least in the fact that they're doing something that is incredibly ambitious and probably more than what the legislative process can handle in a short period of time.

So part of the problem is is that you just have a whole lot of people that like things the way they are, and so trying to change that for everybody is particularly difficult. And this is kind of a women's perspective on what they're seeing and what's going on.

□ 1915

Now, there are a lot of other perspectives on this bill, and that's part of the problem that this bill has, which is that a lot of people don't like it.

One of the groups of people that really doesn't like it is seniors. Seniors have gotten used to and are dependent on Medicare. Of course, Medicare costs are going up a lot, but they don't like the fact that a lot of this bill is going to be paid for through cuts in Medicare. That's something that tends to antagonize older voters, and many of them are very consistent voters. So this is a group of people that doesn't like it.

Another group of people which particularly does not like this government takeover is going to be that of the people who run small businesses or who own small businesses, because what this bill is going to say is: You must insure all of your employees, and you've got to do it in this, that or the other way. Therefore, it's going to raise a whole lot of costs for your employees if the government is going to be taking over health care and is going to be demanding these things of small business.

The result is that what we've been doing to the small businessman is hammering him just like a giant sledgehammer in some kind of circus tent. We're hammering him down into the dirt. First of all, we're going to let the dividend capital gains tax cuts expire, so he's going to get a tax increase from that. Next, we passed a bill here in the House, which is called cap-and-trade, or cap-and-tax, which is the biggest tax increase in the history of the country supposedly to take care of the dangerous gas CO_2 and global warming. That has a very huge tax increase. That is going to also raise the energy costs to small business.

So now they're not only getting the tax increase of the expired capital gains dividends, which is the money they use to invest in new plants and equipment, but also they're going to get hit with an energy tax. Now, on top of that, we're going to try to balance the books of this health care plan on the backs of the small businessman.

The trouble with doing that—and this was tried by FDR in the Great Depression—is that you can drive the small businessman so far into the dirt that you make him close his business down, and that has some effect on employment. In fact, small businesses in America employ—if you call ''small business'' 500 or fewer employees, 80 percent or 79 percent of Americans work for these smaller sized companies. So, if you hammer them into the dirt in terms of taxing and taxing and taxing, what is going to happen is you're going to have increased unemployment. It's not a big surprise to see what we've got going.

Hey, we're joined here in the Chamber by a good friend of mine. There is so much going on in health care, I would just encourage you to join in like it's a dinner conversation, my friend, and just share what you're thinking. We're even talking about a vote here within some days.

Mr. LATTA. I thank the gentleman for yielding, and I appreciate your hosting this very special Special Order this evening.

Where I come from in Ohio, we are very, very hard hit. Our unemployment rate is one of the highest in the State in our district. I represent the largest manufacturing district in Ohio. I represent the largest agricultural district in Ohio. At this time last year, we were, according to the National Manufacturers, about the ninth largest in manufacturing.

Mr. AKIN. Well, that's a very important fact. Don't go too fast. What you're saying is your district is the ninth largest manufacturing district in the country?

Mr. LATTA. We were at this time last year, but we've slipped to 15th now.

Mr. AKIN. You've slipped to 15th?

Mr. LATTA. Yes.

Mr. AKIN. So what is your take on manufacturing? Because we were told old people don't like this bill because it's cutting Medicare. Small businesses don't like it because they're getting hammered one more time into the dirt with tax increases. Let's talk about manufacturing because, in a way, that's the backbone of American industry.

Mr. LATTA. Absolutely.

Mr. AKIN. What is your take on this? How does this work?

Mr. LATTA. Well, I'll tell you. You know, when we were all home during the August work period, I went through I don't know how many different factories, and I went through lots of small businesses.

As one example in particular, I had a gentleman walk up to me. He was a factory worker. He said, You know, I'm really not sure what you all are talking about there in Washington. He says, If I can't put a roof over my family's head, if I can't put food on the table, health care is not the top issue for me.

People are all concerned about health care, but as to where it is in the priority ranking, it's at survival right now. We've got a lot of folks out there who need to survive. At the same time, you have a lot of these smaller businesses—you know, when I talk about

smaller, it could be a factory of about 150–170 which is now down to 29–35 people, and they're just hoping they can keep the lights on. When they see and hear that Washington might impose a mandate on them, especially at that 8 percent level, they say, Well, we're not going to survive.

Mr. AKIN. Let's get back and get those numbers. We were just talking about this last night.

We've got small business and even manufacturers that have been hammered so hard now that they're struggling for breath.

Mr. LATTA. Absolutely.

Mr. AKIN. We're going to nail them with another, possibly, 8 percent cost. This is 8 percent.

Also, what's going to happen to the dividends and capital gains? That's going to go up through this bill, too. So, not only do we have additional taxes on top of the other taxes, on top of the ones that are going to expire and go up—you've got all of that coming down the pike. Also, they don't see any end in sight.

So we have created an environment where there are a lot of unknowns. If you don't know what's going to happen the next month, when we get done with this tax, we're going to go to another one. What you're going to do is you're going to try and play it safe and see if you can survive. Am I on the right track?

I need to just thank you. Congressman LATTA is from Ohio, and he is really an upstanding young Member. Your opinion is very important, and Ohio is a very important State, particularly because of the manufacturing base.

Mr. LATTA. Absolutely. You hit the nail on the head.

All of these companies that are out there struggling right now look at everything. Health care is a huge issue to them. Cap-and-trade is an issue out there—the electricity costs to keep the machines running. Then we had the second highest corporate tax rate here in the United States.

If you put these all together, plus you throw in the EPA and the environmental things that have to go on at these companies, and if they're owned by a parent company that has a plant someplace else in the United States, they can say, as in our situation, Well, you know what? Your costs go up too great in Ohio. You're just going to have to move.

There are some companies out there that are multinational and they've said, You know what? We're to the point that, with any more costs, it would be cheaper for us to actually make it on the Pacific Rim and ship it here, and then we won't have to worry about all of these costs, and there's the product.

Yet, you know, health care is one of those things that everybody wants to make sure that we have; but at the same time, we've got to do it in the right manner, and that's what a lot of folks back home are very concerned about, because I don't care if you're a senior citizen and you're on the Medicare side or if you're a businessowner. Again, these businessowners are the ones who are very frightened because they're the ones who keep people employed on Main Street.

In talking about Main Street, not too long ago, I was out on one of my Main Streets in my district. One of the businessowners asked, Bob, you know, is this thing going to pass? He said, You know what? You're looking at my business right now, and I will not be able to survive, with the numbers that I'm seeing from Washington right now, under this legislation.

Mr. AKIN. You know, a wonderful part of America are these different expressions. There is such a diversity of people in our country, and I guess that's probably why we serve here. We just love this country and love our own constituents and all.

In representing Missouri, we have some kind of rural expressions that are fun. One of them is ''hunker down.'' Sometimes you'll hear people in Missouri say, ''Hunker down.'' Then, if they're really serious about it, they'll add to this. ''They're hunkered down like toads in a hailstorm.''

It paints a picture, but that is, to a degree, the picture of the small business man and of the manufacturer in America just being hit, not with hailstones but with tax on tax on tax, and we wonder: I can't understand why there would be unemployment.

Do you see?

The thing that's tragic about this is the fact that the government has tried this before. They tried this before, and they created the Great Depression.

You had this little British economist, little Lord Keynes, running around, saying, Hey, I've got a brilliant idea. Why doesn't the government just spend tons of money, and by spending lots of money, it will get the economy going, and we will jump-start—I don't know if he used the word ''jump-start.'' I don't know if they had car batteries back then. I guess they did. We're going to jump-start the economy by the government spending tons of money.

So FDR thought that's a pretty good idea. Plus, it's not bad politics if I can run around like Santa Claus with the paychecks, you know?

So he gets Henry Morgenthau as his Secretary of the Treasury, and they test out this nifty theory. So they go out and spend tons of money year after year after year, hoping to see unemployment come down.

At the end of, I think it was 9 years, Henry Morgenthau came to this body, to the Ways and Means Committee, and he said, Gentlemen, we've tried this idea, and it doesn't work. He says it that simply: It doesn't work. All that has happened is that unemployment is as bad or worse than it was before, and we have a whole lot of debt to boot. Those were his words.

So what we're seeing is this idea of just taxing and taxing these businesses, and unemployment is just going to kill us because they're not going to be hiring people when they're hunkered down, worrying about what the next tax is going to be or whether it's going to put them out of business. They're going to be playing things very conservatively. Plus, it's hard to get loans for them.

Mr. LATTA. If the gentleman would yield.

Mr. AKIN. I do yield to my good friend.

Mr. LATTA. You hit on a very important point right here. One of the things they're talking about right now is that we've been coming out of this recession into a jobless recovery. When you have these unemployment rates——

Mr. AKIN. Wait a minute now. I've heard this term ''jobless recovery.'' I'd like to pick at these words a little bit. ''Jobless recovery.'' Do you think that's the same thing as a plastic glass or a jumbo shrimp? I mean, how is it a recovery if nobody has a job? I sure hope I don't suffer too much with that kind of recovery.

Mr. LATTA. It's the way they define when you're coming out of a recession.

Back in 1982, when I look at that recession, one of the things that a lot of people point to is that it was very, very tough. We all remember coming out of the Carter administration with double-digit unemployment, with double-digit inflation and with a 21½ percent interest rate. A lot of people also said the same thing: You know what? It's tough, but at the end of the day at some point, that factory down the street is going to reopen, and I'm going to get my job back.

In this case, we've got so many companies out there, especially in my district, that are saying, You know what? We've cut as much as we possibly can. We're going to do as much as we possibly can to make sure we can just keep the doors open, and we find right now that we can survive with what we've got.

When they say ''what we've got,'' it's the employees who are on the floor right now. They say, We're not going to hire anybody else.

That's the scary thing because now, all of a sudden, we're going to have all of these young people coming out of high school, coming out of trade schools, coming out of community college, and coming out of college. Where are they going to go? Because we've got more and more people saying, I can't retire. I've got to keep working because I'm not sure what I'm going to have down the road.

There are all of these things that, I think, have got to really be looked at. That's why, I think, the American people have said to us, especially in my district, We all agree. There's not one person in this body right here who would say we should not do something about health care in this country; but it's how we do it, how we proceed. It's slowing it down. The American people

want it to be the best thing, not something that's rushed through, not something that's in a 1,990-page bill.

Mr. AKIN. Here we go again. It's this tremendously long, complicated bill, a complicated plan, and it almost looks like just another attempt where we already determined when we started that what we really want is the government to run it all.

We've got the government firing the president of General Motors, running General Motors, running the insurance companies, running the banks, deciding what executive salaries are going to be, and that's not good enough to have the government doing that. We want the government to take over student loans, so we passed that this year, still letting private people do the student loans. There's $1 trillion in extra spending to cover all of these student loans. Now what we want to do is take over all of health care.

I mean, this is kind of ambitious. You know, this is a little overwhelming. My constituents are a combination of scared and angry about what's going on down here. I think it's important for us to offer simple solutions, and we've got a simple solution if you want something immediately that you can do, and that is, tomorrow at noontime, Americans are coming from all over this country to meet on the steps to talk about this whole thing and to express their opinions of whether they really think that a bill that raises premiums, that reduces health choices, that delays and denies care, that costs $500 billion in Medicare cuts and $729 billion in new taxes is the solution that they want to this problem.

People who want to say ''no''—at least I think a lot of them want to say ''no.'' I don't know what they're going to say because they're coming here tomorrow at noontime to this Capitol to express their opinions. They were invited by a bunch of us who are just plain old Congressmen, not leadership. They were just invited. You all come. Come talk to us about what's going on here. If people kind of get upset, this is the place to express your opinion.

I would yield.

Mr. LATTA. I thank the gentleman for yielding.

Again, that's what happened during the month of August and when we were back home. We were out in our districts, and the people got to see us and talk to us face-to-face, and that's what they really want to do. They want that opportunity to say, I want a piece of my voice to be heard on this.

One of the things, I think, that has been missing in this is that I came from the Ohio legislature, and I chaired a couple of committees in the house and the senate. One of the things that, I think, is very important is that we have people come in, be able to testify and be able to face the members.

Mr. AKIN. Yes.

Mr. LATTA. I think what we ought to have been doing during this whole period of time here is that we should have taken this back onto the road, and we should have had committee hearings across this country so that Americans could have gone to their States and to wherever it would be that the Members would be holding the hearings for the three different committees here in the House which were hearing this piece of legislation. I think that's what we should have been doing because, again, people feel left out. The most dangerous place for me to go, for my wife to send me, is to the grocery store after church.

Mr. AKIN. After church to the Rotary Club, that's dangerous?

Mr. LATTA. Well, it's the grocery store.

Mr. AKIN. Oh, the grocery store. I'm sorry.

Mr. LATTA. Because what happens is that people come up to me, and they want to talk. I go home every weekend, and I don't care if it's at the grocery store or at the gas pump. You know, it could take 45 minutes to an hour sometimes.

□ 1930

Mr. AKIN. They are saying, BOB, wait just a minute before you walk out with that loaf of bread. The loaf of bread is stale by the time you get out of the store.

Mr. LATTA. The American people want to be heard, and I think that is one of the things they are really saying here is wait a minute, I don't think we are being heard in this discussion.

Mr. AKIN. Well, a lot of us are going to go out on the steps and we are going to listen to what those people have to say. I think you committed to be going out there too and be available. And we are going to talk. There are going to be a lot of interesting people, people doing some singing and all kinds of things, people making some little short talks and discussion. And that is a healthy thing in America, to have that freedom to have free speech, to talk, and to come to the Capitol building and to let people know what you think about this.

Of course, there is a different philosophy than this kind of take everything apart and rebuild it, and that is that there are some specific things that can be done that reduce health care costs that Republicans almost uniformly support.

One of them is tort reform, limiting the punitive damages. We know that in other States where that has been tried it reduces the cost of health care. We also know in other States where the government takes over health care, that the costs go out of sight. We have seen that in Massachusetts and in Tennessee. But we have seen in my own State of Missouri and Texas and other States, there is a distinct reduction in health care costs when you limit some of those punitive damages.

It doesn't mean that doctors don't make mistakes and shouldn't be held accountable. But the other thing is you don't rape the system and run the costs up so that every doctor is forced to practice defensive medicine.

Mr. LATTA. If the gentleman will yield, when we are talking about punitives, we are not going to say to people limit the economic damages. It is the noneconomic damages. Because it took us quite a few years in the Ohio legislature to finally get a small portion of that passed, but we saw changes almost within a year in what was happening out there.

Mr. AKIN. Did you pass one in Ohio? Did you limit the punitive damages in Ohio?

Mr. LATTA. That is one of the things we had to do on some of the noneconomic damages, and, again, it was only a small portion, because we had to pick certain areas and we picked the one area, and we watched those things come down. Because what happened was as soon as we passed the legislation, as soon as it was signed into law, it was challenged in the Ohio Supreme Court and it was upheld for being constitutional. But those are the things you have to do.

Those are the things when you are talking about doctors not having to practice that defensive medicine, instead of running four, five or six tests, maybe they only have to run the two. But they are going to run the four, five or six tests. Why? Because if it is in your neighborhood and the courts have been saying why haven't you done this, you have got a problem. That is why these doctors say I have to do it, because otherwise I am going to get sued and my malpractice insurance is going to say you didn't do what you should have done, and now you are in trouble.

Mr. AKIN. So there is the problem. That is one place that Republicans have talked about where there is a specific thing that you can do. And there are other things. We talked about the idea of letting people buy their medical insurance across State lines.

The other thing in this 2,000 pages, there are a lot of loopholes and trapdoors. One of the things that is amazing to me is they do the opposite of tort reform and they say any State that has passed any tort reform, that that gets waived in order to get this government insurance. So you are going to be taxed whether you take it or not, but if you want the benefits of your citizens being taxed, you have to basically back off from tort reform. That is kind of a weird trapdoor.

Mr. Speaker, I thank my good friend from Ohio, Congressman LATTA. It has been a treat having you here.

THE COST OF NOT HAVING HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes.

Mr. GRAYSON. Mr. Speaker, during the Civil War, Abraham Lincoln, our

President, often pardoned people who had been convicted of treason. You may wonder why he did that. The answer is he saw death all around him in the Civil War, and he wanted to make sure he did nothing to add to it, so he pardoned people who had been found guilty of the most grievous crime one could commit in this country simply because he loved life.

In the same way, I would like to think whether I leave here after 2 years or 20 years, that there will be no blood on my hands. That is why I am against the war in Iraq, that is why I am against the war in Afghanistan, and that is why I am so much in favor of health care reform that saves lives in America.

We had a different kind of President for 8 years recently, and we had a different kind of administration, an administration that was willing to bear any degree of suffering and pain as long as it was somebody else's. If you were homeless, it was your fault; if you were jobless, it was your fault; and if you died because you had no health insurance, that was your fault.

Now that administration is out of power. We, the American people, removed them because they abused it. But they have left behind in the House and in the Senate people who feel much the way that they did.

Recently, a Harvard study published in a peer review journal, the American Journal of Public Health, announced that 44,789 Americans die every single year because they have no health insurance.

In America today, if you find two people who are physically identical, same race, same age, same gender, same smoking habits, same weight, if you find two people who are physically identical, and one of them has insurance and the other one does not, then the one without insurance, that American who has the misfortune simply not to have health coverage, that American is 40 percent more likely to die.

This bill that we are considering now to reform health care in America would end that. It covers 96 percent of all Americans. It ends this grievous national tragedy where, day after day, week after week, month after month, 122 of us die every single day because they have no health insurance.

Now, I am sure that if we learned that al Qaeda was going to launch an attack on the United States and kill 44,789 Americans at any time next year, I am sure that we would do anything in our power to prevent that. I submit to you we should do the same about this. We should do exactly the same here, because we face the same threat. It is a less visible threat, it has gone on for generations, but it is a threat nevertheless. If you don't let people see the doctor, then a certain number of them are going to die.

To bring this point home in the face of united opposition by that side of the aisle, what we have done is something very simple. The Urban Institute has published the number of uninsured people in each district, each congressional district in this country. The American Journal of Public Health has told us what percentage of those uninsured people will die next year because they have no health insurance. So what we have done is very simple. We have taken one number and the other number, and through the magic of multiplication, we know how many of those people will die, and I think it is time we called attention to that.

So what we have done is for each Republican Member, since they are united in opposition to this bill, and apparently proud of it, for each Republican Member we have identified in each district the number of dead.

They are as follows:

Alabama District 1, Congressman Jo Bonner, 114 dead.

Alabama District 3, Congressman Mike Rogers, 88 dead.

Alabama District 4, Congressman Robert Aderholt, 114 dead.

Alabama District 6, Congressman Spencer Bachus, 69 dead.

Alaska, Congressman Don Young, 128 dead.

Arizona, District 2, Congressman Trent Franks, 150 dead.

Arizona District 3, Congressman John Shadegg, 132 dead.

Arizona District 6, Congressman Jeff Flake, 140 dead.

Arkansas District 3, Congressman John Boozman, 151 dead.

California District 2, Congressman Wally Herger, 139 dead.

California District 3, Congressman Daniel Lungren, 68 dead.

California District 4, Congressman Tom McClintock, 77 dead.

California District 19, Congressman George Radanovich, 124 dead.

California District 21, Congressman Devin Nunes, 159 dead.

California District 22, Congressman Kevin McCarthy, 110 dead.

California District 24, Congressman Elton Gallegly, 75 dead.

California District 25, Congressman Howard McKeon, 124 dead.

California District 26, Congressman David Dreier, 85 dead.

California District 40, Congressman Edward Royce, 125 dead.

California District 41, Congressman Jerry Lewis, 144 dead.

California District 42, Congressman Gary Miller, 74 dead.

California District 44, Congressman Ken Calvert, 150 dead.

California District 45, Congresswoman Mary Bono Mack, 181 dead.

California District 46, Congressman Dana Rohrabacher, 78 dead.

California District 48, Congressman John Campbell, 74 dead.

California District 49, Congressman Darrell Issa, 151 dead.

California District 50, Congressman Brian Bilbray, 103 dead.

California District 52, Congressman DUNCAN Hunter, 84 dead.

Colorado District 5, Congressman Doug Lamborn, 107 dead.

Colorado District 6, Congressman Mike Coffman, 69 dead.

Delaware, Congressman Mike Castle, 90 dead.

Florida District 1, Congressman Jeff Miller, 130 dead.

Florida District 4, Congressman Ander Crenshaw, 116 dead.

Florida District 5, Congressman Ginny Brown-Waite, 200 dead.

Florida District 6, Congressman Cliff Stearns, 152 dead.

Florida District 7, Congressman John Mica, 143 dead.

Florida District 9, Congressman Gus Bilirakis, 129 dead.

Florida District 10, Congressman Bill Young, 138 dead.

Florida District 12, Congressman Adam Putnam, 133 dead.

Florida District 13, Congressman Vern Buchanan, 160 dead.

Florida District 14, Congressman Connie Mack, 159 dead.

□ 1945

Florida District 15, Congressman Bill Posey, 152 dead.

Florida District 16, Congressman Thomas Rooney, 165 dead.

Florida District 18, Congresswoman Ileana Ros-Lehtinen, 199 dead.

Florida District 21, Congressman Lincoln Diaz-Balart, 195 dead.

Florida District 25, Congressman Mario Diaz-Balart, 195 dead.

Georgia District 1, Congressman Jack Kingston, 123 dead.

Georgia District 3, Congressman Lynn Westmoreland, 102 dead.

Georgia District 6, Congressman Tom Price, 100 dead.

Georgia District 7, Congressman John Linder, 156 dead.

Georgia District 9, Congressman Nathan Deal, 159 dead.

Georgia District 10, Congressman Paul Broun, 120 dead.

Georgia District 11, Congressman Phil Gingrey, 113 dead.

Idaho District 2, Congressman Michael Simpson, 126 dead.

Illinois District 6, Congressman Peter Roskam, 73 dead.

Illinois District 10, Congressman Mark Kirk, 55 dead.

Illinois District 13, Congresswoman Judy Biggert, 45 dead.

Illinois District 15, Congressman Timothy Johnson, 67 dead.

Illinois District 16, Congressman Donald Manzullo, 69 dead.

Illinois District 18, Congressman Aaron Schock, 62 dead.

Illinois District 19, Congressman John Shimkus, 67 dead.

Indiana District 3, Congressman Mark Souder, 119 dead.

Indiana District 4, Congressman Steve Buyer, 85 dead.

Indiana District 5, Congressman Dan Burton, 73 dead.

Indiana District 6, Congressman Mike Pence, 104 dead.

Iowa District 4, Congressman Tom Latham, 54 dead.

Iowa District 5, Congressman Steve King, 59 dead.

Kansas District 1, Congressman Jerry Moran, 86 dead.

Kansas District 2, Congresswoman Lynn Jenkins, 80 dead.

Kansas District 4, Congressman Todd Tiahrt, 87 dead.

Kentucky District 1, Congressman Ed Whitfield, 113 dead.

Kentucky District 2, Brett Guthrie, 102 dead.

Kentucky District 4, Geoff Davis, Congressman, 83 dead.

Kentucky District 5, Congressman Harold Rogers, 130 dead.

Louisiana District 1, Congressman Steve Scalise, 111 dead.

Louisiana District 2, Congressman Joseph Cao, 98 dead.

Louisiana District 4, Congressman John Fleming, 115 dead.

Louisiana District 5, Congressman Rodney Alexander, 132 dead.

Louisiana District 6, Congressman Bill Cassidy, 105 dead.

Louisiana District 7, Congressman Charles Boustany, 112 dead.

Maryland District 6, Congressman Roscoe Bartlett, 68 dead.

Michigan District 2, Congressman Peter Hoekstra, 71 dead.

Michigan District 3, Congressman Vernon Ehlers, 76 dead.

Michigan District 4, Congressman David Camp, 83 dead.

Michigan District 6, Congressman Fred Upton, 87 dead.

Michigan District 8, Mike Rogers, Congressman, 63 dead.

Michigan District 10, Candice Miller, Congresswoman, 64 dead.

Michigan District 11, Congressman Thaddeus McCotter, 64 dead.

Minnesota District 2, Congressman John Kline, 44 dead.

Minnesota District 3, Congressman Erik Paulsen, 43 dead.

Minnesota District 6, Congresswoman Michele Bachmann, 50 dead.

Mississippi District 3, Congressman Gregg Harper, 117 dead.

Missouri District 2, Congressman Todd Akin, 48 dead.

Missouri District 6, Congressman Sam Graves, 74 dead.

Missouri District 7, Congressman Roy Blunt, 120 dead.

Missouri District 8, Congresswoman Jo Ann Emerson, 110 dead.

Missouri District 9, Congressman Blaine Luetkemeyer, 78 dead.

Montana, Congressman Denny Rehberg, 179 dead.

Nebraska District 1, Congressman Jeff Fortenberry, 61 dead.

Nebraska District 2, Congressman Lee Terry, 68 dead.

Nebraska District 3, Congressman Adrian Smith, 69 dead.

Nevada District 2, Congressman Dean Heller, 172 dead.

New Jersey District 2, Congressman Frank LoBiondo, 71 dead.

New Jersey District 4, Congressman Chris Smith, 65 dead.

New Jersey District 5, Congressman Scott Garrett, 52 dead.

New Jersey District 7, Congressman Leonard Lance, 45 dead.

New Jersey District 11, Congressman Rodney Frelinghuysen, 44 dead.

New York District 3, Congressman Peter King, 42 dead.

New York District 26, Congressman Christopher Lee, 40 dead.

North Carolina District 3, Congressman Walter Jones, 100 dead.

North Carolina District 5, Congresswoman Virginia Foxx, 97 dead.

North Carolina District 6, Congressman Howard Coble, 103 dead.

North Carolina District 9, Congresswoman Sue Myrick, 82 dead.

North Carolina District 10, Congressman Patrick McHenry, 101 dead.

Ohio District 2, Congresswoman Jean Schmidt, 69 dead.

Ohio District 3, Congressman Michael Turner, 78 dead.

Ohio District 4, Congressman Jim Jordan, 74 dead.

Ohio District 5, Congressman Robert Latta, 59 dead.

Ohio District 7, Congressman Steve Austria, 73 dead.

Ohio District 8, Congressman John Boehner, 70 dead.

Ohio District 12, Congressman Patrick Tiberi, 66 dead.

Ohio District 14, Congressman Steven LaTourette, 58 dead.

Oklahoma District 1, Congressman John Sullivan, 125 dead.

Oklahoma District 3, Congressman Frank Lucas, 128 dead.

Oklahoma District 4, Congressman Tom Cole, 121 dead.

Oklahoma District 5, Congresswoman Mary Fallin, 155 dead.

Mr. GINGREY. Mr. Speaker, I request that the gentleman's words be taken down.

RECESS

The SPEAKER pro tempore. The Chair has not yet conferred recognition for that demand. Accordingly, there being no question pending before the House, the Chair declares the House in recess subject to the call of the Chair pursuant to clause 12(a) of rule I.

Accordingly (at 7 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SCHAUER) at 9 o'clock p.m.

THE COST OF NOT HAVING HEALTH CARE

The SPEAKER pro tempore. The Chair understands that the gentleman from Georgia does not seek to proceed with a call to order pursuant to clause 4 of rule XVII. As such, the gentleman from Florida is recognized for 37 minutes.

Mr. GRAYSON. We now return to our regularly scheduled program. The efforts to keep me from doing what I'm doing here have failed, and now I'm going to continue. So, for those of you who are joining, let me explain what is happening here.

The American Journal of Public Health published a study a month ago, identifying the fact that 44,789 Americans die each year from not having health insurance. If you have two identical Americans, one of whom has health insurance, one of whom doesn't—we're talking about people who are the same age, the same gender, the same race, with the same smoking habits, the same weight—the one who does not have health insurance is 40 percent more likely to die.

We also have statistics from the Urban Institute, identifying how many uninsured people there are in each district, and we all know that the Republicans have promised to vote against the Democrats' health care bill. So what we're doing here tonight is the remarkably simple exercise of A times B equals C—A times B equals C—and identifying for each Republican district what that actually means.

When I was interrupted before, I had just said the following: Ohio District 12, Congressman Patrick Tiberi, 66 dead.

Now I'm going to continue until the end.

Ohio District 14, Congressman Steve LaTourette, 58 dead.

Ohio District 1, Congressman John Sullivan, 125 dead.

Oklahoma District 3, Congressman Frank Lucas, 128 dead.

Oklahoma District 4, Congressman Tom Cole, 121 dead.

Oklahoma District 5, Congressman Mary Fallin, 155 dead.

Oregon District 2, Congressman Greg Walden, 150 dead.

Pennsylvania District 5, Congressman Glenn Thompson, 64 dead.

Pennsylvania District 6, Congressman Jim Gerlach, 49 dead.

Pennsylvania District 9, Congressman Bill Shuster, 83 dead.

Pennsylvania District 15, Congressman Charles Dent, 54 dead.

Pennsylvania District 16, Congressman Joseph Pitts, 77 dead.

Pennsylvania District 18, Congressman Tim Murphy, 40 dead.

Pennsylvania District 19, Congressman Todd Platts, 51 dead.

South Carolina District 1, Congressman Henry Brown, 157 dead.

South Carolina District 2, Congressman Joe Wilson, 118 dead.

South Carolina District 3, Congressman Gresham Barrett, 112 dead.

South Carolina District 4, Congressman Bob Inglis, 133 dead.

Tennessee District 1, Congressman David Roe, 110 dead.

Tennessee District 2, Congressman John Duncan, 85 dead.

Tennessee District 3, Congressman Zach Wamp, 94 dead.

Tennessee District 7, Congressman Marsha Blackburn, 71 dead.

Texas District 1, Congressman Louie Gohmert, 155 dead.

Texas District 2, Congressman Ted Poe, 126 dead.

Texas District 3, Congressman Sam Johnson, 144 dead.

Texas District 4, Congressman Ralph Hall, 134 dead.

Texas District 5, Congressman Jeb Hensarling, 151 dead.

Texas District 6, Congressman Joe Barton, 136 dead.

Texas District 7, Congressman John Culberson, 103 dead.

Texas District 8, Congressman Kevin Brady, 132 dead.

Texas District 10, Congressman Mike McCaul, 127 dead.

Texas District 11, Congressman Michael Conaway, 164 dead.

Texas District 12, Congressman Kay Granger, 156 dead.

Texas District 13, Congressman Mac Thornberry, 144 dead.

Texas District 14, Congressman Ron Paul, 146 dead.

Texas District 19, Congressman Randy Neugebauer, 132 dead.

Texas District 21, Congressman Lamar Smith, 119 dead.

Texas District 22, Congressman Pete Olson, 150 dead.

Texas District 24, Congressman Kenny Marchant, 138 dead.

Texas District 26, Congressman Michael Burgess, 162 dead.

Texas District 31, Congressman John Carter, 124 dead.

Texas District 32, Congressman Pete Sessions, 209 dead.

Utah District 1, Congressman Rob Bishop, 128 dead.

Utah District 3, Congressman Jason Chaffetz, 154 dead.

Virginia District 1, Congressman Robert Wittman, 68 dead.

Virginia District 4, Congressman Randy Forbes, 93 dead.

Virginia District 6, Congressman Bob Goodlatte, 99 dead.

Virginia District 7, Congressman Eric Cantor, 76 dead.

Virginia District 10, Congressman Frank Wolf, 81 dead.

Washington District 4, Congressman Doc Hastings, 152 dead.

Washington District 5, Congressman Cathy McMorris Rodgers, 88 dead.

Washington District 8, Congressman David Reichert, 69 dead.

West Virginia District 2, Congressman Shelley Moore Capito, 102 dead.

Wisconsin District 1, Congressman Paul Ryan, 64 dead.

Wisconsin District 5, Congressman James Sensenbrenner, 38 dead.

Wisconsin District 6, Congressman Thomas Petri, 52 dead.

And Wyoming, Congressman Cynthia Lummis, 73 dead.

Our constituents sent us here to do good things for them. Our constituents sent us here—some with high expectations, some not so high—but is it really asking too much of us that we keep people alive?

We know, according to this Harvard study, that if we do nothing these people will die. Is it really asking so much of us to cast our vote to save these people?

For those of us who favor health care, we realize literally the life we save may be our own. Every one of us can lose his job. Every one of us can lose his health. Every one of us can have a preexisting condition. Every one of us can be denied care. Every one of us can die. Is it really asking so much that we solve this problem for America once and for all?

Honestly, for those of us who care about these things, this is what we have in mind: if we fail, if we fail to save these lives in America, then may God have mercy on our souls.

It is important to recognize that this is not a statistic. This is much more than that. These are friends. These are neighbors. These are mothers and fathers. These are sisters and brothers. These are daughters and sons. This is us. These are the people who are losing their lives today because we haven't acted yet.

At our Web site, this Web site here, NamesoftheDead.com, we've invited these people to be more than statistics. We've invited these people to tell their stories to us, to America, to have America tell America what's going on. Just as I did last week, I'm going to do it again this week, take the remainder of my time tonight and yield my time to you, yield my time to America and understand the simple eloquence of people suffering.

So for the rest of my time tonight, you will not be hearing from me. You will be hearing from you and listening to what you have to say about real people—people who are loved, who lost their lives because they had no health care. Let's begin.

Erika Herd wrote to us about Susan Olivas in Denver, Colorado, who was 45 years old when she died:

My sister worked for a small business that did not offer health care benefits and barely paid minimum wage. She started having some health issues, including what she thought were hemorrhoids. She simply couldn't afford to see a doctor for what she thought was an over-the-counter condition. She waited for a full year before they became really bad. Susan was diagnosed with anal cancer. I can't help but believe, had she had insurance, she never would have delayed treatment. She died on November 7, 2004.

This is from the Web site NamesoftheDead.com—true stories about true people who lost their lives because they had no health care in our country in America.

Now let's listen to Carroll Chaney about Mark Wayne Chaney of England, Arkansas, who was 46 years old when he died:

My brother began to have stomach pain, but he had no insurance. He even confided to me that he was afraid he had cancer. We had a grandfather, and three of his brothers had all passed away from cancer. It all began as pancreatic cancer for each one of them, and of course, it ended up all over their body. By the time my brother was finally diagnosed, it was in his liver, and he was told by oncologists here in Little Rock and at the MD Anderson Cancer Clinic in Houston there was nothing they could do. They told him to make peace with God, and go home and die, which he did 6 months later at the age of 46—10 years ago, 2 days after Thanksgiving—leaving a young daughter and son and grieving family members, including a dad who still mows his grave site twice a week. I'm his brother, Carroll Chaney.

Angelique Louis wrote to us at the Web site, NamesoftheDead.com, and wrote to us about Bernadine Oakley, aged 60, of Des Moines, Iowa:

□ 2115

She died of an aneurysm. She once had breast cancer and ovarian cancer. She was so concerned with the cost of it that she was fearful for the return of the cancer. She couldn't afford medicine for her high blood pressure, and it finally caught up with her. My mother's funeral was a standing-room only event. She had for over 20 years instructed a preschool class and assisted many within our community. Her life left this Earth too soon.

Now let's hear from Barbara Brown writing to us about Pat Dapolito of Medford, Massachusetts.

My brother was diagnosed with colon cancer at the age of 57. He was self-employed and he didn't have health insurance. Surgery was recommended, and at one point he was asked directly by the surgeon, how do you plan on paying for this surgery? Of course, he couldn't pay for it himself. As a result, he died 6 months later.

Now let's hear from Leslie Walsh writing about William Walsh, age 62, of San Diego, California.

My ex-husband died of bladder cancer because he lived in fear of running up preventible medical expenses due to lack of insurance coverage. His cancer was far advanced by the time he was forced to seek help from the City of Hope. With simple well-person exams, his cancer could have been discovered much earlier on and could have been treated and he would be alive and living with me and my husband today.

Now let's hear from Winifred Haun concerning Declan Haun, 56 years old, right here in Washington, D.C.

My father died of throat cancer on March 7th, 1994. He had been suffering from a sore throat for nearly a year, but being a freelance photo journalist and a small business owner, he could not afford to go to the doctor. By the time he went to the doctor, the pain had become so bad that he couldn't eat. He couldn't eat. He had stage four terminal throat cancer. He was treated at the NIH in Washington, but there was very little they could do to even try to save him. If he had gone to the doctor sooner, there is a good chance he might still with be with us today.

Let's hear from Tracy Sykes about Terri-Lynn Sykes of Wilmington, North Carolina, who wrote to us at this

website, namesofthedead.com. She wrote as follows:

My sister could only afford to keep her diabetic son insured, not herself. She had to choose between her son and herself. Her cancer was not diagnosed until it was stage four. She died after fighting it for 2½ years. Her son is alive today. He is 10 years old. He lost his mother.

Let's hear now from Sam Downey about Megan Ratzow of Portland, Oregon.

Megan didn't have health insurance so she didn't go to a doctor until it was too late. She finally went to the emergency room and she died in the hospital a week later. None of us really knew she was even sick. If she had had health care, she would have been able to get the treatment she needed before her cancer was so far along that it couldn't be treated. Megan was a very good person. The world could have used her spirit for a few more years.

Now let's hear from Ellesia Blaque concerning Michelle Dennis of West Chester, Pennsylvania.

Michelle Davis, nicknamed Mickey, was not my relative, but she was the sister of my best friend and the love of my life, Tony Dennis. She died because she did not have health care. By the time she was diagnosed with ovarian cancer, she was terminal. She was diagnosed in May 2001 and died that August. Not only did I lose Mickey, but I also lost Tony, who in his grief committed suicide the day after Mickey passed away. I lost two friends because there was no health care for Mickey to receive timely diagnosis and treatment.

Now let's hear from Elaine Gill, who wrote to us at the website namesofthedead.com, this website, concerning Donald Ray Yost.

My brother endured months of pain, putting off going to the doctor because of concerns with how much it would cost. When the pain became so severe that it was intolerable, he made a doctor's appointment. After X-rays were taken and tests were run, the doctor delivered a grim diagnosis: Cancer, spread through his whole body and bones. My brother refused treatment because he knew the costs would drain his family of any savings and they would lose their home. To prevent his wife and two daughters from having their financial security and their home taken away, my brother chose not to undergo the medical treatment he would need to give him a fighting chance to live. He said he would not bankrupt his family in order to undergo the expense of long-term treatment. He died less than 6 months later, on May 6th, 2007.

Now let's hear from Jessica Falker of Vermont, who wrote to us about her Aunt Anita.

My aunt had no health insurance and couldn't afford the test to find out what was wrong with her. By the time she finally could afford to get tested, she had stage 4 cancer. She died only 3 months later.

I am sure Jessica misses her aunt.

Let's hear now from Robert Burns about Jay Holman of Gouldsboro, Maine.

Jay never saw a doctor because he had no health insurance. For 3 years he lived with health issues until he became seriously ill. It turned out to be cancer and it spread through his body. He had stage four cancer when he was hospitalized, and 6 weeks later he passed away. A sad ending, yes, a very sad ending, for a business owner, an Eagle Scout, a Merchant Marine and a fine human being.

Now let's hear from Jennifer Lawrence, who wrote to us about Guy Lawrence in Dubuque, Iowa, at this website, namesofthedead.com.

My father worked four jobs a day to keep my family fed and housed and clothed. None of them provided him with insurance. One day he caught a cold. Two days later it turned into pneumonia. He didn't go to the hospital because he didn't have the money to pay for a visit to the emergency room. He was sure it would go away. Instead, it killed my father.

Let's hear now from Erin Norton concerning Neil Norton of Joseph City, Arizona.

My father had his first heart attack on his 46th birthday and he survived. He was afraid to go to the hospital because of the cost and the humiliation of being uninsured. After the emergency had passed, he couldn't go to the doctor because he didn't have enough money to pay up front. Two days after his birthday, he had another heart attack, and this time he died in the back of an ambulance, still not sure whether he should even be trying to seek medical care because of what it would cost.

My mother became uninsured recently after her job fired her because she needed surgery. She is 56 years old. She is $17,000 in debt from her surgery and hoping like hell not to get sick again. She is now an uninsured nurse, no less. I am scared of history repeating itself. I hope I don't have to come back to this web page. I hope Congress doesn't let me become a health insurance orphan.

This is Lilieth Taylor writing to us at the website namesofthedead.com concerning Robert Taylor of East Orange, New Jersey, who died at the age of 63.

My brother was one of the working poor. He could not afford health insurance. He had several chronic illnesses. He could not afford his medication or the necessary doctor's visit. His health care provider was the emergency room. He died on April 28th, 2009. I know my brother would be alive today if we had a public option.

Now let's hear from Lenny Fairchild, who wrote to us at namesofthedead.com concerning Judi Martin of Boothbay Harbor in Maine.

My sister's husband died of a staph infection 2 years prior to her death. In her grief, she sold her home and moved to Maine to be near us. She lost her health insurance and could not afford to purchase any. She lived on only her widow's Social Security benefit. She was not old enough for Medicare. Progressive pain finally took hold and she went to the emergency room in September of 2005. A CAT scan revealed that she had pancreatic cancer, massive pancreatic cancer. In less than 2 weeks, she was dead. I don't know how she withstood the pain.

Now we hear about Scott Shantz of DeBary, Florida, who died at the age of 47.

Scott was feeling terrible, but he wouldn't go to the hospital because he didn't have insurance. His wife even drove him to the emergency room, but he wouldn't go in because he couldn't afford it. And a week later he was dead. It turned out that he had a lung clot, something which is treatable. If he had only had insurance.

Let's hear now from Randy Krzesinski concerning Mary Hill of Tarboro, North Carolina. Randy wrote to us at the website namesofthedead.com, this website here.

Mary Hill was my beloved sister. At age 56 she died of a sudden cardiac arrest on October 1st, 2009. Because Mary worked part-time, she couldn't find full-time work, she did not receive health care benefits. Mary had previously been diagnosed with high blood pressure. When she died, her doctor called me to inform me that Mary didn't always take her blood pressure medication because she couldn't afford it. And Mary was too proud to tell any of us in her family about this sad secret, that she couldn't afford her medication, and it cost her her life. I shall grieve for her and I shall grieve about this for a long time. Thank you for letting me tell Mary's story.

Now let's hear from Donna Startz concerning ''EZ'' Govella of Corpus Christi, Texas, who died at the age of 40. Forty.

EZ knew there was a problem, but his new insurance wouldn't kick in for a couple of months, so he waited to go to the doctor. When he finally went, it was discovered that he had a virulent form of testicular cancer, one where days make a difference between life and death. He fought the cancer for 2 years, but he lost his battle just days after his 40th birthday, leaving behind a wife, a 7-year-old daughter, and a mountain of debt. A mountain of debt.

Let's hear now from Stephen Marban concerning Tomas Bimmerle of New Orleans, Louisiana, who passed away at the age of 58.

My brother-in-law, Tom, died over Christmas of 2008 of lung cysts because he did not have health insurance. He survived as long as he did because of the heroic efforts of Charity Hospital in New Orleans where he lived. Tom was a very talented carpenter who worked tirelessly for Habitat for Humanity in New Orleans for years, building many houses, at times single-handedly. But since Habitat for Humanity does not offer employment or

health benefits, except for one or two administrators in each city, and Tom's income outside of Habitat was minimal, he lived uninsured for years and died early as a result at age 58.

Steve Ekhome wrote to us concerning Gib Martin of Iowa City, Iowa, who passed away at the age of 37. He wrote to us at the website names of the death dot.com.

Gib was a healthy 37-year-old who was 3 months into a new job, but unfortunately his health insurance didn't kick in until he had been employed there for 6 months.

□ 2130

He never made it. He came down with a cold and then flu, and then he seemed very sick. His mother called us to plead with him to go to the emergency room. He refused because of what it cost. Because of what it cost. His mother found him dead of pneumonia the next morning.

Let's hear from Caitlin Howarth regarding Bob Stimpson of Providence, Rhode Island, who died at the age of 56: Caitlin writes:

Bob Stimpson was my uncle. Just over a month ago, he died of cancer. He'd been getting sicker, but he never went to a doctor because he didn't have health insurance. He was a small business owner. He ran his own restaurant in Providence. He had a teenage son and a wife. He did the best to take care of them and to take care of his own employees. But it wasn't enough to keep himself alive.

And now let's hear from Rebecca Nourse concerning Buz Nourse of Stuart, Florida, who died at the age of 48:

My father was on expensive medications for high blood pressure and high cholesterol. He had no insurance and was not eligible for any programs that would have paid for his medication or reduced their cost. For a time, he borrowed money from relatives to buy his medicine that he needed to keep himself alive. But eventually he decided that if he could not afford the medications on his own, he would do without them. He died of his first heart attack at the age of 48.

Cynthia Lovell wrote to us to tell us about her Uncle Abe of Altoona, Pennsylvania, who died at the age of 64. She wrote:

My uncle Abe worked as a self-employed plumber. Some years he could afford insurance, some years he couldn't. He came down with congestive heart failure, and he couldn't afford the insurance. He kept waiting to see a doctor until he turned 65 so that he would have Medicare. He waited and he hoped. Finally, he got so sick that my other two uncles went and got him. They intended to take him to the emergency room and to pay his bill for him. Both are retired and they're on fixed incomes, but their baby brother was so sick and they were so scared that they figured they would come up with some way to pay his hospital bills. However, my Uncle Abe died in the emergency room, waiting, trying to get to 65.

Yvonne Hebert wrote to us about Frances Dawson of Long Beach, California. This is what she wrote:

Fran was an RN. She was overweight. She was unable to get health insurance. She was well aware of the need for insurance and had been insured until she and her husband were divorced. She had two teenage children she was trying to raise. Fran became short of breath and went to the emergency room in Long Beach. They explained they couldn't care for her without insurance there, and she went to the Martin Luther King Hospital where people without insurance were being sent for care. Martin Luther King was, and always is, overwhelmed with uninsured people. Fran died there in the emergency room after many hours waiting for care.

I could go on and on and on. We have received hundreds upon hundreds of stories just like these. And I will tell you, you would have to have a hard, hard heart to ignore them.

Now is our chance to do something about it. Now is our chance to see to it that everyone in America can see a doctor if he or she needs to; that everyone in America has affordable, comprehensive, and, most important of all, universal health care.

I'm calling not only upon the Republicans but also the Democrats to ask them to think about why they are here. We are at the decision point. We'll be voting on this bill this week, and the choice is up to us. We can save these people or we can let them die.

I vote for life.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. BROUN) is recognized for 60 minutes.

Mr. BROUN of Georgia. Mr. Speaker, our previous speaker went through a long list of Republican districts insinuating that Republicans wanted these people to die, it seemed to me.

I'm a medical doctor. I've practiced medicine for almost four decades. I literally have given away hundreds of thousands of dollars of my own services with no compensation whatsoever to people who don't have health insurance. I'm joined tonight by my good friend and colleague, in fact, one of my mentors, Dr. Phil Gingrey, who is an OB/GYN from Marietta, Georgia, and he and all the other physicians in this body on our side are very, very concerned about the future of our patients and about where we are going as a Nation.

You see, Mr. Speaker, Republicans have offered 53 bills, fixing to be 54 bills with the Republican Conference's bill, that will literally lower the cost of health care, make it more affordable for all Americans.

Our bill will not put people out of work like the Pelosi health insurance bill that we are going to be voting on very shortly. In fact, it's been estimated by the experts, in fact, Barack Obama's own economic adviser, that 5.5 million people are going to lose their jobs because of the Pelosi health care bill. Mr. Speaker, 5.5 million Americans are going to lose their job that they have today because the Democrats want to force down the throats of the American people a health insurance bill that's not about health care, Mr. Speaker. It's about power. It's about control. It's about taking over one-sixth of our economy.

There are many solutions that Democrats and Republicans alike could embrace. In fact, I've challenged many times one on one and I've challenged publicly and I challenge today Democrats to take a bill that I will give them—they can put their name on it, take credit for it—that will do four things: One is across-State purchasing for individuals and businesses to be able to buy insurance wherever they can find it cheaper in whatever State. The second issue is to have association pools where individuals can come together in an association, and that association can offer anybody that is affiliated with it a health care insurance package or multiple insurance packages that they would have their choice of purchasing. The third thing is to have some stimulation of the States to develop some high-risk pools. In fact, there are several States that have already done this, and they've been very successful in covering patients with preexisting conditions and high-risk medical conditions. And the fourth thing is to have a 100 percent deductibility for all health care expenses for everybody in this country.

Right now businesses get to deduct their health insurance that they provide, the costs anyway. They deduct the costs of the health insurance that they provide to their employees. The employees can get that health insurance as a tax-free benefit, and whatever they pay into it is not taxed. But a small business man or woman, an individual has to pay taxes on their money. They have to buy it with after-tax dollars. That makes it so expensive for individuals and small businesses to be able to buy insurance.

But if a Democrat will pick up that bill and convince Ms. PELOSI to allow us to have a debate on this floor, I will just about guarantee that 177, and I think that's what we have now on our side, 177 Republicans will cosponsor and vote for that bill and the majority of Democrats will vote for that bill and we will pass it into law.

It will make health care affordable for everybody. It won't raise taxes. It will not increase the deficit. It will not do anything to harm our economy. And we could pass that bill. We could pass that bill this week.

I challenge Democrats to take the bill. I will give them the language. I'll give them the bill. All they have to do is write their name into it. I will be the

first Republican cosponsor. They'll drop it in the hopper, and we will have health care insurance financing reform that will make sense on an economic basis. It will put market-based principles into the health care financing system.

You see, Mr. Speaker, we hear people talk, particularly on the Democratic side, about health care as if it's one big monolithic theme, that if people don't have health insurance, they don't have health care. That's hogwash. It's just balderdash. It's hogwash from the first order. It's not true.

I've treated those people. I'm also on the foundation board for St. Mary's Hospital in Athens, Georgia. St. Mary's Hospital is a Catholic East Hospital, and in that hospital the doctors, the nurses, physical therapy people, all the allied health personnel, the hospital itself, treat people without insurance.

You go to any emergency room in this country, Mr. Speaker, and it's filled with people that do not have insurance. In fact, every single individual in this country can walk into any emergency room in this country with an emergency condition and can be seen and treated. Everyone. Every single person in this country has access to health care today.

Not everybody owns insurance, that's true. Why? Insurance has become very, very expensive. I don't think there is a single person, Mr. Speaker, in this body that doesn't want to do something to help people to be able to afford insurance.

But we're going to destroy our economy. We're going to destroy our economy because we are going to spend a trillion, $1½ trillion, $2 trillion, $3 trillion on this government takeover of the health care industry in America. It's going to destroy our economy. It's going to increase the debt, Mr. Speaker, markedly increase the debt.

When President Obama came and spoke in the Speaker's podium to a joint session of Congress, Senate and House Members were here. I was sitting right back there that night. Mr. Speaker, the only person who spoke the truth that night was JOE WILSON. JOE WILSON spoke the truth that night. Mr. Speaker, the Pelosi health care bill is going to be disastrous.

When I graduated from medical school, I took the Hippocratic Oath. It said, ''do no harm.'' Mr. Speaker, the Pelosi health insurance bill is going to do a lot of harm. In fact, people on Medicare right now today are going to be denied lifesaving treatments, lifesaving procedures.

Medicare already today rations care. It tells me and my colleagues when we can put patients in the hospital, how long they can stay there, what services they'll pay for.

Mr. Speaker, we're going to have more rationing of care under the Pelosi health insurance bill. Why? The Pelosi health insurance bill is going to destroy Medicare Advantage, which there are millions of Medicare recipients on Medicare Advantage today. It's going to destroy Medicare Advantage, and it's going to move those people into the regular Medicare system. We're going to put more people on Medicare. Plus we're cutting the dollars spent on Medicare by $500 billion. Five hundred billion, a half a trillion dollars is going to be cut out of Medicare.

□ 2145

You're going to put more people on and cut the financing of Medicare.

What does that mean? They're going to have to ration care. And, in fact, the bill itself says that the health care czar—it's called a commissioner in the bill—can establish waiting lists and rationing of care. The bill itself says that. And it's going to absolutely be done. Plus right now today, also, Mr. Speaker, you have doctors all over the country that cannot afford to see Medicare patients anymore. They want to, they're trying to, but they can't afford to, because Medicare today pays doctors and pays hospitals less than it costs them to give the service. I repeat that. Medicare pays doctors and hospitals less today than it costs to deliver the service.

Now if we cut $500 billion out of Medicare and we put more people on Medicare, what's going to be the result? Not only is it going to be rationing of care and long waiting lines, Mr. Speaker, rural hospitals all over this country are going to go out of business. The long-term result is going to be, we'll have just a few big regional hospitals that are going to be extremely expensive for everybody; and small rural hospitals, small rural communities, even mid size rural communities, are going to be without hospitals, without doctors, without health care in their community.

That's what the Pelosi bill is going to do. This is not about health care with the Pelosi insurance bill. It's about power and control, and it's going to destroy America.

Mr. HOEKSTRA. Will the gentleman yield?

Mr. BROUN of Georgia. Yes, I will be glad to yield. I welcome my good friend from Michigan, Mr. PETE HOEKSTRA, who has been a great spokesman about these issues.

Mr. HOEKSTRA. I thank my colleague for yielding and I think you made a great point. It's not about the quality and the quantity of health care; it's about control. That's why you see such a difference between the Republican proposal and the Democrat proposal. Because the Democrat proposal says we're going to totally wipe, out over a period of time, private sector health insurance and we're going to take the freedom that the American people have to direct their insurance, to direct their health care, and we're going to move it over and we're going to put that responsibility, that authority and that control in the Federal Government.

This is their bill, but that's not all of it. That's their bill. This is their bill. This is almost all of it. I don't have the last 40 pages that the Speaker added to it last night. But when you're going to take over health care and move responsibility from you and me and our constituents and move it to government, it takes you 2,000 pages to describe what you're going to do, create the 3,000 times where it says the commissioner shall, will or must, because those are new decisions that the Federal Government is going to make and we're not going to make.

If you want to fix health care and address the problems, this is all you really need. That's the Republican proposal.

Mr. BROUN of Georgia. That's the Republican bill.

Mr. HOEKSTRA. The Republican proposal says we want to do tort reform, we want to deal with preexisting conditions, we want to do some stuff with competition and those types of things.

This fixes health care; takes steps toward improving and fixing the problems that we have identified. This creates massive government bureaucracies. This represents a loss of freedom. And this says we're going to fix the problems that are out there.

Mr. BROUN of Georgia. Reclaiming my time, I want to bring up a point just to re-approach something that you brought up that I think the American people need to understand, Mr. Speaker. In that humongous bill that the gentleman from Michigan has his hands on right there, the Pelosi health insurance bill, in that bill it says that by 2013, no one can sell private insurance to individuals or businesses.

Remember when we heard from the President that if you have health insurance and you like it, you can keep it? That's a bald-faced lie, because the bill itself says that after 2013, no one—no one—can sell private insurance to individuals and small businesses.

Mr. HOEKSTRA. They've got to be approved by this new bureaucracy, the czar.

Mr. BROUN of Georgia. That's right.

Mr. HOEKSTRA. So what we've got is this 2,000 pages, but it's still an outline. This outline creates that which is going to make all of the decisions. And when you take a look at all the bureaucracy and paperwork that's going to come out of here, this is only the beginning. This is not the end. This is the beginning of government-run health care in America.

Mr. BROUN of Georgia. I will reclaim my time.

Our previous speaker was just saying that he wanted universal health care. The President himself has said he wants universal health care. Many of the Democrats have said they want universal health care. What does that mean? That means that the government runs all the health care, the socialized medicine, one single insurance company in America, and that's the Federal Government.

I now want to yield to my dear friend, Dr. PHIL GINGREY, an OB–GYN,

graduate of the Medical College of Georgia. We were there at the same time, my medical school alma mater and his, too. Unfortunately, he went to the North Avenue Trade School, Georgia Tech, where I went to the University of Georgia. Dr. GINGREY has been a leader on this issue here, and I will yield to the gentleman.

Mr. GINGREY of Georgia. Mr. Speaker, I really appreciate Dr. BROUN yielding to me. And in reference to the gentleman from Michigan, Representative HOEKSTRA, who just showed that 2,000-page bill and all the bureaucracy that's involved in that, I think it's appropriate for our colleagues to look at this chart that I have here at the desk that Representative HOEKSTRA is helping me hold; and it shows actually the bureaucracy involved in H.R. 3200. That was about a 1,200-page bill. Now the Pelosi health care reform that the Representative from Michigan just showed us, the 2,000-page monstrosity, these 53 bureaucrats, czarocrats, czarinas, whatever, have grown to about 150. And this is what it takes to grow a bureaucracy to have a Federal Government complete takeover of one-sixth of our economy.

And I just think it's appropriate, Mr. Speaker, for all of our Members on both sides of the aisle to understand where the almost $1.1 trillion is going to in this takeover of our health care system. You've got to feed all these animals in this bureaucracy, every one of these czars.

Mr. HOEKSTRA. Does the gentleman mean it's not all going to health care?

Mr. GINGREY of Georgia. The gentleman from Michigan is absolutely right. It is not all going to health care. And we are proud to be able to present information this evening, Mr. Speaker, a letter from the Congressional Budget Office to Leader BOEHNER, the Honorable JOHN BOEHNER, the minority leader of the House, in regard to the Republican alternative.

Mr. BROUN of Georgia. Reclaiming my time, the Republican alternative that the Democrats say we don't have, but we do, CBO has already scored our alternative. Actually we've got 54 alternatives, but this is one. This is one that the conference, Mr. BOEHNER and the whole Republican Conference, is introducing; and CBO has literally scored the Republican alternative that the Democrats deny we have, and it's that small bill right there on the desk in front of the gentleman from Michigan.

Mr. GINGREY of Georgia. I am holding, as the gentleman said, Mr. Speaker, the letter from the Director of the Congressional Budget Office, Mr. Doug Elmendorf, who says that this Party of No, this Republican Party of No, who has no alternatives, no plan, well, surprisingly, we have a letter from the Congressional Budget Office that says this Party of No has a plan that will actually reduce health insurance premiums by 10 percent across the board.

Mr. BROUN of Georgia. Say that again, please.

Mr. GINGREY of Georgia. And also over a 10-year period of time, saves something like $60 billion.

Mr. BROUN of Georgia. Please repeat that.

Mr. GINGREY of Georgia. I just want to say that the Republican alternative that we have, and we can talk about some of the specifics of that as we go on tonight in this hour. Tort reform obviously is one of them; allowing people to buy insurance across State lines is one of them; creating high risk pools within the States is another. Again, there are a number of us here on the floor tonight and we can talk about this. But, overall, the CBO report, the all-important, nonpartisan CBO report, says that it reduces the cost of health insurance premiums 10 percent across the board and saves $61 billion from our deficit over the next 10 years.

Our plan works, and it doesn't break the bank. Their plan breaks the bank, and it is an Edsel. They have paid for an Edsel.

I will yield back to the gentleman that's controlling the time, but it's a pleasure to bring these facts to my colleagues tonight.

Mr. BROUN of Georgia. I thank my friend, Dr. GINGREY from Georgia, for bringing that up. If you wouldn't mind, let's talk about some of the specifics, along with Mr. HOEKSTRA.

But I want to yield to my good friend, STEVE KING from Iowa, who has been very diligent in trying to bring information. In Hosea 4:6 we read, My people are destroyed for lack of knowledge.

The American people really don't have the knowledge about this health care bill that NANCY PELOSI has presented that's going to really destroy our economy. It's going to destroy jobs. It's going to destroy a lot of things. Mr. KING from Iowa has been very vigilant in trying to inform the American people and I thank you, sir, for your effort. I will be glad to yield to you, sir.

Mr. KING of Iowa. I thank the gentleman from Georgia for heading up this Special Order tonight and for covering my back every time that I need it covered. It's a strong sense of duty that he has and a sense of friendship that I feel, and I appreciate it.

I listened to the other doctor from Georgia who showed our poster a little bit earlier, that poster with all of those colored new Federal agencies. That's enough to scare the living daylights out of anybody. But this bill that the gentleman from Michigan has just showed, these 1,990 pages plus 40, if you can stack them all up together, so it's over 2,000 pages. But in that are now, not as the colored chart originally showed was 32 new agencies and some added up to 54, but this 2,000-page bill is 111 new agencies.

I have here a list of them. I'm not going to read them all off because it would put me to sleep before I got to the bottom, but I highlighted just a few of them to give us a sense of what kind of government bureaucracy and empire building would be launched if the Speaker has her way and socialized medicine is imposed upon America in the form of this bill.

H.R. 3962 has in it a program of administrative simplification. So we have to have a government agency to simplify the government bureaucracy. That's one of those that would be from George Orwell. Another one, Health Choices Administration. It is the scariest. That director of the Health Choices Administration becomes the commissar-isioner that writes all the new rules for everybody's health insurance policy.

Then you have the Qualified Health Benefits Plan ombudsman. Well, that's the person that has to be in between the regular person and the government, because the government will be so complicated that a regular person can't deal with the government. That's why they put an ombudsman in here.

Then you have the Health Insurance Exchange. That's where every new health insurance policy would have to qualify. There is not a single policy out of the 100,000 that are available for purchase in America today that are issued by 1,300 companies in America that the President of the United States, the Speaker of the House or the Majority Leader in the United States Senate can point to and say, that policy will be available in 2013 if a bill passes that goes to the President's desk, because they all would have to comply with new rules to be written later.

□ 2200

Then you have program for technical assistance to employees of small businesses buying exchange coverage. Well, that gives me confidence, having something that long.

Health Insurance Exchange Trust Fund, where the money goes for the new health insurance exchange.

State-based health insurance exchanges.

Public health insurance option.

Oh, yes, the ombudsman for public health insurance option because no regular person could possibly deal with the public health people. They have to have an intermediary called an ombudsman.

The list goes on. Demonstration programs, Center for Comparative Effectiveness Research, Comparative Effectiveness Research Commission to run the center.

Mr. BROUN of Georgia. Let me reclaim my time because you have hit something that we need to flesh out here a little bit. Comparative effectiveness research, now Dr. GINGREY and I know, as medical doctors, we look at comparative effectiveness for different treatment modalities. For instance, for prostate surgery, does surgery work better than chemotherapy or radiation therapy, or does the combination of one or both or all three work best? That is the kind of comparative effectiveness we do in medicine.

But what this comparative effectiveness research is going to do, it is going to look at how to spend these limited dollars that the Federal Government is going to take away from small business and individuals through increased taxes on the middle class, increased taxes on small business that is going to rob people of their jobs, they are going to take the effectiveness of spending those dollars on a young person versus an old person. And the old person is going to get the short end of that stick. That is the reason why seniors all over this country are fearful. And they should be, rightfully so, because they are going to be denied treatments. They are going to have rationing of care.

I see Mr. HOEKSTRA is chomping at the bit. He wants to jump in here. I yield to Mr. HOEKSTRA.

Mr. HOEKSTRA. It is kind of interesting. We did a telephone town hall tonight, and we had a thousand, 1,200 people on the phone. People were asking, When is this bill going to come up?

And we say right now the plan is to have it come up on Saturday.

They say, Why?

The Senate has now said they are not going to vote on this bill, or they are not going to vote on health care reform until when? I think the majority leader has said in the Senate they are not going to do this until after the first of the year.

So we have 1,990 pages, plus 40, we are supposed to not only read this but understand it in 7 days, and we will not have any opportunity to go back to our constituents and say, What do you think of this? Or explain it to them and explain the difference between the two bills, the difference in approaches, government takeover of health care, freedom for you and more opportunity for you to select your health care.

These folks, they are outraged, saying why don't you take an extra week? Why don't you taken an extra 2 weeks? We are supposed to be home next week for Veterans Day, why not schedule a whole series of town hall meetings? We saw some of the impact of this yesterday where people from around the country sent a clear message to the White House and to the leadership of this Congress saying we don't like the arrogance with which Washington is treating our concerns and our issues. This stuff, we are not going to have an opportunity to provide an insight or a perspective on these bills to our Representatives in Congress. They are just going to ram this through.

The end result is they sent a clear message and they sent it across the country. They sent it in Virginia and New Jersey and in Michigan, all across the country, saying if this is the change that came as a result of the elections last year, we sure don't like it and there is an arrogance that is saying we are going to force this down Congress. We are going to force this on the American people without providing them with the opportunity to provide feedback.

This is why my colleague and all of us are excited about this process, saying if we can't take this bill to the American people, the American people are going to come to Washington tomorrow, and I think my colleague from Iowa wants to talk about this house call that hopefully the American people will participate in tomorrow.

Mr. BROUN of Georgia. I will yield to Mr. KING because he and MICHELE BACHMANN have been right at the beginning of the discussion about the house call on Congress. I am excited about that. As a medical doctor, I made house calls full time. I went to see my patients at their home, at work, wherever they needed to me to come. I did that from 2002 until 2007 I was elected to Congress, so for 5 years I was doing house calls full time trying to take care of the needs of my patients. We are asking people to make a house call on this House. It is absolutely critical.

I yield to Mr. KING.

Mr. KING of Iowa. I appreciate the gentleman yielding.

It works like this. This is the invitation to the American people. There are American people up and down the Eastern Seaboard, there are Americans who have already converged into this city. They are walking around the Capitol grounds tonight. They are here to defend their freedom to own their own health insurance policy, the one of their choice.

What we have seen happen is from the first part of August, Members of Congress deployed out across this country and did hundreds and hundreds of town hall meetings, and hundreds of thousands of people came, filled those meetings up and said I want my freedom. I don't want you taking away my health insurance policy. Eighty-five percent of the people in America are happy with the policy they have. But that was August. This is November. The people that have come back to serve in this House have been caught in the echo chamber, in the Speaker's pressure chamber that says vote for socialized medicine and a national health care act. What changes their mind is when they have to look in the eyes of regular American people, and what we have asked is that America come to this Capitol, fill up these Capitol grounds, fill up this building, be here for a press conference at noon tomorrow over on the West Side of the steps of the Capitol, and we will have there these Members of Congress that are here tonight, MICHELE BACHMANN, TOM PRICE, SCOTT GARRETT, MICHAEL BURGESS, and others, along with Mark Levin, Jon Voight, the actor, and many others. This will be a gathering where we talk about how we preserve our freedom at noon tomorrow on the West steps of the Capitol, and stay on the Hill because you will taken the Hill, and you have to hold it until this bill gets pulled down.

Mr. HOEKSTRA. As we were meeting in a Member's office last night we got a call, and it was two people from Oregon saying, We are coming. We will be there on Thursday. So late Tuesday night, they were wondering what can we do to have an impact.

I think another one of our colleagues reported, because we really don't know how many people are going to show up tomorrow. Yesterday he said there are 10 buses coming from New Jersey. Tonight he said 24 buses are coming from his congressional district in New Jersey tomorrow to be here with us. We don't know exactly what is going to happen, but it is a clear indication that in 4 or 5 days, we have touched people around the country who want to come to this press conference or some call it a rally, or whatever. But it is a press conference.

We have touched people from around the country. They came here in August. They came for the tea party and those types of things. This is another opportunity to express our opinion, and hopefully by coming to the Capitol and meeting with our Representatives, they will finally get the message that we want freedom, we don't want government health care.

Mr. BROUN of Georgia. I will reclaim my time here. I have been trying to gear up people all over the country, trying to light grass fires with grass root support against the Pelosi health care bill. In fact, I carry a copy of the Constitution in my pocket.

Mr. HOEKSTRA. If the gentleman would yield, I don't think that is the Constitution. That can't be the Constitution. I mean, if that is the framework for how we run this country, if it takes 1,990 pages to do health care, it ought to take at least 20,000 pages to be the Constitution. How many pages are in the Constitution?

Mr. BROUN of Georgia. This is not only the full text of the Constitution, but it is every single amendment that has ever been made to the Constitution, plus it has the entire text of the Declaration of Independence in this little book.

Mr. HOEKSTRA. When you are talking about freedom, it doesn't take very many pages, does it?

How many pages?

Mr. KING of Iowa. Forty-six pages.

Mr. HOEKSTRA. I think the point is made when you are talking about freedom, it doesn't take a lot of pages. When you are talking about government control, it takes a lot of pages and a lot of bureaucracy.

I thank the gentleman. You made a great point.

□ 2210

Mr. HOEKSTRA. You made a great point.

Mr. BROUN of Georgia. Well, I point out, too, with this document, the beginning of this document starts with three very powerful words, ''We the People.'' It is time for America to take this country back, to take their freedom back, to fight for liberty. And that's what this House call on Congress

is all about is for the people to come here and take America back, to make sure that they have good quality health care continuing, and lower the cost of insurance so that people can afford insurance.

We have been joined tonight by another good friend of ours, a freshman Member that came in with me. He was elected in a special election when I was in the last Congress, so he is serving his second term now as I am, Mr. STEVE SCALISE from New Orleans, Louisiana. But he has been actively trying to inform the people about how awful this is.

I thank you for joining us, and I yield to you, Mr. SCALISE.

Mr. SCALISE. I thank the gentleman from Georgia for yielding and for taking leadership in tonight's discussion that we're having, this House call, as we're trying to continue to go through this debate on health care.

When you showed that important document—what I think is the second most important document ever written since the Bible—the U.S. Constitution starts with those powerful words in the preamble, ''We the People.'' Last night, we heard what we the people said in those two elections in both the State of Virginia and the State of New Jersey, where the people very vocally said they don't want this kind of rampage to socialism, they don't want this massive government takeover of all aspects of their life when they spoke in those two elections last night. Unfortunately, Speaker PELOSI has not heard that same message.

When we talk about health care, all of us agree we need to reform things that are broken in health care, but I think those of us here tonight would all also recognize that many things about health care in this country make this the best medical care system in the world with some problems, and so you should go and fix those problems. And what is Speaker PELOSI's answer? It's a 1,990-page government takeover of health care.

We have gone through and we have broken this bill down, and we have seen so many bad things that would actually make health care worse. First of all, we have seen $700 billion in new taxes on American small businesses and families. We've seen $500 billion in cuts to Medicare in this bill. And if you go through this bill, with all of the regulations and the czars and the different things that take away components of health care that people like and want, one thing we do see is the real cost of this bill. It adds up, with over $1 trillion of new spending. The real cost of this bill is over $530 million per page.

When you look at a bill this big, 1,990 pages, you know, people ask me, what is $1 billion? When you hear of all the ridiculous, outrageous spending in Washington and trillions of dollars being thrown around left and right, people say, What is $1 billion? Well, you can just take pages one and two of Speaker PELOSI's bill. At $530 million a page, these first two pages right here add up to over $1 billion in spending on health care that doesn't do anything to improve health care.

What we have done is we have gone through and come up with a commonsense alternative. It is going to be filed in response to this bill, but it's a representation of legislation we have been pushing for months to actually fix the problems in health care. And those problems are:

Preexisting conditions. We would all agree that it's not fair that somebody is discriminated against because they have a preexisting condition. We address that in our bill.

People should be able to have portability so that if they leave a job, they can take their health care with them. We address that in our bill.

We should have commonsense medical liability reform so that people don't have to go through all these invasive tests, as you know, Doctor, that people have to go through where about one-third of all the tests and procedures that are run are just strictly defending against frivolous lawsuits.

And then you look at this bill, the 1990-page bill, this could be called the ''trial lawyer protection act'' because there's not one page dedicated to commonsense legal reforms. So we save hundreds of millions of dollars to lower the cost of health care in our bill. In fact, the CBO has now scored our bill and said that it would reduce health care premiums by at least 10 percent and save billions of dollars in deficits that we wouldn't have to pass on to our future generations.

So our bill lowers the cost. It addresses preexisting conditions. It allows portability and buying across State lines, and it lowers the cost of health care while lowering the deficit. Their bill has $700 billion in new taxes. It has $500 billion in cuts to Medicare, and it makes health care in this country worse. Two very different approaches to this health care issue.

Mr. HOEKSTRA. If the gentleman would yield, what is the other document in front of the gentleman here?

Mr. SCALISE. And as my friend from Michigan points out, we do have another document here, and that is the United States Constitution. I think the most dramatic contrast is when you take Speaker PELOSI's approach to health care—20 pounds, by the way, and I've carried this thing around enough to know it is about 20 pounds of paper—and yet you take the U.S. Constitution and contrast it to this massive document of 1,990 pages—and this is the founding document of our country—we don't need a government takeover of health care. We need to fix the problems that are broken. We don't need to break all the things that make medical care great in this country.

That is why I thank you for your leadership. We need to continue this debate and encourage the American people to stay engaged because the American people want the problems fixed, but they don't want the government—that couldn't even run a Cash for Clunkers program properly—to be taking over their health care and interfering in that relationship between the doctor and the patient.

I yield back.

Mr. KING of Iowa. Will the gentleman yield?

Mr. BROUN of Georgia. I will reclaim my time, and then I will yield to you, Mr. KING, in just a moment.

Frankly, if you look at that document, the small one that you just dropped down, the Constitution of the United States, you won't find any constitutional authority in that document—none—where the Federal Government has the authority, where we in Congress have the authority to take over the health care system of America. There is absolutely zero constitutional authority for that big bill, none.

But I also want to remind the people in America that this is not about health care. That bill is really not about health care either. It's about power and control, and it's about health insurance. It is creating a big government insurance company that is going to be subsidized by taxpayers. The bill itself is going to pay for abortions—taxpayers are going to be paying for abortions. The bill itself is going to give taxpayer-funded free health insurance to illegal aliens in this country.

We have tried, as Republicans, to change those in that humongous, outrageous bill. The Democrats have over and over again blocked every attempt we've put forward to try to make at least a little modicum of sense to that bill, and they blocked it over and over again.

It's about power. It's about control. It's about establishing a government insurance program that's going to take people's choices away. It's going to take their liberty away. It's going to take jobs away. It's going to take money away.

I yield to Mr. KING.

Mr. KING of Iowa. Before the gentleman from Louisiana gets off the floor, I wanted to just make a point in all fairness to the very sharp attorney from down there in Cajun country whose hospitality I have enjoyed. There is a little bit of a technicality in the presentation, and that is that the Pelosi bill actually does address some tort reform by establishing some new grant programs at the State level. But the caveat is that it is conditional to—those laws that they might set up at the State level can't limit attorneys' fees and they can't impose caps on damages. So if you can't cap damages and you can't limit attorneys' fees, then simply there can't be reform, and this is more gobbledygook Orwellian speak. It is in the bill, a matter of technicality. But functionally, I agree with the gentleman from Louisiana. I wanted to make that point.

Mr. SCALISE. If my friend from Iowa would yield through my friend from Georgia, that's one of the reasons we

call this in some ways the ''no trial lawyer left behind act,'' because this gives a protection to trial lawyers so that they can continue to raise up the cost of health care by forcing doctors to run all of these tests that they know they don't have to run for the health of patients. And all of us patients have to endure those tests. We have to pay for those tests, not because it's better for our health, but because those doctors are concerned that they're going to be faced with these frivolous lawsuits that we protect in our bill. And in fact, they prohibit in their bill those protections to patients.

So that's why their bill does so many invasive things. It protects the trial lawyers, and it prevents us from trying to address those issues that would actually lower the cost of health care, which is why we're addressing it in our bill. Unfortunately, they're blocking it in theirs.

And I yield back.

□ 2220

Mr. KING of Iowa. I appreciate the clarification.

I would point out that the cost of medical liability and the litigation and the defensive medicine is put at 8½ percent of the overall cost of health care in America by the health insurance underwriters. That is a low number compared to some of the other estimates, but the simple multiplier is $203 billion a year, or over $2 trillion over the course of this bill over 10 years, that would go to the trial lawyers and to the premiums and to the defensive medicine.

That's just one of the reasons we've got to come in, and we, the people, have to assert ourselves tomorrow at noon at this Capitol Building. The press conference will be on the west steps. It's a House call. The American people are here. Some are here now. Many are on their way. There will be many here tomorrow who will be surrounding this Capitol and filling up the grounds. They will be claiming their freedom, and they will be making their opinions known to these Members of Congress who are hanging in the middle and who have maybe decided that they are a little more afraid of the Speaker than they are of their constituents, but they like their jobs.

We know that August was effective and that early September was effective, but the energy has gone down. It gets wound up tomorrow, Mr. Speaker. It gets wound up to the maximum here tomorrow.

I'm going to ask people: Come. Come up on this Hill. You take this Hill. Hold this Hill, and don't give it up until this socialized medicine bill is pulled down.

I yield back.

Mr. BROUN of Georgia. In fact, I will reclaim my time.

Mr. Speaker, a lot of people in this country may be saying, I can't do it. Congressman KING from Iowa suggests that, but I can't come to Washington tomorrow. They may ask what could they do.

What I've told people, Mr. Speaker—to many people, I've told them, What you can do is you can contact your Congressmen at home. You can contact their district offices. You can go to the U.S. Senators' State offices. You can visit them. I suggest that people at home go at noon tomorrow to their Congressmen's offices and say ''no'' to the Pelosi health insurance bill, ''no'' to the government takeover of health insurance.

Maybe you're working and can't do that, Mr. Speaker. What I suggest to folks is that they get on the telephone and call their Congressmen's offices here in Washington. Call the Congressmen's offices in their districts. Email them. Fax them. Contact them somehow.

I've reminded people over and over again that former U.S. Senator Everett Dirksen said, when he feels the heat, he sees the light. When he feels the heat, he sees the light. Now, what is he saying there?

What he's saying is that, when he's going in one direction and he gets all of these phone calls, letters, faxes, emails—there weren't emails when Everett Dirksen was around, but when he gets these contacts from his constituents—because Members of Congress want to be reelected usually, and those contacts say, Buster, you're heading in the wrong direction. Suddenly, they start seeing the light and saying, Maybe I ought to listen to the people who've elected me, and maybe I ought to go in a different direction.

So it's important for the American people, Mr. Speaker, to contact their Members of Congress and to tell their Congressmen that they do not want a government takeover of their health insurance, that they don't want the destruction of the health care system in America. It's absolutely critical, Mr. Speaker, for the American people to get actively engaged in taking America back and in making sure that we don't destroy their health care insurance and the health care system.

Mr. HOEKSTRA is sitting there, just jumping around, wanting to speak, so I'll yield to Mr. HOEKSTRA.

Mr. HOEKSTRA. I thank my colleague, and I thank him for sharing his copy of the Constitution. We made the point that the Constitution establishing this Nation and the amendments to the Constitution are 44 pages. This is 1,990 pages, but I think more powerful is what this document says.

When you are protecting freedom, it doesn't take a lot of words. When you're limiting government, it doesn't take a lot of words. Think about the difference. This document, the Pelosi health care document, I think, over 3,000 times says ''the commissioner shall,'' ''the commissioner will,'' ''the commissioner may.'' That's all losing authority.

If you take a look at the Constitution and if you read what the Constitution says, the Constitution puts limits on what government will do, and it protects individual rights. Here it says that Congress shall make no law a limitation on us—not on the people.

This expands government.

Shall not be infringed. No soldier shall without the consent. The right of the people to be secure against unreasonable searches. No person shall nor shall private property be taken. The accused shall enjoy. This. This document. It protects the American people from invasive and from overintrusive government. That's what the Founding Fathers thought.

They would be horrified by this bill to see that the commissioner shall develop the health care plans that you and I will have the opportunity to choose from. The commissioner shall establish penalties for those people who don't buy insurance. The commissioner shall develop this. The ombudsman shall do this. There are no limitations on government in here. This is all about the expansion of government, and our Founding Fathers were all about limiting government. This is night and day. This is 44 pages guaranteeing our freedoms. This is 1,990 pages taking freedoms away.

Many have called and said, Congressman, is this actually constitutional?

Maybe they'll find a court that says this is constitutional; but in the spirit of the Founding Fathers, they would have been horrified by what this document does and how it limits individual American freedoms.

We'll have to take a look and see if we can't—although, I think the people who will be at our House call tomorrow understand this document, and they understand the night and day difference between this document and what Speaker PELOSI is trying to do here with this document in that this shreds the Constitution. It shreds personal freedom. It gives power to Washington and bureaucracies and, in one vote, 16–18 percent of the economy. That amount of freedom moves from our constituents, and it moves to Washington, D.C. It goes flying right through this House, and it goes right into unelected and unaccountable bureaucrats.

I yield back.

Mr. BROUN of Georgia. I'll reclaim my time.

In fact, those unelected bureaucrats are going to stand right between every patient in this country and their doctors. In fact, it's unelected bureaucrats appointed by the President who are going to be part of this health care czar panel, as I call it. The commissioner will be appointed and will go through confirmation by the Senate, but the panel will not. They're going to make decisions about every single health care insurance policy in this country.

So, Mr. Speaker, the American people need to understand very clearly: if they have insurance today that they like, they can forget it because it's going to be thrown out. The health

care czar is going to establish every single health insurance policy in America.

The President, himself, has said his desire, his ultimate goal, is to completely take over the whole of the health care system and to put it into one single health insurance program, administered by government bureaucrats who are going to make decisions for every single American person. The doctor won't be making the medical decisions. The patient won't be making the medical decisions. The families won't be making the medical decisions. It's going to be a government bureaucrat who's going to be making those.

The American people need to understand that, Mr. Speaker. Are they going to sit back and idly let this happen? Right now, it's slated to happen Saturday night. Saturday night we're supposed to vote on that monstrosity, on what I'm calling a dead, rotten, stinking fish that NANCY PELOSI is trying to force down the throats of the American people. The American people need to say ''no,'' Mr. Speaker.

I yield to Mr. KING.

Mr. KING of Iowa. I thank the gentleman from Georgia.

I wish they'd take that 1,990-page bill—and with the 40-page amendment, it's 2,030 pages—and put it back into the tree. It would have a lot more use there than it does here. I have to call it what it has been called before, especially by the Congresswoman from Minnesota, MICHELE BACHMANN, who called it the ''crown jewel of socialism.'' This is socialized medicine. It's more than cradle-to-grave medicine. It goes beyond the nanny state, Mr. Speaker. This is conception to state-managed death health care that's being imposed here.

As I said earlier, there isn't a single health insurance policy that we know which could qualify beyond 2013. Any policies that are set today, according to this, would be outlawed, and they would have to jump through new hoops that would be written by the new health choices commissioner, the czar—the commissar-issioner of health choices, I would call him. Yes, he may be confirmed, but it doesn't prevent the President from appointing someone to supersede his power. He has done that a number of times, some 57 times.

This is a call to the House. This is a House call. This is the American people coming here to this Capitol. For months, Mr. Speaker, the American people have said to me, What can I do? What can I do?

□ 2230

I don't always have a good answer. I said write letters, get on the phone and send e-mails. Go to district offices. All that needs to be done.

There are those who already have resigned themselves also. I am not among them. I believe we can kill this bill. And I would draw the parallel of about 3 years ago when there was a comprehensive amnesty bill that was pushed out of the White House with bipartisan support, and the American people rejected amnesty. A lot of people thought it was all set to pass through, pushed by the White House through the Senate to come over to the House and be passed in a comprehensive amnesty legislation. But the American people rose up and they jammed the switchboards of the United States Senate. And they did it twice that summer. They killed the bill.

We can kill this bill. It doesn't have the greased wheels like the comprehensive amnesty did. This bill is one that is wobbling along like a wounded duck, and it got wounded a lot more when it flew through the flak in New Jersey and in Virginia last night, when the Virginians and the New Jersians stood up and said we have had enough of this growth of government. We have had enough of this debt, that our grandchildren will have to be paying the interest on and that our great grandchildren will have to pay the principle on. We want to maintain our freedom.

That message was resounding out of Virginia. It was resounding out of New Jersey. And it does affect the thought process and the voting of the Members that are sitting on the fence tonight. And the American people that are in this city right now and those on their way will affect the judgment, and they will provide the good judgment for those who are sitting on the fence. Those that are more afraid of their Speaker than they are of their constituents, tomorrow they are going to see the whites of our eyes. They are going to look in the pupils to the soul of the American people that say I love my Constitution and my country and my flag and our history and our common cause.

We do not have a common destiny if we can't maintain our freedom. Already a third of our private sector has been nationalized in the last year. This is another one-sixth. This is 17.5 percent. It does take us over 50 percent.

This is the time, this is the place, this is the ''Super Bowl'' of our resistance. Take the Hill tomorrow. Hold the Hill until this bill is killed.

Mr. BROUN of Georgia. Mr. KING, I thank you for this effort to get this house call on the U.S. House of Representatives. It is absolutely critical that the American people, Mr. Speaker, understand what is happening here this week and particularly is scheduled to happen Saturday night. It is going to kill 5.5 million jobs if we pass the Pelosi health insurance bill, it is going to kill our economy, and it is going to kill our children and grandchildren's future, because we are stealing with this outrageous spending that the Democrats have been doing under the leadership of Barack Obama and NANCY PELOSI and HARRY REID. We are stealing our grandchildren's future. Their standard of living is going to be less than ours today if we continue down this road.

We have to take America back, Mr. Speaker, and it is up to we people, the American citizens, the good citizens, freedom-loving citizens, who want to work, take care of their families' needs, and want the Federal Government out of their hair. That is what we are trying to do as Republicans. But the Democrats are trying to socialize this country.

Mr. HOEKSTRA, some people may have joined us since you first started speaking. There are two stacks of paper right there before you, and I want you to please tell the Speaker so that he can pass on to the American people what those two stacks of paper represent.

Mr. HOEKSTRA. We have three.

Mr. BROUN of Georgia. That is not a stack.

Mr. HOEKSTRA. This is the 44 pages that our Founding Fathers put together to establish this country and articulate and lay out the freedoms for the American people. This is a document of freedom.

Mr. BROUN of Georgia. The Constitution of the United States and the Declaration of Independence.

Mr. HOEKSTRA. Right. And this is the document that Republicans have proposed to fix health care, the parts of health care that have been identified as being broken, 232 pages.

Mr. BROUN of Georgia. Reclaiming my time, let's make it clear. That is the Republican alternative that the Democrats keep saying we don't have.

Mr. HOEKSTRA. Right. And then this is Speaker PELOSI's bill, most of her bill, 1,990 pages introduced last week. It doesn't have the 40 pages of the manager's amendment which were added to the bill late last night. This is the document that contains in it the phrase ''the commissioner shall'' or ''the government shall'' something like 3,000 times.

The Constitution is all about freedom. This is all about the loss of freedom.

I thank my colleague for doing this session this evening.

Mr. BROUN of Georgia. It is a loss of jobs, it is a loss of everything that has made America great.

I want to thank my friends, STEVE KING from Iowa, PETE HOEKSTRA from Michigan and Dr. PHIL GINGREY from Georgia. This has been I hope an instructive evening for the listeners and for the Speaker, because we cannot let this bill pass. It is going to destroy freedom. It is a steamroller of socialism being driven by NANCY PELOSI. The American people need to put a stop sign in front of that steamroller of socialism.

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. GRIFFITH) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.
Mr. TOWNS, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. GRIFFITH, for 5 minutes, today.
Mr. BISHOP of New York, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. MASSA, for 5 minutes, today.
(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)
Mr. GINGREY of Georgia, for 5 minutes, today.
Mr. REHBERG, for 5 minutes, November 5.

ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, November 5, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

4454. A letter from the Program Manager, Health and Human Services, transmitting the Department's ''Major'' final rule — Medical Examination of Aliens — Removal of Human Immunodeficiency Virus (HIV) infection from Definition of Communicable Disease of Public Health Significance [Docket No.: CDC–2009–0003] (RIN: 0920–AA26) received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4455. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River, Mile 839.7 to 840.3 [COTP Sector Upper Mississippi River–07–018] (RIN: 1625–AA00) Recevied October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4456. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Croix River, Mile 022.9 to 023.5 [COTP Sector Upper Mississippi River–07–019] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4457. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Fair St. Louis 2007, Upper Mississippi River Mile Marker 179.2 to Mile Marker 180.0, St. Louis, MO [COTP Sector Upper Mississippi River–07–020] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4458. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Live on The Levee 2007, Upper Mississippi River Mile Marker 179.2 to Mile Marker 180.0, St. Louis, MO [COTP Sector Upper Mississippi River–07–021] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4459. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Upper Mississippi River, Mile 847.0 to 857.0 [COTP Sector Upper Mississippi River–07–026 (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4460. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake of the Ozarks, Mile 21.0 to 23.0 [COTP Sector Upper Mississippi River–07–027] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4461. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake of the Ozarks, Mile 25.8 to 26.2 [COTP Sector Upper Mississippi River–07–028] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4462. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake of the Ozarks, Mile 13.2 to 14.2 [COTP Sector Upper Mississippi River–07–029] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4463. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kaskaskia River, Mile 028.0 to 029.0 [COTP Sector Upper Mississippi River–07–030] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4464. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Missouri River, Mile 371.1 to 371.3 [COTP Sector Upper Mississippi River–07–031] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4465. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Missouri River, Mile 397.0 to 398.0 [COTP Sector Upper Mississippi River–07–032] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4466. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [COTP Savannah–07–260] (RIN: 1625–AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4467. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [COTP Savannah–07–263] (RIN: 1625–AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4468. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Elk Rapids Harbor Days Fireworks, Elk Rapids, Michigan [CGD09–06–132] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4469. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [COTP Savannah–07–264] (RIN: 1625–AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4470. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [COTP Savannah–07–269] (RIN: 1625–AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4471. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: M/V Empress of the North [COTP Southeastern Alaska 07–001] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4472. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Steelhead Triathlon, St. Joseph, Michigan [CGD09–06–133] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4473. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Waterfront Festival, Menominee, Wisconsin [CGD09–06–134] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4474. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP Sector St. Petersburg 07–003] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4475. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Irish Fest Fireworks, Milwaukee, Wisconsin [CGD09–06–136] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4476. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico, FL [COTP St. Petersburg 07–111] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4477. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lyme Community Field Days Fireworks, Chaumont Bay, NY [CGD09–06–137] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4478. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tampa Bay, FL [COTP St. Petersburg 07–026] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4479. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ellison Bay, Wisconsin [CGD09–06–021] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4480. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone for St. Petersburg Grand Prix; Tampa Bay, FL [COTP St. Petersburg 07–029] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4481. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Express Water Ski Demonstration, Lake Michigan, Milwaukee, WI [CGD09–06–022] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4482. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP St. Petersburg 07–030] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4483. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Charlevoix Venetian Festival Fireworks, Round Lake, Charlevoix, MI [CGD09–06–023] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4484. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulation; Tampa Bay, FL [COTP Sector St. Petersburg 07–038] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4485. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP Sector St. Petersburg 07–044] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4486. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Captain of the Port Detroit Zone, Detroit River, Detroit, MI [CGD09–06–028] (RIN: 1625–AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4487. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for St. Petersburg Grand Prix Air Show; Tampa Bay, FL [COTP Sector St. Petersburg 07–045] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4488. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone — Memorial Day Fireworks, Maumee River, Toledo, OH [CGD09–06–033] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4489. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Coast Guard Live Fire Exercise, Gulf of Mexico, Clearwater, FL [COTP Sector St. Petersburg, FL 07–050] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4490. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tampa Bay, FL [COTP St. Petersburg 07–054] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4491. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cuyahoga River, Cleveland, Ohio. West Third Street Bridge installment [CGD09–06–034] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4492. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks — Seddon Channel, Tampa Bay, Florida [COTP Sector St. Petersburg, FL 07–056] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4493. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Algonac Offshore Challenge, St. Clair River North Channel, Algonac, MI [CGD09–06–037] (RIN: 1625–AA00) received October 15 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4494. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Freedom Festival Fireworks, Ludington, Michigan [CGD09–06–096] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4495. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Southside Summer Festival, St. Clair River, Port Huron, MI [CGD09–06–039] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4496. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, St. Anthony's Triathlon, St. Petersburg, FL [COTP Sector St. Petersburg, FL 07–069] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4497. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Clearwater Harbor, Florida [COTP Sector St. Petersburg 07–081] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4498. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Independent Holiday Fireworks Display, Detroit River, Grosse Ile, MI [CGD09–06–048] (RIN: 1625–AA48) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4499. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Port of Toledo — Anthony Wayne Bridge, Maumee River, OH [CGD09–06–057] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4500. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mineola Bay Fireworks, Fox Lake, IL [CGD09–06–071] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4501. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Duluth Fireworks, Lake Superior, Duluth, MN [CGD09–06–080] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4502. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 4th of July Firework Display, Kenosha, Wisconsin [CGS09–06–080] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4503. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Madeline Island Fireworks, Lake Superior, Lapointe, WI [CGD09–06–082] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4504. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harbor Spring 4th of July Fireworks, Harbor Springs, Michigan [CGD09–06–082] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4505. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fish Creek Fireworks Display, Fish Creek, Wisconsin [CGD09–06–085] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Captain of the Port Buffalo Zone [CGD09–06–085] received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harrisville Fireworks Display, Lake Huron, Harrisville, MI [CGD09–06–086] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4508. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Captain of the Port Sector Lake Michigan Zone [CGD09–06–087] received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4509. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Au Gres City Fireworks Display, Lake Huron, Au Gres, MI [CGD09–06–088] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4510. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Harbor Yacht Club Fireworks, Bay Harbor Lake, Michigan [CGD09–06–090] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4511. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Taste of Chicago Fireworks, Lake Michigan, Chicago, IL [CGD09–06–091] (RIN: 1625–AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4512. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2010 [CMS–1413–FC] (RIN: 0938–AP40) received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4513. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2010 [CMS–1560–F] (RIN: 0938–AP55] received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

4514. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program: Changes to the Hospital Outpatient Prospective Payment System and CY 2010 Payment Rates; Changes to the Ambulatory Surgical Center Payment System and CY 2010 Payment Rates [CMS–1414–FC] (RIN: 0938–AP41] received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

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. WAXMAN: Committee on Energy and Commerce. H.R. 3276. A bill to promote the production of molybednum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes; with an amendment (Rept. 111–328). 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 Ms. LORETTA SANCHEZ of California:

H.R. 4014. A bill to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in financial recovery from natural catastrophes; to the Committee on Financial Services.

By Mr. MCNERNEY (for himself and Mr. PERRIELLO):

H.R. 4015. A bill to amend the Internal Revenue Code of 1986 to extend certain estate tax provisions and restore and increase the estate tax deduction for certain family-owned business interests; to the Committee on Ways and Means.

By Mr. OBERSTAR:

H.R. 4016. A bill to reauthorize the hazardous material safety program, ensure the safe transport of hazardous material in all modes of transportation, and reduce the risks to life and property inherent in the commercial transportation of hazardous material, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mr. LYNCH, Mr. TIERNEY, Mr. OLVER, Ms. TSONGAS, Mr. MARKEY of Massachusetts, Mr. CAPUANO, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, and Mr. DELAHUNT):

H.R. 4017. A bill to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the ''Ann Marie Blute Post Office''; to the Committee on Oversight and Government Reform.

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

H.R. 4018. A bill to amend the Public Health Service Act to provide additional health insurance options for unemployed individuals; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. BUYER, and Mr. BLUNT):

H.R. 4019. A bill to amend the Public Health Service Act to limit preexisting condition exclusions in the individual health insurance market to those permitted in the group health insurance market; to the Committee on Energy and Commerce.

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

H.R. 4020. A bill to enable States to establish reinsurance programs or high risk pools to ensure that high risk individuals are able to access health insurance; to the Committee on Energy and Commerce.

By Mr. BLUMENAUER (for himself, Mrs. BONO MACK, Mrs. CAPPS, Mr. CASSIDY, Mr. CONNOLLY of Virginia, Mr. FILNER, Mr. HOLT, Ms. SCHWARTZ, Mr. WELCH, and Mr. WU):

H.R. 4021. A bill to expand the Safe Routes to School program to high schools; to the Committee on Transportation and Infrastructure.

By Mr. BOYD:

H.R. 4022. A bill to prohibit additional requirements for the control of Vibrio vulnificus applicable to the post-harvest processing of oysters; to the Committee on Energy and Commerce.

By Mr. DUNCAN:

H.R. 4023. A bill to provide for cost-of-living adjustment of the resources limits under the supplemental security income program; to the Committee on Ways and Means.

By Ms. HIRONO (for herself and Mr. ABERCROMBIE):

H.R. 4024. A bill to amend the Native Hawaiian Health Care Improvement Act to revise and extend that Act; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN):

H.R. 4025. A bill to provide for justice and compensation for United States citizens taken hostage by Iran, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPACE:

H.R. 4026. A bill to provide for the withholding of United States assistance to a foreign country in an amount equal to 110 percent of the total amount of costs incurred by United States hospitals and other medical facilities for the long-term care of aliens unlawfully present in the United States from that country during the preceding fiscal year, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself, Mr. MOLLOHAN, and Mrs. CAPITO):

H. Con. Res. 208. Concurrent resolution supporting the goals and ideals of a National Miner's Day to celebrate and honor the contributions of miners and encouraging the people of the United States to participate in local and National activities celebrating and honoring the contributions of miners; to the Committee on Education and Labor.

By Ms. GRANGER (for herself, Mr. KINGSTON, and Mrs. MYRICK):

H. Res. 888. A resolution expressing the continued support and call for a renewed focus on the ''Green Movement'' within Iran, which embraces the yearning of the Iranian people in seeking freedom, human rights, and fundamental elements of democracy; to the Committee on Foreign Affairs.

By Mr. DAVIS of Tennessee:

H. Res. 889. A resolution congratulating the National Association of Farm Service Agency County Office Employees (NASCOE) on its 50th anniversary and its role in support of American agriculture; to the Committee on Agriculture.

By Mr. MCDERMOTT (for himself, Mr. ROYCE, Mr. ACKERMAN, and Mr. BURTON of Indiana):

H. Res. 890. A resolution welcoming the Prime Minister of the Republic of India, His Excellency Dr. Manmohan Singh, to the United States; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. KING of Iowa and Mr. GERLACH.

H.R. 391: Mr. MCHENRY and Mr. LEE of New York.

H.R. 501: Mr. RUSH.

H.R. 571: Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Mr. COFFMAN of Colorado, Ms. CORRINE BROWN of Florida, Mr. TAYLOR, Mrs. BLACKBURN, Mr. WILSON of South Carolina, Mrs. BONO MACK, and Mr. NYE.

H.R. 690: Mr. DAVIS of Kentucky, Mr. ROGERS of Kentucky, Mr. FORTENBERRY, and Mr. SIMPSON.

H.R. 776: Mrs. NAPOLITANO.

H.R. 868: Mr. ARCURI, Mr. HIGGINS, Mr. HOLT, and Ms. ROYBAL-ALLARD.

H.R. 930: Mr. KILDEE.

H.R. 980: Mr. BISHOP of New York.

H.R. 1058: Mr. FLEMING.

H.R. 1086: Mr. KLINE of Minnesota.

H.R. 1175: Mr. ADLER of New Jersey, Mrs. HALVORSON, Mr. SPRATT, Ms. HERSETH SANDLIN, Mr. GORDON of Tennessee, Ms. RICHARDSON, Mr. KILDEE, and Mr. CONNOLLY of Virginia.

H.R. 1191: Mr. BOUCHER and Mr. BUTTERFIELD.

H.R. 1203: Mr. COHEN.

H.R. 1289: Ms. SHEA-PORTER.

H.R. 1308: Mr. AL GREEN of Texas.

H.R. 1443: Mrs. NAPOLITANO and Mr. WALZ.

H.R. 1454: Mr. POLIS.

H.R. 1545: Mr. LARSON of Connecticut.

H.R. 1596: Mr. AL GREEN of Texas, Mr. SERRANO, Mr. MCINTYRE, and Mr. FALEOMAVAEGA.

H.R. 1708: Mr. RUPPERSBERGER.

H.R. 1826: Mr. PASCRELL.

H.R. 1835: Mr. SABLAN, Mr. BOUSTANY, Mr. GOHMERT, and Mr. WILSON of South Carolina.

H.R. 2046: Mr. VAN HOLLEN and Mr. ROTHMAN of New Jersey.

H.R. 2160: Mr. MCMAHON.

H.R. 2296: Mr. SIMPSON.

H.R. 2324: Mrs. NAPOLITANO, Mr. HALL of New York, Ms. SCHAKOWSKY, Mr. PAYNE, Ms. VELÁZQUEZ, and Mr. TOWNS.

H.R. 2381: Mr. TOWNS.
H.R. 2452: Mr. HOLT and Mr. CHAFFETZ.
H.R. 2478: Mr. MEEKS of New York.
H.R. 2480: Mr. LEWIS of Georgia and Mr. POLIS.
H.R. 2504: Mr. COHEN.
H.R. 2511: Mr. ROTHMAN of New Jersey.
H.R. 2538: Mr. WOLF.
H.R. 2546: Mr. LIPINSKI and Mr. MURPHY of Connecticut.
H.R. 2567: Mr. PASCRELL.
H.R. 2607: Mr. GERLACH and Mr. RYAN of Wisconsin.
H.R. 2608: Mr. RADANOVICH.
H.R. 2628: Mr. TURNER.
H.R. 2698: Mr. INGLIS, Mr. HALL of Texas, Mr. OLSON, and Mr. JONES.
H.R. 2708: Mr. MINNICK and Mr. SHULER.
H.R. 2724: Mr. POLIS and Ms. BORDALLO.
H.R. 2799: Mr. NEUGEBAUER and Mr. FRANKS of Arizona.
H.R. 2906: Mr. KENNEDY and Ms. BALDWIN.
H.R. 2935: Mr. STARK and Mr. SCHRADER.
H.R. 3053: Ms. SCHAKOWSKY and Mr. FILNER.
H.R. 3147: Mr. KILDEE.
H.R. 3339: Mr. CHAFFETZ.
H.R. 3359: Mr. CLAY and Mr. WU
H.R. 3460: Mr. CARNAHAN and Mr. GRIJALVA.
H.R. 3485: Mr. OLVER and Mr. MARKEY of Massachusetts.
H.R. 3508: Mr. PETRI, Mr. TURNER, and Mr. KLINE of Minnesota.
H.R. 3608: Mr. WALZ.
H.R. 3623: Ms. JACKSON-LEE of Texas.
H.R. 3644: Mr. ABERCROMBIE.
H.R. 3646: Mr. GENE GREEN of Texas.
H.R. 3650: Mr. BUCHANAN.
H.R. 3683: Mr. SOUDER.
H.R. 3692: Mr. HILL.
H.R. 3703: Mr. MANZULLO.
H.R. 3731: Mr. LEVIN.
H.R. 3745: Ms. SCHAKOWSKY.
H.R. 3752: Mr. SIMPSON.
H.R. 3771: Mr. COHEN.
H.R. 3790: Mrs. SCHMIDT, Mr. TIERNEY, Mr. ETHERIDGE, Mr. GONZALEZ, and Mr. TANNER.
H.R. 3791: Mr. SIRES, Mr. NADLER of New York, Mrs. CAPPS, Mr. HARE, Mr. BOSWELL, Mr. MURPHY of Connecticut, Mr. LYNCH, Mr. CARNEY, Mr. RUPPERSBERGER, Mr. KILDEE, Ms. SCHWARTZ, Ms. EDWARDS of Maryland, Ms. MARKEY of Colorado, Mr. BOCCIERI, Mr. MCGOVERN, Mr. BISHOP of New York, Ms. BORDALLO, Mr. SARBANES, Mr. SHERMAN, Mr. ISRAEL, Mr. BOUCHER, Mr. SCHAUER, Mr. LOEBSACK, Mr. BLUMENAUER, and Mr. REICHERT.
H.R. 3799: Ms. BALDWIN.
H.R. 3800: Mr. SCHAUER.
H.R. 3855: Mr. CROWLEY, Mr. FATTAH, and Mr. CAPUANO.
H.R. 3906: Mr. COHEN.
H.R. 3912: Mrs. MYRICK.
H.R. 3921: Ms. BEAN, Mr. AL GREEN of Texas, Mr. BRIGHT, and Mr. QUIGLEY.
H.R. 3922: Mr. BISHOP of New York.
H.R. 3924: Mr. SESSIONS, Mr. OLSON, and Mr. WITTMAN.
H.R. 3926: Mrs. MYRICK, Mr. SALAZAR, Mr. HOLDEN, Mr. MITCHELL, Mr. TAYLOR, Mr. BRIGHT, Ms. GIFFORDS, Mr. COOPER, Mr. TANNER, Mr. CHILDERS, Mr. CHANDLER, Mr. SHULER, Mr. HILL, Ms. HERSETH SANDLIN, Mr. BISHOP of Georgia, Mr. THOMPSON of California, Mr. BARROW, Mr. COSTA, Mr. MARSHALL, Mr. MINNICK, Mr. MOORE of Kansas, Mr. CARNEY, Mr. MATHESON, Ms. LORETTA SANCHEZ of California, Mr. POMEROY, Mr. SCHIFF, and Mr. CARDOZA.
H.R. 3939: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3943: Mr. LOEBSACK, Mr. BISHOP of New York, Ms. KILROY, Ms. BORDALLO, and Ms. KOSMAS.
H.R. 3947: Mr. MCMAHON.
H.R. 3950: Mr. WOLF.
H.R. 3966: Mr. GRIJALVA.
H.R. 3977: Mr. GEORGE MILLER of California.
H.R. 3991: Mr. GRIJALVA.
H.R. 4009: Mr. GRIJALVA.
H. Con. Res. 42: Mr. SABLAN and Mr. PIERLUISI.
H. Con. Res. 43: Mr. SABLAN and Mr. PIERLUISI.
H. Con. Res. 139: Ms. DEGETTE.
H. Con. Res. 169: Mr. MELANCON, Mrs. SCHMIDT, Mr. WITTMAN, Mr. Scalise, Mr. LINDER, and Mr. DUNCAN.
H. Con. Res. 198: Mr. BLUMENAUER, Ms. JENKINS, Mr. WITTMAN, Mr. MCINTYRE, Mr. BUYER, Mr. COSTELLO, Ms. NORTON, Mr. TURNER, and Mr. MARKEY of Massachusetts.
H. Con. Res. 199: Mr. BACA, Ms. LEE of California, Mr. WU, Mr. BOREN, Mr. MILLER of Florida, Mr. FALEOMAVAEGA, Mr. GRIJALVA, Mr. AL GREEN of Texas, Mr. BROWN of South Carolina, Mr. GUTIERREZ, Mr. YOUNG of Alaska, Mr. CARNEY, Mr. BROUN of Georgia, Mr. GEORGE MILLER of California, Mr. FILNER, Mr. CARSON of Indiana, and Mr. CAO.
H. Con. Res. 200: Mr. MCCOTTER and Mr. FRANK of Massachusetts.
H. Con. Res. 203: Mrs. MYRICK, Mr. COBLE, Mr. COLE, Mr. DANIEL E. LUNGREN of California, and Mr. FRANKS of Arizona.
H. Res. 200: Ms. WOOLSEY.
H. Res. 227: Mr. LEVIN.
H. Res. 397: Mr. ROSS.
H. Res. 443: Mr. SABLAN.
H. Res. 577: Mr. LAMBORN, Mr. WALZ, Mr. BACHUS, Mr. SPACE, Mr. KIRK, and Mr. SCALISE.
H. Res. 615: Mr. KLINE of Minnesota.
H. Res. 700: Mr. DOGGETT and Mrs. NAPOLITANO.
H. Res. 711: Mr. FRANK of Massachusetts.
H. Res. 748: Mr. LAMBORN.
H. Res. 847: Mr. MANZULLO, Mr. SHIMKUS, Mr. ROYCE, Mr. POE of Texas, and Mr. DANIEL E. LUNGREN of California.
H. Res. 848: Mr. CARNEY.
H. Res. 856: Mr. SCALISE, Mr. ALEXANDER, and Mr. FLEMING.
H. Res. 870: Mr. GARRETT of New Jersey, Mr. WALDEN, Mr. REHBERG, Mr. RADANOVICH, and Mr. TURNER.
H. Res. 877: Mr. LEE of New York, Mr. WALZ, Mr. JOHNSON of Georgia, and Ms. LORETTA SANCHEZ of California.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. WAXMAN

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 3962, the ''Affordable Health Care for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, NOVEMBER 4, 2009 No. 163

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, by whose providence our forebears brought forth this Nation, give to our Senators a passion to protect those liberties for which so many have given their lives to defend. Give them also the wisdom to trust You with all their hearts and to passionately and humbly pursue Your will, knowing that You have promised to direct their paths.

Today, may our lawmakers experience the constancy of Your presence. Guide them with Your higher wisdom, and bring them to the end of this day with their hearts at peace with You.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY 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, November 4, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. MERKLEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will proceed to a period of morning business for 2 hours. Senators will be permitted to speak therein for up to 10 minutes each. The Republicans will control the first half and the majority will control the second hour.

Following morning business, the Senate will resume consideration of the Worker, Home Ownership, and Business Assistance Act of 2009. Under an agreement reached last night, we will agree to a substitute amendment and at 12:15 proceed to a cloture vote on the bill. At 12:15, we will have a vote. If cloture is invoked, the postcloture debate time will be considered to have begun running as if cloture had been invoked at 11:45 p.m. last night.

WASTING TIME

Mr. REID. Mr. President, what I just read is a short way of saying we wasted another day. With all the work we have to do, we stood and looked at each other yesterday—30 hours of doing nothing and the ability to move legislation forward. Anybody who has been watching what has taken place in the last 3 years knows the Republicans have become experts in wasting time, the American taxpayers' time, the American people's time.

Yesterday was no different. Yesterday, Republicans used every trick in the book to slow and stall so we couldn't do important work. And 7,000 additional people lost their ability to have a check. It is starting to get cold. It is getting cold in Washington; it was 40 degrees. Maybe people can buy a coat for one of their kids, maybe they can make that payment on the car before it is repossessed, or maybe they can pay their rent before they are evicted. These people have been out of work for a long time, and we are trying to extend unemployment benefits. And it is paid for. We are not borrowing the money to do that. But, no, the Republicans have stalled and stalled. Now more than 200,000 people have lost their ability to get that extra dollar they need. These 200,000 people need help, but Republicans can't be bothered with that. They are stalling, showing everybody they can stall things here. They are doing that.

But I am grateful that the American people watching—two congressional seats were open; there were two special elections yesterday. They were both won by Democrats. Democrats, Independents, and Republicans around the country know what has happened in this body in recent years. Republicans are the party of no. That is why, in New York, a congressional district that for 150 years had been Republican went Democratic. The American people see what is going on in this Congress.

In addition to the unemployment compensation extension being held up, which is paid for—not a penny of taxpayer money is being borrowed—Republicans are standing in the way of giving businesses a tax break. This legislation, when we pass it, will allow businesses—big and little businesses—to take into consideration a tax break. If they have lost money in the last few years, they can get a tax break; that is, to carry forward a loss. They get a benefit from the loss. If they make money, they can set it off against the money

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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they made as a result of losses they have been going through. We are trying to help businesses—especially small businesses—compensate for the losses they have endured in recent years. Again, Republicans are in no rush to help them. Each day that goes by is a real hurt to small businesses.

The good news is that we are making progress on health care reform. We look forward to receiving, in a matter of days, the CBO analysis of the proposals for fixing our health system that is so broken. We only have 1 week before Veterans Day, November 11, and 1 week before the Thanksgiving recess after that, then we will have only 3½ weeks until Christmas, and we have unemployment insurance stalled by the Republicans; military construction, which we are trying to get done to allow for construction of military bases around America and the world where we have installations; Commerce-Justice-Science, which is an important piece of legislation, stalled for weeks.

It is interesting, we hear the Republicans come to the floor—I heard one of the most unbelievable statements yesterday. Senator STABENOW was over there, and she had a chart that showed that 85 times this year the Republicans have stopped either efforts to move forward on a bill or almost 60 times we have had to invoke cloture to stop filibusters. A Republican Senator came and said: Every one of those 85 was the result of our not being allowed amendments.

That doesn't pass the test of a kindergartner. A number of the things they have held up are nominations. We have scores of President Obama's nominations being held up. And with Commerce-Justice-Science, they say they have no amendments. Interesting. They have amendments that have been filed, and as soon as we get cloture, they will be able to debate those amendments and vote on them. But, no, that wasn't enough amendments. Maybe on that one they needed another ACORN amendment because they only had one. I think that would have added up to five or six. Maybe that would please them, another ACORN amendment.

Mr. DURBIN. Will the majority leader yield for a question?

Mr. REID. Yes.

Mr. DURBIN. I think the leader is onto something because it has been a full 2 weeks since we had an ACORN amendment on the floor. So it is clear we should move to one, which is of the highest priority of Republicans. I wonder if we need more ACORN amendments.

Mr. REID. Yes, maybe we should have agreed to a couple more ACORN amendments.

For those not following this, that is an organization that has done some tremendously good work around the country. I acknowledge they have some problems. That is why I agreed with my friend from Illinois, who called for a complete investigation of ACORN. We agree that if they have done things that aren't right, they should be brought before the necessary tribunals or administrative agencies to look at that. But enough is enough. We recognize ACORN is not a perfect organization, but how much time do we need to spend on that? I also say that with nominations.

Here are things we are going to do before we have our Veterans Day break: unemployment, which is tied to first-time home buyers, and net operating loss. We are going to do military construction. We are going to finish Commerce-Justice-Science.

We are going to do nominations. We are going to do Judge David Hamilton, Seventh Circuit, who has been waiting since April. We have agreed to time agreements. Do you want an hour, 2 hours, 5 hours, 10 hours of debate? No, we don't want anything. Up-or-down vote. The Department of Justice—one of the key officials there has been held up for months, and that is Chris Schroeder. We are going to also complete Tara O'Toole. Here is a woman who is one of the most eminently qualified people in America to serve as science adviser to Secretary Napolitano. Her expertise is in a number of areas, including bioterrorism. She has written scores of articles, and she is also an expert in pandemics. Janet Napolitano, the Secretary, called me and said, ''I am desperate for this woman to come and work with me.'' The country is not capable of doing all the things that need to be done as a result of not having this job filled. Again, they won't let us vote on her. They won't take a time agreement. This is so important that we will spend 2 days debating it if we can have a vote. But that is not good enough. No time is sufficient.

A 6-month highway extension—we would love to get that done so we can meet the demands of the winter in America and so construction can go forward.

Mr. President, the American people see what is taking place. It is so obvious, and it is not constructive.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

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

The Senator from Nebraska is recognized.

HEALTH CARE REFORM

Mr. JOHANNS. Mr. President, I rise today to speak about health care. I want to focus my comments today, if I could, on specifically the Medicare cuts and the impact that will have across this great Nation, and also I would like too zero in on what those Medicare cuts mean for my home State, the great State of Nebraska.

Medicare is a program that is a source of health care for about 45 million Americans. As we all know, it is essentially a program for those who are 65 and older. It dates back a lot of years.

In my State, the State of Nebraska, there are 272,000 Nebraskans who are Medicare beneficiaries. As I have talked to them—and I have done townhall meetings and roundtables all around the State—they are pleased with the health care they receive. If they get sick, they have this program, this Medicare Program, that is there for them.

I want to start out saying that I believe the current plan, which cuts Medicare and claims reform, is really off base with this population. The proposal says Medicare will be cut by over $400 billion.

Let me, if I might, just walk down through the various programs that will be impacted within Medicare.

There will be a $130 billion cut for the Medicare Advantage Program. If anybody has spent any time talking to senior citizens about Medicare Advantage, they will tell you they like this program.

Mr. President, $45 billion will be cut from hospitals that care for recipients of Medicare; $40 billion will be cut from home health agencies; $14.6 billion will be cut from skilled nursing facilities; and nearly $8 billion will be cut from hospice programs.

I suggest, very respectfully, that this health care reform, which will cut Medicare by over $400 billion, is not an improvement. These cuts ultimately will compromise the ability of Medicare beneficiaries to access the care they need.

If I may spend a moment this morning to talk about the profound impacts this will have in Nebraska, the Medicare Advantage Program, as I said, will be impacted by about a $130 billion cut. Nationally, there are 11 million seniors enrolled. One Democratic Senator described these cuts as ''intolerable.'' I agree with that description. Mr. President, 35,000 Nebraskans have Medicare Advantage plans. The plans provide choice and options that people like.

The President said that ''if you like your plan, you can keep it.'' And relative to the Medicare Advantage beneficiaries, he said you will get a plan that is ''just as good.''

The Finance Committee markup was very instructive on this issue. The CBO Director stated that those people who have Medicare Advantage ''will see changes and reductions in their benefits.''

Let me turn to hospitals. The news is no better with hospitals. Hospitals that serve large numbers of seniors and the poor will have reduced payments. The current government programs actually underpay for these services. Hospital administrator after hospital administrator has told me in my State: We could not keep our hospital open on Medicare and Medicaid. They need the additional payments they get from private insurance to keep the doors open. Yet this so-called reform bill cuts Nebraska hospitals by about $142 million; that is, 36 percent of Nebraska hospitals will be affected.

Relative to home health care—a $40 billion cut nationally—seniors receive care in the home instead of going to a nursing home. That is what this program is all about. Under ''reform,'' Nebraska home health programs will lose $126 million over 10 years. By 2016, two-thirds of Nebraska home health agencies will be in the red.

It is especially devastating to rural areas where 80 percent are expected to lose money under this reform plan. It is hard to keep the infrastructure in place right now, much less to look at what is coming. A home health director in a small rural hospital in Cherry County, NE, said this to me:

> Nebraskans are a tough and a convicted people. We have chosen to live in a more rural environment and respect the fact that not all services can be provided.
>
> However, there are two registered nurses that provide home health services for seven counties. Our radius to see patients is 100 miles one way. If a citizen was sick or injured, they may have to travel 100 miles to see a doctor. If they are unable to travel, they would just not receive the care they need.

You see, home health care is not a convenience in our State, it is a necessity. Cuts will likely cause them to close that operation and quit providing the services. If the mission is to improve access, how does that do that?

Skilled nursing care facilities is another area that is targeted with $14.6 billion in cuts. Registered nurses help provide 24-hour care to people who can no longer care for themselves. People depend on them for both short- and long-term care.

What is the impact in Nebraska? The impact is $93.2 million. This dollar figure does not take into account the job loss and financial impact on local communities.

I will mention a facility, a great facility, like all facilities in Nebraska, in Fullerton—the Golden Home Living Center. That is a population in that community of 1,300 people. The nursing home there is the second largest employer. They have a $1.5 million payroll. However, they are already struggling to try to figure out how to stay open, much less facing these cuts.

The hospice program will have $8 billion in cuts nationally. Hospice provides dignity and comfort to seniors at the end of their life. With this ''reform,'' there will be a nearly 12-percent reduction in hospital reimbursements over the next decade.

We have 38 licensed hospice programs in our State. We are so proud of them. Currently, 97 percent of Nebraskans have access to at least a hospice program. The cuts, I believe, would negatively impact the care of dying Nebraskans.

Let me wrap up with this point. Every study that is out there says Medicare is heading toward insolvency, and 2017 is the date most often used. How do we keep Medicare viable? Cutting Medicare to fund a new entitlement, I respectfully suggest, is so misguided. Unfortunately, that is the determined effort of this reform plan. We can do better. We must do better. Nebraskans are watching. Americans are watching. We have to improve on what we are doing here. We need to be able to say to those who are Medicare beneficiaries: We protected Medicare. You are first and foremost in our mind.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRAPO. Mr. President, I ask unanimous consent to speak in morning business.

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

Mr. CRAPO. Mr. President, I rise today to discuss Medicare also in the context of the proposed health care reform we are dealing with in the Senate.

This is one of the most troubling aspects of the health care reform proposals that are being considered in the Congress: the massive cuts to Medicare that will total, under the legislation that came out of the Finance Committee at least, about $500 billion in cuts and similar levels of cuts are included in all major legislation being moved at this point.

In this time of economic downturn, all Americans must look to their budgets and to their own spending very carefully. The same is true for the Federal Government.

Some will argue these Medicare cuts are necessary for fiscal responsibility and that everybody must play a part. Others are going to argue that Medicare is facing insolvency in 2017 and that these cuts are necessary to slow the growth of Medicare spending. In fact, the 2009 trustees report shows that Medicare's annual costs were 3.2 percent of the gross domestic product of the United States in 2008. To give a little bit of context, that is about three-quarters of Social Security's costs. These costs are projected to surpass Social Security expenditures in 2028 and reach 11.4 percent of GDP by 2083.

The unfunded obligation of the Medicare hospital trust fund is $13.4 trillion, which is $1 trillion higher than even last year's estimate. And Medicare's total unfunded obligations, which include Part B and Part D programs, have reached $37.8 trillion.

Yes, we do need to address the solvency issues related to Medicare. We must deal with it. But let's be clear about one thing: These proposals in these health care bills do not strengthen the solvency of the Medicare Program.

These cuts accomplish one simple goal; that is, they take money from the Medicare Program in order to create a new entitlement program. The program is created at the expense of America's seniors. We are not shoring up Medicare for America's seniors with these bills; we are transferring $500 billion out of the Medicare programs into a new government entitlement program.

A recent article described it like this: Let's imagine that Medicare is your family's overall budget. You have lived beyond your means and you have run up a huge debt. In order to deal with this new debt, your family thinks of creative ways to cut spending and reduce expenses and put some of your savings aside to catch up. Then, though, you see all this cash that you saved up and you would like to go out and buy a brandnew car. So instead of using the cash to help pay off your debts and your obligations and shore up your financial circumstances, you take this cash and go out and spend it on a brandnew car, in this case a government-run car.

This is what is happening with the Medicare system in the bills before us. These cuts damage the existing program in order to create a new one, harming America's seniors along the way. They are negatively going to impact choice, access, benefits, and quality of care. When Americans said they wanted change, I don't think this is what they were talking about.

Let's talk about a few specifics.

Among the largest cuts to the Medicare Program are the $117 billion in cuts to the Medicare Advantage Program. Currently, there are nearly 11 million seniors enrolled in Medicare Advantage, which represents about one out of every four Medicare beneficiaries. In my home State of Idaho, there are more than 60,000 Medicare Advantage beneficiaries or 27 percent of Medicare beneficiaries in the State.

Since the creation of the Medicare Advantage Program in 2003, overall enrollment in private plans has been steadily increasing and beneficiaries across the country have had more private plans to choose from than they did 10 years ago.

A 2007 study reported ''high overall satisfaction'' with the Medicare Advantage Program. Mr. President, 84 percent of respondents said they were happy with their coverage, and 74 percent would recommend Medicare Advantage to their friends or family members.

According to Congressional Research Service, as of January 2009, all Medicare beneficiaries across the country had access to Medicare Advantage plans along with traditional Medicare plans. The choice is particularly crucial in rural areas. Between 2003 and 2007, more than 600,000 beneficiaries in rural areas joined the Medicare Advantage Program, which is a 426-percent increase.

The Medicare Advantage cuts proposed in the Finance bill will force plans to cut benefits, increase premiums, or drop coverage altogether. In fact, CBO estimates that enrollment in Medicare Advantage will decrease by 2.7 million people by 2019, resulting from the changes in this proposed legislation.

This number represents not only people who would lose their plan but also those who would no longer be able to choose Medicare Advantage because of the decrease in benefits.

CBO estimates that the value of extra benefits offered by Medicare Advantage plans will drop from $135 a month to $42 a month. When we were in the Finance Committee markup, I asked CBO Director Elmendorf to confirm this point. I asked him:

> So approximately half of the additional benefit would be lost to those current Medicare Advantage policyholders?

His response was:

> For those who would be enrolled otherwise under current law, yes.

The point is, the Medicare Advantage cuts in the Finance Committee bill will clearly break the President's pledge that if you like the insurance you have, if you like the protection you have, you can keep it.

Even if some seniors on Medicare Advantage are able to keep their plans, they are not going to be able to enjoy the same level of benefits they enjoy today. During the Finance Committee markup, I offered an amendment that would have prohibited the implementation of the bill's Medicare Advantage provisions if their implementation would decrease choice and competition for seniors in Medicare—very simple and straightforward. The amendment was defeated on a straight party-line vote.

Many congressional Democrats argue that by defending Medicare Advantage you are actually defending overpayments to insurance companies. That is not true either. Medicare Advantage plans are paid 14 percent more, on average, than traditional Medicare fee-for-service. However, these overpayments—or alleged overpayments—don't go into the plans. They go to the seniors enrolled in the plans in the form of extra benefits. That is why Medicare Advantage is so popular among seniors. Seventy-five percent of the additional payments to Medicare Advantage are used to provide seniors with additional benefits—benefits such as dental coverage or vision coverage or preventive medicine or flu shots or hearing aids. The remaining 25 percent is returned to the Federal Government. So the cuts to Medicare Advantage will reduce benefits and will deprive seniors of choice.

But that is not the only kind of cuts we have coming to Medicare. In addition to the cuts to the Medicare Advantage Program, the Finance Committee bill also contains massive cuts to other Medicare providers. It contains $40 billion of cuts to home health agencies, there are nearly $8 billion of cuts to hospice, and more than $16 billion of cuts to skilled nursing facilities. These levels of cuts would be devastating for providers and will threaten access as well. As more and more providers will not take Medicare patients, it will be harder and harder for beneficiaries to find care.

I spoke to Gary Thietten, the president and owner of Idaho Home Health & Hospice, just last week about the impact of the Medicare cuts to home health and hospice. He described to me how bad the fiscal situation has become for home health, hospice, and other Medicare providers in Idaho. Idaho lost nearly 30 percent of its home care providers in 1998 and 1999, including the State's largest provider. The providers that are still in business in my home State are working under the same Medicare reimbursement levels they received in 2001—8 years ago. If the cuts from the Finance Committee bill go into effect, on top of the current reimbursement issues, the situation will get significantly worse for many providers, and the net result, again, would be a loss of providers, a loss of options, and a loss of services to our seniors.

Costs have gone up considerably due to the economic downturn, and rural Idaho is being hit the hardest. Gary compared the situation for home health and hospice providers to the farmers in Idaho. Most farmers don't grow just one crop. Similarly, home health agencies don't provide just one service. They provide hospice and private-duty care, along with medical supplies and equipment. All of these services are going to suffer because of the home health and hospice cuts.

These proposed cuts will not just affect providers in my home State, they will affect Medicare providers in every State around the country, particularly rural States, which already face significant provider access problems. At some point, providers will no longer be able to give the best care or any care, for that matter, to Medicare beneficiaries. As I indicated earlier, we have already seen the trend start with those medical service providers that simply can't afford to take Medicare patients.

I have long supported policies that increase access to high-quality affordable health care for all Americans and provide for fair reimbursements to providers of the medical services rendered. However, the types of blunt, across-the-board cuts we see in these proposed bills will result only in increased harm to providers and to Medicare beneficiaries around the country.

It is my hope that as we face these difficult times, and dealing with needed health care reform, we will not take the cuts out of the Medicare Program that are proposed in this legislation. Specifically, and importantly, it is critical that we not cut our Medicare beneficiary services in order to simply fund a new, massive government entitlement program.

With that, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator's time has expired. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I will proceed on my leader time.

The PRESIDING OFFICER. The Senator has that right.

HEALTH CARE REFORM

Mr. MCCONNELL. Mr. President, the American people are paying close attention to the ongoing debate over health care, and they have noticed a worrisome trend. The longer this debate goes on, the further Democrats in Congress seem to drift from the original purpose of reform.

At the outset of this debate, the American people were told reform would lower costs, a goal all of us supported. The administration is right when it says the rising cost of health care in this country is unsustainable. Costs must be reined in. But the proposals we have seen so far don't address that problem. In fact, they make it worse. Instead of reining in costs, the proposals they have advanced are expected to drive costs even higher, costs that will then be shifted onto families and small businesses.

Yesterday, I pointed out the absurdity of the situation we are in. Reform that was meant to lower costs is now independently confirmed to make health care more expensive. Reform that was meant to make life easier is now expected to make life harder for families, businesses, and seniors from one end of our country to the other.

Let's focus on Medicare a moment, a program tens of millions of America's seniors rely upon. How is this program doing financially? It is not a pretty picture. Medicare started running a deficit last year, and the Medicare trust fund is expected to run out of money in less than a decade. Looking a little further ahead, Medicare is slated to spend nearly $38 trillion that it doesn't have. Simply put: Medicare is broke. For the sake of our seniors, we need to fix it.

But the advocates of this legislation look at Medicare and they see something else. They do not see a problem to be fixed, they see a giant piggy bank. Rather than fix it, they want to use it to fund an entirely new set of government-run health care programs.

Medicare was an attractive target for the people who wrote this bill. They

were in a bind. At a time of shrinking government revenues, nearly 10 percent unemployment, and record deficits and debt, the bill writers looked around for the money to cover the cost of their health care plan and they couldn't find it. So they decided on massive cuts to Medicare, cuts that will have serious consequences for millions of American seniors.

I am sure they didn't want to resort to cutting Medicare when they started out, but the fact is they are now proposing massive cuts that will inevitably lead to fewer services. Here is what they plan to cut: $8 billion from hospice, more than $40 billion from home health care agencies, more than $130 billion from Medicare Advantage, and more than $130 billion in Medicare cuts to hospitals that care for seniors.

At the outset of this debate, all of us knew Medicare faced significant challenges that needed to be addressed. A program that is already spending more than it is taking in, a program that is expected to be insolvent in just 8 years, should be fixed, not raided. Just about every day I receive letters in my office from Kentuckians who have Medicare. They are counting on this program. They are worried about its future. We have an obligation to our seniors, an obligation to keep our promises.

At some point, the majority will have to work with Members to address this problem. When they do, we should focus on a solution to out-of-control entitlement spending that Americans will embrace.

Forty-four years ago, when President Johnson signed Medicare into law, he vowed that we would never refuse the hand of justice to those who have given a lifetime of service and wisdom and labor to their Nation. We have an obligation to fulfill that vow. We have an obligation to work together on solutions that both parties and the people for whom this vital program was created—seniors—will support.

The health care plan we have seen is deeply flawed. Far from fulfilling the original goal of lower cost, the Democrats' bill would drive costs even higher—an outcome that has most Americans scratching their heads in confusion and disbelief. What is worse, the plan slashes Medicare, too, as a way to pay for new government programs.

Clearly, the effort to reform health care has gotten off track. Higher taxes, higher premiums, and cuts to Medicare is not the reform Americans are looking for. They want commonsense, step-by-step solutions, not a health care experiment that makes existing problems worse. While some may want to move this bill as quickly as possible, Americans have a different message: They would like for us to start over.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. LEMIEUX. Mr. President, I wish to follow up on the comments of Leader MCCONNELL and Senator CRAPO concerning Medicare. I don't think there is a State that is more affected by these potential cuts to Medicare than my home State of Florida, where we have nearly 3 million Floridians who enjoy the Medicare Program. Ultimately, the question in our health care debate is: How we are going to pay for this $1 trillion new program—this program that encompasses some 1,990 pages in the House proposal?

As Leader MCCONNELL said, it seems it is the opinion of the majority in this Chamber, and in this Congress, that the way we are going to pay for this new entitlement program is to take money from health care for seniors. Frankly, it amazes me that we would have this conversation; that we would take nearly $500 billion—$½ trillion—out of health care for seniors.

It amazes me for a couple of reasons: One is that this money was paid into the system by seniors out of their paychecks for their entire lives. This was not some handout from government. This is a program they have paid into and they expect a return on it. It is a covenant with our seniors—our greatest generation, now retiring. We told them that if they paid into this system, they would have health care for the rest of their lives through Medicare. Now, even though this program is in and of itself, as Leader MCCONNELL said, in jeopardy of going bankrupt in the next few years—because less people will be paying in and more people will be taking out—we are going to take $½ trillion out of this program to pay for a new program. That doesn't make any sense to me.

I received a letter from one of my constituents, Shirley Anderson from Gotha, FL, which is right outside the Orlando area in central Florida, and she gets it. She says to me:

> I am writing to express my deep concern about the proposed Medicare cuts in reimbursement for outpatient tests and procedures. I understand that these cuts may force doctors to either refuse to take care of me, as I have Medicare, or leave the State of Florida altogether. It has taken me a long time to find a doctor that I trust and I cannot afford to lose him. If this happens I will be forced to go to the hospital for these routine cardiac tests and procedures. My waiting times are going to be longer and more importantly my out of pocket expenses are going to be much higher and I simply cannot afford this. I strongly believe this is going to adversely affect my health care and well-being.

What are we doing? We are going to jeopardize the promises we have already made to seniors in order to create a new program that is not going to reduce the cost of health care for Americans, a new program that is fraught with problems. It doesn't make any sense to me.

As was stated before, the proposal in the House and what we think will be the proposal in the Senate—although we have not seen the final copy—cuts $135 billion from Medicare Advantage, $150 billion from hospitals that care for seniors, $51 billion from home health agencies, and nearly $70 billion in additional cuts or fee increases. What is this going to do to the process?

I talked this morning to Ron Malone, who is the vice president of a health services company that provides home health care in Florida. They have 16 locations, they have 2,000 clinicians, they serve about 25,000 patients. He told me this proposal, as written, is going to put half of the providers underwater and out of business. Half of the home health providers, in his estimation, will go out of business. Which ones will go out of business? The small companies, the companies we are trying to help in this economy where we have over 10 percent unemployment in Florida and nearly 10 percent unemployment in this country. We are going to put those small businesses out of business.

Home health care saves costs. Home health care is the more affordable option than a nursing home. Plus seniors like it better because they get to stay in their own homes. We are going to put these people out of business. As Senator CRAPO said, where is this home health care most important? In areas where there is not a hospital or nursing home available, out in the rural areas, not only in places in Idaho but places in Florida. So we are going to make it harder for seniors to get the care they want, and we are going to do something that ultimately is going to be more expensive.

I want to also talk about Medicare Advantage. This is a program that was started to give seniors more options under Medicare. It is not a requirement, it is voluntary—they can choose it—and it is more like a private program, more like a program in the private sector where the companies actually cater to the seniors, provide them with more benefits, such as eyeglasses and dental care and hearing aids and flu shots. They have someone on the other side of the equation who is trying to give them some service, unlike government usually does.

Now we are going to cut that program. We have 915,000 Floridians in Medicare Advantage, and we are going to take $150 billion out of it. So what is going to happen? They are going to get less services. We cannot get blood from a stone. When the money comes out of the program, the program is going to suffer. Who is going to suffer? Our seniors.

These are increasingly popular programs in Medicare Advantage. It is also important to note that 40 percent of African Americans and 53 percent of Hispanics who do not have Medicaid or employer-based coverage are now enrolled in Medicare Advantage. Our minority populations enjoy this program also.

As a Senator from Florida, the State with the highest per capita population of seniors, the second highest total population of seniors in America—3 million seniors on Medicare—who made this country what it is, who are our greatest generation, who paid into this

system and now are going to see less benefits and less care, I can't stand by and let that happen.

What I am afraid of is we are going to have two classes of health care in this country. If we pass a bill like this, what worries me is that fewer providers are going to be in the Medicare system because their reimbursement rates are going to have to go down. So our seniors and our disadvantaged are not going to get the best doctors. In fact, someday I don't think a lot of these doctors are going to take insurance. So we will have one quality of health care for the rich and one quality of health care for everybody else. That is not American. That is not what we promised our seniors, and it is not something we should be doing.

The Hippocratic Oath tells doctors: ''First, do no harm.'' This proposal, from all we can read about it, first does harm. It harms our most vulnerable people, our seniors, whom we owe and should respect.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I thank the Senator from Florida for his insightful remarks. I listened with interest to the Republican leader describe the congressional Democrats' bill, which is now about 2,000 pages. We know we do not have a Senate bill yet. It is being written behind closed doors somewhere, I think in the majority leader's office. We are not sure who is writing it. We will have it sooner or later. But we do know some things about the health care bills.

Today what I would like to talk about is just one of those things. Then I want to suggest what the Republican plan is because we have a very different approach toward dealing with health care than the Democratic bills that we have seen. Today I want to talk about Medicare.

Medicare is very important to about 40 million Americans and to a lot of other Americans who are about to be of the age to depend on Medicare. To get it down into a nutshell, here is what all of the plans we have seen so far from the Democratic side propose to do: to take about $½ trillion over 10 years from Medicare—in other words, cut Medicare by $½ trillion, not to put into the Medicare Program to make it more solvent but to start a big new entitlement program called government-run health insurance for other people.

We hear from the other side the Republicans are scaring people about Medicare. The Republicans aren't scaring anybody about Medicare, it is these Democratic bills that are scaring people about Medicare. And they have a right to be worried about them because the Medicare trustees have told us this program, that 40 million seniors depend on, is going to become insolvent between 2015 and 2017. That affects the 40 million of us who are already eligible and a part of Medicare, and it affects tens of millions more who will become eligible for it.

The idea would be, if these bills are passed, to pay for new programs by cutting that $½ trillion from this program that is going broke. The Senator from Kansas, Mr. BROWNBACK, described it this way. He said: This is a lot like writing a big check on an overdrawn bank account to buy a new car.

He said: Your bank shouldn't let you do that, and the American people should not let us do this, and I don't think they will, which is why we are glad a number of the Democratic Senators joined with all 40 Republicans and said to the Democratic leader: We want two things about this health care bill by the time it gets to us. No. 1, we want to know what it does; and, No. 2, we want to know what it costs.

What that means is, it should go up on the Internet for at least 72 hours, the complete text—that is what the letter from the Democratic Senators, as well as Senator BUNNING in the amendment he authored, said—and, No. 2, we want a complete formal estimate from the Congressional Budget Office about what the bill costs because the American people are significantly worried about health care reform. That, as the Republican leader said, is supposed to reduce costs, reduce premiums, reduce the government's debt. But, instead, everything we heard about it so far makes it look like it is more likely to increase the cost of premiums, to increase taxes, and one thing we know for sure, it will cut Medicare. So let's talk about Medicare for a moment.

A couple of weeks ago we had the first vote on health care reform. For the country, it was a fortunate vote because we saw a bipartisan act in the Senate. The proposal by the Democratic leader was to run up the debt another $¼ trillion in Medicare spending. But 13 Democrats and all 40 Republicans were not going to do that. We have too much debt today. We had a deficit this year of $1.4 trillion, which is as much as the entire debt of the United States from the days of George Washington until 1990. So we all said: No, slowdown. It may be a worthy thing to do.

It is important to deal with the physician reimbursement problem. But we are not going to start off the health care debate by borrowing $¼ trillion for more Medicare spending.

The Washington Post wrote about that proposal:

> A decade ago, Congress passed legislation designed to limit health-care costs by slowing the growth of Medicare payments to doctors. Each year, Congress passes a patch to prevent the cuts from taking effect. [The Senator from Michigan] proposed to make this system ''honest'', [in her words] by eliminating the cuts permanently . . . it's a strange interpretation [the Washington Post said] of honesty to separate this $250 billion cost from the health-care bill and then claim that the other bill doesn't raise the deficit.

Fortunately, the Senate came to its senses and said no. We are not going to raise the debt $¼ trillion for more Medicare spending. But the House Democrats—who came up with a 2,000-page bill they say they may be voting on in the next few days—apparently did not get that message. Their 2,000-page bill did not include the fix, or the physician reimbursement, which we all know is a part of health care reform. It is a part of the Medicare system. It has to do with the amount of money doctors are paid for seeing Medicare patients. It has to be dealt with. Yet they have left it out to the side and, again, we have a proposal that adds to the deficit $¼ trillion.

A Wall Street Journal editorial this week, appropriately titled ''The Worst Bill Ever,'' notes this absence by saying:

> The House pretends [as some Senators did] that Medicare payments to doctors will be cut by 21.5 percent next year and deeper after that, ''saving'' about $250 billion.

According to the Wall Street Journal, making those kinds of assumptions means the 2000-page bill that has been written in the House is more likely to cost closer to $2 trillion over 10 years instead of $1 trillion. So we know the era of the 1,000-page bill is over because we have a 2,000-page bill; and I guess the era of the $1 trillion legislative proposal is over because we have a $2 trillion health care proposal being considered in the House.

The article in the Wall Street Journal goes:

> All this is particularly reckless given the unfunded liabilities of Medicare—now north of $37 trillion over 75 years.

In other words, over the next 75 years we have $37 trillion in obligations that the Medicare Program has, $37 trillion more than we have money coming in. How is that going to make you feel if you are part of the Medicare Program and some Member of Congress says: OK, we are going to take this program with $37 trillion in unfunded liabilities, a program on which you rely for your Medicare, and we are going to cut it by $429 billion in order to start a new program for somebody else? I think you are going to say: I don't like that very much. I don't like the sound of it. And, increasingly, as Americans read these bills and understand what it costs and understand what they mean to each American, they come to that same conclusion.

So we wait with great interest to see what bill the Senate majority leader will bring from behind his closed doors when he takes the 1,500-page Finance Committee bill and the 900-page—nearly 900-page—HELP Committee bill in the Senate and puts it together, I assume, with this 2,000-page bill in the House, and all of them depend on cutting Medicare for about half of their costs.

Any reductions in Medicare, any savings in Medicare, any elimination of waste, fraud, and abuse in Medicare should go to Medicare. We should not be cutting grandma's Medicare to spend money on somebody else. We ought to save money in grandma's Medicare to spend on grandma because grandma's Medicare Program is going

broke. That is what the Medicare trustees have told us.

What does this mean for seniors? The Senator from Florida outlined them: Nearly $140 billion in cuts to Medicare Advantage—one out of four seniors, I believe, has a Medicare Advantage Program—nearly $150 billion in Medicare cuts to hospitals that care for seniors, more than $40 billion from home health agencies, nearly $8 billion from hospices.

My understanding is the House bill also makes roughly $100 billion in Medicare cuts for hospitals that care for seniors—this is the House bill—$57 billion from home health agencies, and nearly $24 billion from nursing homes.

The President stated that while ''people who are currently signed up for Medicare Advantage are going to have Medicare at the same level of benefits. . . .'' That was President Obama. Yet the Congressional Budget Office Director, the nonpartisan Congressional Budget Office Director, said after looking at the Senate Finance health care bill that fully half of the benefits currently provided to seniors under Medicare Advantage would disappear.

The Congressional Budget Office Director said the charges would reduce the extra benefits, such as dental, vision, and hearing coverage, that would be made available to beneficiaries.

What about the cost to the government? Remember, as the Republican leader said, we thought health care reform was about cost.

I remember being invited—I appreciated it very much—to a summit President Obama had earlier this year on entitlement spending. The President said he needed to work on that, and every speaker who was there said that if we do not do something about health care spending, about Medicaid and about Medicare, we are going to go broke as a country and that almost all of our debt and deficit problems are related to health care spending.

So our goal here is to reduce the cost of premiums to individual Americans and reduce the cost of government to individual Americans. That should be our goal. But according to the Congressional Budget Office, the cost of the 2,000-page House bill reflects a gross spending total of over $1 trillion. Now, who thinks we can spend another $1 trillion without adding to the debt? I don't think many Americans do. This mainly includes outlays for Medicaid, children's health, and subsidies.

According to the Budget Committee's staff, though, the real 10-year cost of the Senate Finance Committee bill when fully implemented would be closer to $2 trillion—$1.8 trillion—because the main spending provisions do not go into effect for another few years, starting in 2013. The taxes and the fees—the new taxes, nearly $1 trillion in taxes—start right away, over the full 10 years, but the benefits don't start until 2013. They make some other assumptions along the way such as that there will be a Medicaid commission, which will cut Medicare more. Well, those procedures haven't worked so far. And if there are savings in Medicare, they should be spent on Medicare, not to start some new program.

So Republicans—and, we hope, discerning Democrats—are not scaring seniors about Medicare; these bills are scaring seniors about Medicare. And they have a right to be worried. They have a right to be worried because they are the 40 million Americans who depend on Medicare. Just answer the question for yourself. If we are going to take $½ trillion out of your Medicare Program that the trustees say is going to go broke in a few years and spend it on someone else, what does that do to your Medicare benefits? It puts them in more jeopardy, is the only obvious answer to that.

So we have proposals that, so far, cut Medicare, raise taxes, raise premiums, add to the debt, transfer expenses to the State that Democratic and Republican Governors say will bankrupt some States—these are the Medicaid Programs—and they create a new government-run program.

I am already getting e-mails from businesspeople in Tennessee who said that if a bill like this goes through, they are out of providing health care to their employees, they can't stand the costs. And so millions of Americans will be losing their employer insurance and shifting over to the new government program which is being paid for by grandma's Medicare. That is the scheme that is being put together here.

Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator has 14½ minutes remaining.

Mr. ALEXANDER. I thank the Chair.

So here is what we know about the Congressional Democratic health care plan which is 2,000 pages long: higher premiums, Medicare cuts, higher taxes, more debt. It is a government-run plan. When you put the whole scheme together, if you are one of the 177 million whose employer provides insurance to you, you run a great risk—let's say it this way—of losing your employer insurance because the employer says: I can't afford to provide it anymore, and plus, the government started a new program, so you go over to the government program. That could lead to rationing. Your Governor will tell you the States can't afford the costs being transferred to them, so that means either higher State taxes or higher college tuition to pay for the reduced payments to public higher education, and a $2 trillion cost over 10 years, according to the Wall Street Journal. That is not real health care reform.

So what is real health care reform? What is the Republican plan or what hopefully could be a bipartisan plan that we could work on? We would suggest, and we have suggested this day after day, week after week, committee meeting after committee meeting: Let's start over. We are headed in the wrong direction. Let's go in the right direction. And the right direction is having the simple goal of reducing costs, costs to those paying for health care insurance, in their premiums, and the cost to the government, which we all have to pay for as well. And how do we do it? Instead of a big, comprehensive, 2,000-page, $2 trillion, full of surprises and mandates bill that terrifies everyone, let's go step by step in the right direction, which in this case is reducing costs.

What would that mean? Well, No. 1, we could start with a small business health insurance plan. This permits small businesses all across America to pool their resources and leverage those resources.

Let's say you are in a small business and there are 80 employees. Two people get very sick, and they use up all of the available money that small business has to help pay for employees' health care. The employer has to say, I have to reduce everybody's health care; or, I am sorry, I just can't offer it anymore. But if you allow that small business to join with small businesses all across America and pool their resources and leverage their money, then you have a different outcome. According to the Congressional Budget Office, that would mean 750,000 more Americans would be insured. It would mean three out of four people insured by small businesses would pay lower premiums. And it would reduce the cost of Medicaid, as those people went onto their own private insurance, by $1.4 billion. So more people insured at lower costs for premiums and less debt for Medicaid—that is one step on which we should be able to agree. Senator ENZI and the late Senator Kennedy worked on that for a long time, but we have not passed it. Why don't we pass it as the first step? That is 88 pages; that is not 2,000 pages.

Then a second step: Why don't we allow Americans to buy insurance across State lines? That increases competition. We have a number of bills that have been introduced that would allow that. Senator DEMINT of South Carolina has one of those bills, and that is 30 pages, not 2,000 pages.

Junk lawsuits. Virtually everyone who has looked at it agrees that lawsuits against doctors add to the cost of health care that we all pay. Some States have taken some steps and shown it makes a real difference. Maybe it is a small part of the cost, maybe it is a large part of the cost, but it is a part of the cost. Anyone who is injured—anyone who is injured by a negligent doctor should be paid 100 percent of the damage to that person. But this would begin to restrict the punitive damages that are often added to that which greatly benefit the trial lawyer and increase the cost to all of us. So why don't we take steps to do this?

We know of examples in my State of Tennessee—and I am sure in virtually every State—where OB/GYN doctors

have moved out of rural counties because their medical malpractice premiums have gone through the roof. They just will not practice anymore. So pregnant women are having to travel to Memphis, 60 or 80 miles, for their prenatal health care and to deliver their babies. They do not have that service in the county where they live. This would help them, those women, and this would help reduce costs.

So those are three steps we can take.

A fourth step would be equal tax treatment for every individual on our health care tax policy. That is 21 pages.

Information technology for health care—this may take a few years to actually reduce costs, but virtually everyone agrees that the record keeping in our health care system is a great drag on the productivity and an obvious addition to the cost. Democrats as well as Republicans have worked on legislation to change this.

There is a 13-page bill introduced by Senators COBURN, BURR, and ENZI. I am sure there are good proposals on the Democratic side. We could take that step. And that would be five steps.

Then we could help create more health care exchanges. That is in many of the bills. It is common to many of them. It is a supermarket in which any individual can go to buy, more easily, a health care plan for that individual or for that person's family. It just takes eight pages to create better health care exchanges across this country.

And then waste, fraud, and abuse. Senator LEMIEUX from Florida, the new Senator, made his maiden address on waste, fraud, and abuse. It is a scandal that, in the Medicaid Program, for example, $1 out of every $10 is waste, fraud, and abuse. That is $32 billion a year. We can go to work on that in a variety of ways, which he talked about this morning. That is just 21 pages.

So there are seven steps in the right direction which are reducing health care costs. We should be able to take those steps in a bipartisan way.

So we have a choice of approaches here in the Congress. The American people want real health care reform, but they do not believe that raising taxes, raising premiums, cutting Medicare, increasing the debt, and 2,000-page bills full of surprises are real health care reform.

The American people are properly skeptical of a grand and risky scheme that claims we are wise enough to solve everything at once. They know we are more likely to mess up everything at once if we try such risky schemes. So to re-earn the trust of the American people, we should go step by step. Here is the choice: a 2,000-page bill or a 200-page bill.

Sometimes, the assistant Democratic leader will come on the floor and say: Where is the Republican plan? I said to him yesterday, if he is waiting for Senator MCCONNELL to bring a wheelbarrow in here with a 2,000-page Republican alternative that costs $2 trillion and is just our way to spend $2 trillion and is full of surprises and our grand and risky scheme, he is going to be waiting a long time because he is not going to see it. We are going to bring up several steps which we know will reduce costs, which we know we can afford, which we know will help people, which we know we can implement, and which we believe will have significant Democratic support as well as Republican support.

So is it 2,000 pages or 200 pages? Reduce premiums or increase premiums? Reduce debt or increase debt? Cut Medicare and start some new program with it or make Medicare solvent by taking any savings we can find in Medicare and use it to help Medicare?

Higher taxes—I did not say much about that, but there is $900 billion of new taxes in the program when it is fully implemented in the Finance Committee program. And the Congressional Budget Office Director said the obvious about that—by and large, most of those new taxes will be passed on to whom? Those of us who pay insurance premiums. So there is another reason your premiums are going up, and the cost.

We should be able to enact a good health care plan this year. The country needs for us to do that. But we Republicans are offering a real choice to the American people. The American people are appropriately skeptical of risky schemes that run up the debt, cost $2 trillion, and are filled with higher premiums, more taxes, and Medicare cuts.

To re-earn the trust of the American people, we should set a charge goal of reducing costs and move step by step in that direction. That is the Republican health care plan, and I believe that is a plan Republicans and Democrats can agree upon.

I yield the floor.

The PRESIDING OFFICER (Mr. KIRK). The Senator from Ohio.

HEALTH CARE REFORM

Mr. BROWN. Mr. President, when I listen to my colleagues today from the Republican side of the aisle, part of me is incredulous. Part of me says: I can't believe what I am hearing. The other part says: Of course I can believe what I am hearing, because I have heard it since 1995, when the Republicans tried to privatize Medicare when I was a Member of the House of Representatives and heard it; when I read books about what happened in 1965, when Medicare started; and I heard about it in stuff I read from the 1930s when F.D.R. first tried to create something like Medicare. My Republican colleagues have become the party of no. They generally opposed the minimum wage, generally opposed the creation of Social Security in the 1930s, generally opposed the creation of Medicare in 1965, generally opposed SCHIP to help poor children and often not the poorest children, children whose parents had jobs but didn't have insurance. The party of no generally opposed most of those things. So why should we be surprised that they are opposing health care reform?

What makes me incredulous is to hear them say now that the Democrats are going to cut Medicare and that we are going to use the Medicare cuts to pay for health care reform. Nice try. For the party of no, the party that was against the creation of Medicare, the party that fought health insurance forever, the party that, when they got their chance, the first time Republicans had a chance, when they had a Republican Congress and a Republican President—that was the first time they had had that in many years—as soon as they got a chance, they tried to privatize Medicare.

I hear my colleagues come to the floor, at least five of them come to the floor and talk about Democrats cutting Medicare. They are the party that didn't like Medicare. They are the party that wanted to privatize Medicare throughout the 1990s, what President Bush partially succeeded in doing.

We know the history of Medicare is the history of interest groups, mostly insurance groups, teamed up with Republicans to try to stop Medicare's creation, then the interest groups, led by the insurance industry, teaming up with Republicans to try to privatize Medicare. And now it is the interest groups, led by the insurance companies, teaming up with Republicans to try to kill our health care reform, then wrapping themselves in the flag of Medicare, saying: We are protecting Medicare. Look what the Democrats are doing. The Democrats are going to cut Medicare and pay for health care reform.

It is such an exaggeration. It is the same arguments, the same distortions, the same exaggerations, the same scare tactics we are used to. It should not surprise us at all. I see Senator DURBIN who is familiar with many of these things.

Mr. DURBIN. Mr. President, I wish to ask the Senator from Ohio if he has missed the latest criticism of health care reform. The Senator from Tennessee comes to the floor every day and the focus of his attention is the length of the bill, how many pages are in the health care reform bill. I am not making this up. He has come to the floor, even though the Senate health care reform bill is still in process—it has not been written; it will be written, posted on the Internet, as promised—the Senator from Tennessee comes to the floor and each day the number of pages gets inflated. Today he is claiming 2,000 pages in health care reform. Then he puts his alternative up and says: I can do it in 200 pages. It reminds me of the old show ''Name That Tune.'' How many notes do you need to hear to name that tune. The Senator from Tennessee says he can name that tune for health care reform in 200 pages. Therefore, he has a better proposal.

I wish to ask the Senator from Ohio, how much importance should we attach to the number of pages in a bill,

and ask the Senator if he remembers when the previous President, President Bush, under a Republican administration, brought to Congress a 3-page bill to create the Troubled Assets Relief Program that cost $800 billion and did it in 3 pages. Does that tell us there was wisdom in this idea of spending billions of dollars to bail out the banks? In Ohio, as you travel around, how many people have stopped you and said: Wait a minute. I will not support any health care reform bill that goes over 200 pages? If it is 201 pages, I want you to vote against it. If it is 2,000, I hope you will filibuster it. Has the Senator run into that?

Mr. BROWN. I know the question in part is in jest, but it is pretty interesting, when you contrast this bill with the TARP bill. President Bush, Secretary Paulson, and Chairman Bernanke came to us and said: Pass this 3-page bill, and we will all be better off. Obviously, that didn't quite work the way they wanted. I come to the floor regularly and read letters from people around my State, from Zaynesville, Toledo, Bowling Green, Athens, Oxford, and Dayton. I guess the Senator is right. I don't see anybody saying: Please vote yes for the short bill and no for the long bill. I wish we could talk less around here and write a little more concisely. The letters I get that I read on the floor are letters generally from people who a year ago, if you had asked them, would have said: I have really good health insurance or at least I think it is good. But then they got sick and found out that the insurance company practiced rescission which is insurance company speak for taking your policy away or canceling your policy, or they had a child. One of my letters is from a woman who had a child and thought she had good insurance. The child had a preexisting condition. She had her insurance canceled. Others come from people who graduate from college. They are 22 years old. They are taken off their parents' insurance policy, and they are struggling because they are not making enough money. They don't have a job that has insurance at that stage in their lives. They would like to stay on their parents' policy for another 4 or 5 years, as our bill allows them to do.

I guess when I hear the assistant majority leader ask that question about the length of the bill—and he is right, that is what Senator ALEXANDER was talking about mostly, the length of the bill. Part of their criticism is the length of the bill. Their other criticism is to try to scare people. How long have they been trying to scare people?

Mr. DURBIN. If I may I ask the Senator another question through the Chair, I also understand that the major force opposing health care reform is the health insurance companies, the private, for-profit health insurance companies that, incidentally, are declaring some of the largest profits in their history, even in the midst of this recession. This week Humana announced record-breaking profits primarily from Medicare Advantage. Medicare Advantage was the health insurance companies' challenge to the Federal Government. The private insurance companies said: The Federal Government has been running Medicare for 40 years and has done a rotten job. We can do better. We can cover seniors with the benefits promised in Medicare at a lower cost because we are the private sector. We know efficiency. We are not a bureaucracy. We are the private sector.

They were given that chance. A few years ago they started offering the Medicare Advantage plan to compete with traditional government-run Medicare. At the end of the day, after years of evaluation, what we found was the private companies were charging 14 percent more, many of them, than government-run Medicare, which meant that the Medicare Program was paying them more for the basic benefits than what the government was asking to provide the same benefits.

These health insurance companies have gotten rich on it. Humana this week announced a record-breaking profit primarily based on their Medicare Advantage plan which was supposed to save us money. In fact, it cost us more money.

I say to the Senator from Ohio, when we write a bill that deals with health insurance reform to stop these major companies from denying coverage to people for preexisting conditions, putting a cap on the amount of money that they will give them if they have a serious illness, you can count on these health insurance companies hiring their law firms, teams of lawyers to fight us. If it takes another 50 pages or 100 pages to make sure we state clearly in the law the rights of American families and consumers and businesses when it comes to health insurance reform, that is paper well spent. That is time well spent.

I ask the Senator from Ohio, he has listened to the Republicans on the other side of the aisle. I have yet to hear the first Republican Senator come forward in favor of health insurance reform. They have not come out for the consumer protections which are fundamental to our bill. I ask the Senator from Ohio if he has heard that?

Mr. BROWN. No, I haven't. Again, who are the major opponents to this bill? It is two groups. It is the insurance industry, and it is the Republican Party. Not Republicans who live in Springfield, IL or Springfield, OH, not Republicans who live Urbana, IL or Urbana, Oh. They are Republican Members of Congress. They are very closely aligned with the insurance industry. Of course, they are not going to support this legislation because the insurance industry didn't write it. In fact, it is legislation that the insurance companies obviously don't much like. We have seen these battles before. They did it with the creation of Medicare, the same arguments and scare tactics, the same distortions and the same exaggerations. And we are seeing it again.

The Senator mentioned Humana. Look at this, Humana profits, while 47 million Americans are uninsured and tens of millions more underinsured, premiums double in 9 years, small business premiums increase by 15 percent or more in 2010. Small business always gets hit harder than larger companies, because they can't spread their risk quite as much, because the companies can charge smaller businesses more for their insurance than they can charge larger companies.

You go back to their business plan. Look at what insurance companies do. The private sector says the government has these big bureaucracies. Medicare administrative expenses are significantly under 5 percent. Private insurance administrative expenses are anywhere between 15 and 30 percent. Look at their business plan. The insurance industry hires a bunch of bureaucrats to figure out how to deny care. They hire bureaucrats to say: Sorry, you have a preexisting condition. We won't insure you. They hire bureaucrats to discriminate against people because of a disability or gender or something else. They hire people so they can sift through and get the ''right customers.'' Then they hire a bunch of other bureaucrats on the other end to deny claims that people submit. They hire this huge bureaucracy in order to keep people from buying insurance, if they are not a good risk. And they hire this huge bureaucracy to deny your claims.

Something like 30 percent of insurance claims are denied the first time around. If you get sick, you send it in to Wellpoint or Aetna or Cigna, they deny your claim. What do you have to do? Instead of taking care of your sick wife or your mother, helping her, if you are on your own, you spend your time fighting with the insurance company instead of taking care of them. That is the good news, if you win on those. So often they turn you down and you still don't win if you appeal.

Mr. DURBIN. I wish to give the Senator a specific example. Several years ago the Illinois State Medical Society invited Members of Congress to spend a day with a doctor. I wasn't sure I wanted to do it because I thought doctors and patients, will this work? It didn't sound right to me, but I said: Only if each time I am about to see a patient, you tell them, watch out, there is a politician in the room. And make sure they give permission. Lo and behold, we did rounds with the doctor, and many folks in their hospital rooms were bored enough that they wanted to see not only their doctor but this trailing Congressman. I was in St. John's Hospital in Springfield, IL as we went into this woman's room. She was living by herself at home. She was suffering from vertigo and dizziness. As a consequence, she had stumbled down the

stairs. She had not hurt herself too badly, but the doctor admitted her. After an examination, he said: We will have to do brain surgery. You have an imbalance caused by a brain tumor, and the operation will be on Monday. This was a Friday. So he said: I am going to want to keep her in the hospital until the brain surgery on Monday. I can't send her home. She lives alone. She will fall down again. She could hurt herself. I want to make sure she is ready for the surgery, which was very important for her.

Then he found out that the insurance company said: No, send her home, bring her back Monday morning for the brain surgery. This doctor said: That is an outrage.

I watched him as he went to the nurses' station, picks up the phone and gets into a debate with the clerk at an insurance company who is saying: Send her home. Finally, he slams down the phone, after spending 15 minutes arguing with no benefit to this clerk, and says: I don't care what they say. I am leaving her in the hospital. Either I will pay for it or we are going to fight it out later on.

Think about that for a minute. This is a medical doctor, a surgeon getting ready to prepare this woman for surgery, fighting with a clerk at an insurance company who says: Send her home. We don't want to pay for 2 extra days.

Mr. BROWN. These are not government bureaucrats. Medicare doesn't exclude people for preexisting conditions; right?

Mr. DURBIN. That is right.

Mr. BROWN. But insurance companies will use their bureaucracy to deny care that way.

Mr. DURBIN. Deny care. This is the reality of what we are up against. So when the Republicans come to the floor and do not want to support our efforts toward health care reform, they are saying the current system is just fine.

I saw, incidentally, the Senator from Tennessee come to the Senate floor and say: You ought to be able to buy health insurance across State lines. Well, there is some appeal to that. You would not think much of going from Ohio—I would not encourage this—to go to an adjoining State to buy a car. You know, it is the same car, and so forth.

But isn't it a fact that as you go State by State, the standards for health insurance change? Some States have very high standards of the kinds of health insurance we can expect to buy in our States; others, very low standards. Some States are much better at looking at the books of insurance companies to make sure they can pay off as promised. If you go moving around State by State shopping, you may end up with something that looks like good insurance until you really need it.

So our bills—at least the ones considered in the HELP Committee and in other committees—try to establish a basic standard of care so no matter where you live in America, you are going to have the same kind of basic protection when it comes to what your family needs. And, believe me, I have had personal examples in my family and as a lawyer where you need it.

We had, in Illinois—before we changed the law—companies that were selling health insurance to new mothers covering their obstetric care and then would not cover the newborn baby until it was 30 days old. You know what that is all about. Brandnew babies sometimes are very sick and very expensive. So this health insurance company was excluding newborn infants from coverage for 30 days. We changed the law in Illinois and said: You cannot do that. If you want to cover the mother and the baby, you cover that baby from the very moment of birth. So there are laws to protect them.

Other States may not have this law. Their premiums may be cheaper. Then what happens when you have a sick baby?

Mr. BROWN. Well, we know from these letters I have brought to the Senate floor from Ravenna and Gallipolis and Galion and Mansfield—these letters are examples of how people thought their insurance policy had some consumer protections in it. It was a fine policy as long as they did not use it. Once somebody got sick, they found out the State laws were too weak in some States.

In my State, they are not bad, but they are not as strong as they should be. In most States, the consumer protections are not nearly strong enough. That is why our legislation says no more preexisting condition. Our legislation says, no more discrimination based on gender or geography or disability. Our legislation says no more annual caps or lifetime caps, so if you get really sick and your care is really expensive, they will not cancel your insurance.

That is why we are building these consumer protections into our bill. That is why the insurance industry and the Republicans do not much like our bill: it makes the insurance companies do some things they do not want to do. That is why the public option is so important. Not only do we change the rules for the insurance companies for consumer protection on preexisting condition—it is outlawed—and there are no more caps, no more discrimination, but we need the public option to enforce that.

I would like to talk about something else Senator DURBIN touched on. The Republican opponents to this, in their opposition and some of their exaggerations—again, I make the very clear distinction between what Republicans in Lima and Middletown, OH, think about this health care bill and what Republicans who are elected to office, who have very close ties to the insurance industry, think about this bill.

As Senator DURBIN suggested, I do not hear anyone on the street—I do not ask their party affiliation, but if I am in a Republican part of the State, I probably assume they may be a Republican. It does not matter. They may be an Independent or a Democrat. But I do not hear them say: The bill is too long or hear them say: I want the insurance companies to continue to be able to discriminate or be able to use a preexisting condition to exclude people.

It might be Republicans here who say that who are elected to office, who are close to the insurance company lobby and the pharmaceutical drug companies' lobby. But regular people in Mansfield, OH, and Shelby, OH, and Zanesville, OH, and Cambridge, OH, do not think that way.

Last week, as shown on this chart, a constituent shared this mailing with me from Homerville, OH, Medina County. It is an official-looking notice, complete with a Pennsylvania Avenue address. As you can see, this shown here is the envelope: ''325 Pennsylvania Avenue, Southeast, Washington, DC.'' ''IMPORTANT: PROJECTED MEDICARE CHANGES.'' ''Presorted, United States Postage.'' It has some identifying numbers that suggest perhaps it is a government mailing. This is not a mailing from the U.S. Government. This is not a mailing from the Center for Medicare & Medicaid Services. This is not a mailing sanctioned by anybody in our government. But it sure looks like it with ''325 Pennsylvania Avenue, Southeast, Washington, DC.'' They did not send this from Columbus, OH, or Troy, OH. They sent it from Washington, DC, with a Pennsylvania Avenue address.

This official-looking notice declares:

> Proposed cuts to existing government programs include a significant reduction in the federal Medicare program, resulting in an increase in premiums and fees that you must pay . . . and a decrease in some benefits.

It goes on to state:

> This new cutback in the federal Medicare program means that you will become responsible for an even greater portion of your health care expenses . . . expenses that were previously paid by Medicare.

Again, this is made to look like a government mailing. Clearly, that was their intent. Clearly, their intent is to deceive. Clearly, their purpose was to obfuscate and to confuse and to exaggerate. These are the same accusations we hear from insurance companies, the same accusations we hear, not from Republicans in Columbus or Zanesville or Saint Clairsville, OH, but from Republicans who dress like this and who were elected to represent us around the country who are very tied in with the insurance industry.

Look at the facts. Health care reform will not increase the premiums paid by seniors for regular Medicare by a dime—no increase, zero. Health care reform will not reduce Medicare benefits, which are guaranteed by law. They will not reduce benefits.

If health care reform affects the additional benefits some seniors in Medicare Advantage receive, if it affects the

premiums seniors pay for that coverage, it will not be because of any action on the part of Medicare. It will be because private insurers, the private insurance industry has decided to use health care reform as an excuse to squeeze more money out of seniors.

All you have to do—again, as Senator DURBIN suggested—is look at what has happened. In the last 7 or 8 years, the profits of private insurance companies have gone up 400 percent. Humana profits went up 65 percent in the third quarter—$301 million. How can they make that kind of money? How can they pay their executives what they do? Aetna pays its CEO $24 million. For the 10 largest insurance companies in America, the average CEO pay at those 10 companies is $11 million. How can they do that? They do that because they double the premiums in 9 years.

They do that because they increase premiums, especially on small businesses. They are able to do that because they have squeezed people. They do that because they use preexisting conditions to deny care. They do that because they hire bureaucrats who refuse to pay legitimate claims people submit to their insurance companies.

Taxpayers and seniors will continue to pay these private plans tens of billions of dollars each year to provide coverage to seniors, enough to keep premiums where they are, and, according to the industry itself, enough to offer the same benefit packages as they do today.

How is that? Medicare Advantage plans are required by law to provide the same benefits as Medicare. If they offer extra benefits, those benefits are supposed to be paid for out of efficiencies, not extra tax dollars.

So the insurance companies, 10 years ago, said: Let us in on Medicare and we will save taxpayer dollars because we are the insurance industry. We are the private sector. We can do it more efficiently than the government can. So let us into this and we will save you money. We will actually give taxpayers back 5 percent of what you now pay per person for Medicare.

Well, that is how it started. But then the insurance lobby went to work. The insurance lobby worked on Newt Gingrich successfully. The insurance lobby went to work on the Republican majority in both Houses successfully. The insurance lobby went to work on George Bush and Dick Cheney very successfully. All of a sudden, instead of discounting and paying the taxpayers back 5 percent, they have raided the Federal Treasury and have gotten 12 or 13 percent more dollars than we spend on regular Medicare, which more than 80 percent of the American people are in.

They have always claimed they operate so much more efficiently than regular Medicare that they can offer basic Medicare benefits, plus extra benefits, and not spend a penny more than Medicare spends on basic benefits only. Unfortunately, 10 years ago, some in Congress believed them. Even more tragically, some in Congress continue to believe them, as they shovel dollars out of the Federal Treasury into insurance company coffers—people who put things like this out, as shown on this chart.

So here is the question: Are Medicare Advantage plans no more efficient than Medicare? Do they require a government handout to keep their promises to seniors or is all the propaganda being fed to the public simply a ploy to pump up profits?

I find it so interesting—as the country overwhelmingly supports the public option, as doctors, in survey after survey, overwhelmingly support the public option—I hear conservatives say: The government can't do anything right. The government just messes everything up. Why? It is a big bureaucracy. It can't do anything right. Those same conservatives say: But if we have a public option, it is going to be so efficient, it is going to drive the insurance industry out of business.

Which is it? Is it they are so wasteful and bureaucratic they cannot do anything right or are they so efficient they are going to drive the insurance industry out of business? They always want to have it both ways. They want to have it both ways in Medicare Advantage. They get these government subsidies. They raid the Federal Treasury. They shovel the money off to their buddies in the insurance industry. And look what happens. Taxpayers are paying way too much, and seniors are not getting what they ought to get.

Then this mailing comes along, which is outrageously misleading, not only by what it says but by what it does not say. It does not say that health care reform legislation will actually increase Medicare benefits and decrease Medicare costs; that health care reform legislation will decrease—not increase—the amount of money that the more than 8 million seniors have to pay out of pocket for prescription drugs once they hit the doughnut hole. Remember the doughnut hole?

The doughnut hole—for people who are not seniors, they probably are not too aware of this, but the doughnut hole was created because when President Bush and the Republicans in the House and Senate wrote the Medicare drug bill 6, 7 years ago, they allowed the drug industry and the insurance companies to have a little too much influence on that bill. So they created this doughnut bill, this desert, if you will, where people still had to continue to pay their premiums month after month after month, but they did not get anything for it. They did not get any payment for their drugs.

So our legislation, first of all, begins to close that doughnut hole where seniors will not have to continue to reach into their pockets and pay that.

Health care reform legislation, in other words, will reduce, by half, the amount of money that Medicare beneficiaries must pay for needed prescription drugs. By 2019, our legislation will totally eliminate that doughnut hole. That is good news for seniors, especially those who have high prescription drug costs.

In addition, health care reform legislation will eliminate the copays that Medicare beneficiaries must pay for such crucial diagnostic services as mammograms and colonoscopies. Seniors in Medicare now typically pay 20 percent of the cost of their preventive services.

So a man who goes in for a colonoscopy—$700, if you can get it for that—has to pay $140 out of pocket. What does that mean for a lot of seniors? It means they probably don't get a colonoscopy. They just cross their fingers and hope they are not going to get sick, that they are not going to get colon cancer. Most of them will not, but some of them will, and some of them will have colon cancer that could have been detected early, diagnosed early, and saved both a lot of pain and perhaps their lives and saved a lot of money for the health care system.

What our bill does is very simple. It will say that preventive care will be paid for entirely by Medicare. There will be free annual checkups. Our health care reform legislation will provide a new Medicare benefit: free annual checkups for seniors. So once a year, a senior will get a checkup for free, and that can make all the difference in the world.

None of us should be surprised that opponents of health care reform are sending out these deceptive mailings. Of all the offensive aspects of this mailing, I am most appalled at the very visible writing in the lower left corner, which states down here—I did not see this when I saw it. Somebody in Ohio from Medina County handed me this little mailing, and we obviously blew it up. I never saw it until it was pointed out by Jessica McNiece in our office. The language says: ''Not Affiliated With Any Government Agency.'' But you sure would not see that when you look at everything else that is on this mailing. But that is the game they play.

One can sure notice the large, bolded writing at the top, though, where it says: ''IMPORTANT: PROJECTED MEDICARE CHANGES.'' Projected by whom? Projected by the insurance industry? This isn't clear because the mailing conveniently doesn't tell you who is sending it.

We are trying to get to the bottom of where this mailing originated because we know the best way to defeat legislation in this body is to scare people. The best way is to exaggerate and distort, to turn the very young against the very old. When I hear my colleagues in this body say the Democrats are going to cut Medicare to pay for insurance for the rest of the population, they are trying to turn older people against their kids and against their grandkids. It is pretty despicable to play that game, to scare people, trying to get

seniors upset because they are going to cut our Medicare to pay for insurance for these other two populations.

A similar mailing in 2004 led Texas to sue the American Seniors Alliance, the front group that masterminded that scam. When we think about all this, we need to ask ourselves, what does health care reform mean for seniors? What does it mean for taxpayers? Be careful whom you believe.

When the insurance industry attacks health care reform, it is not out of altruism, it is out of greed. Usually, anybody who has been around here very long knows that when the insurance industry and the drug industry are trying to defeat legislation such as this—and, of course, they don't like this legislation; the CEO of Aetna is not going to make $24 million anymore if our bill passes, the CEO who in 1 year made $24 million. Their profits aren't going to keep going up and up and up and up, so they put everything they have into this. But what we see around here is, when the drug industry and the insurance industry oppose a bill, they don't send out a mailing coming from CIGNA or Aetna. They don't send out a mailing coming from Pfizer or Merck. They send out a mailing from a group they have created called—not precise names but names such as Americans For Better Patient Health Care or Americans For Safe Drugs or associations or trade names; they make them up on paper and then the drug companies and the insurance companies funnel money in. This one is not even identified that well. We don't know who sent this one out, but we are finding out.

If they had your best interests at heart, they would tell the truth. They would come to the table and play a productive role instead of a destructive one, not in their various front groups. Insurance companies are in the business of businesses. If they thought health care reform was going to help their bottom line, they would be for it. But Republicans here have consistently opposed health care legislation, at the behest of the insurance companies and the drug companies that have consistently opposed it.

I see Senator LEAHY, who wishes to speak, so I will close with this: We know these tricks. In 1965, the insurance companies teamed up with the Republicans to try to defeat the creation of Medicare. In the 1990s, the insurance companies and their allies in the drug industry, with Republicans, teamed up to try to privatize Medicare. In the first part of this decade, they succeeded, teaming up—the drug companies and the insurance companies teamed up with Republicans for a privatized prescription drug benefit that meant tens of billions of dollars for the insurance companies, tens of billions of dollars for the drug companies. But it doesn't work for the American people. That is why our health insurance legislation is so important. That is why we need to move forward and do the right thing. So dismiss mailings such as this, when they are not identified, when you don't know who sends them. When they try to be something they are not, ignore them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business.

Mr. LEAHY. Mr. President, I am delighted to follow the Senator from Ohio, who has been such a leader in this area. Of course, I am delighted to see my distinguished friend from Massachusetts in the chair, a friend of probably more years than either one of us is willing to count.

Today, we as Members of Congress have the opportunity to complete an effort that actually began decades ago. The status quo has a powerful lobby, and the centuries of status quo have killed health insurance reform before. They are pouring all their energy not into offering constructive solutions but into erecting new pillars of obstruction at every turn.

Each of the various reform plans that have been brought forward by now have their strengths and their weaknesses. We all know that. But one other thing we should know: Radical reforms they are not.

As President Obama asked, these proposals are based on the existing system of employer-based private insurance. But in the absence of comprehensive national reform, several States have helped fill the void by crafting some of their own solutions. I am proud my home State of Vermont has been a leader and an innovator on several issues that are now being wrapped into the reform package. One such provision mirrors a pilot program in Vermont, the Blueprint for Health. This coordinates care among patients and does it in a way to prevent costly hospitalizations and procedures. Patients who participate in the program have their care monitored to ensure they are receiving the kinds of preventive services and disease management they need. The blueprint rewards physicians who keep their patients healthy. The program has already slowed costs. Of course, it has reduced emergency room visits.

Vermont has also coordinated patient care as one of the States at the forefront of the movement toward electronic medical records. That is a reform I have long promoted. Recently, I visited Montpelier Pharmacy in our capital city, a small city of 8,500. I had the privilege of being born there. But I visited Montpelier Pharmacy to announce a grant I secured to help small pharmacies across Vermont adopt a system for electronic prescriptions. With electronic prescribing, you can have all kinds of computer safeguards to prevent dosages from being too large or also prescribing a medication which may conflict with another medication that has already been prescribed. The system gives the physicians—but also the pharmacists—a concrete medication history that doesn't rely just on a patient's memory alone. In fact, if you have a patient who cannot or does not remember what medication they have been taking, this can be lifesaving. It is a little bit better than a patient saying: Well, I have that small white pill, and I think it is something for heart or something like that; they can press the button and know exactly what medications they have and what the contraindications are for other medications.

Vermont has also been a national leader in children's health care and in expanding coverage for low-income Vermonters to the Medicaid Program. All this in a little State of 650,000 people. But because of our early action, more than 96 percent of Vermont's children have health insurance. In our little State—not a wealthy State, but 96 percent of Vermont's children have health insurance. We have one of the lowest rates for uninsured adults in the country. It makes Vermont a leader and model for the rest of the Nation.

The proof is in the pudding. We have 96 percent of the children with health insurance, the lowest rates for uninsured adults, so it should be no surprise that Vermont has been ranked the healthiest State in the Nation by the American Public Health Association and the Partnership for Prevention and ranked No. 1 in health care by the Commonwealth Fund. We can talk about things to do, but when you actually do them, it works.

While Vermont has been a model in coordinating care and offering wider health coverage through public programs, a provision to expand Medicaid coverage nationwide threatens to penalize States such as Vermont that have acted early to do the right thing; States, such as Vermont, that did not wait but went forward to protect the people in their State. Instead of rewarding States that have taken the initiative to expand Medicaid Programs early, one of the Senate bills would require States that have been leaders in expanding coverage to accept less Federal assistance than other States who are offered only the bare minimum of coverage. In other words, it penalizes those that have done the right thing and rewards those that have done the wrong things. Taxpayers in early leader States such as Vermont would be forced to sustain programs in States across the country that traditionally ignored the needs of their citizens. So to address this disparity, I recently joined with 13 other Senators from early leader States to offer a proposal that treats all States fairly. We can all share the goal of increasing access to essential medical services by expanding Medicaid coverage nationwide. I look forward to working with others in a way that does not misguidedly harm early leader States.

Even though Vermont has long recognized the importance of a health care system that includes all Vermonters

and Americans, individual States can't make enough progress without comprehensive health insurance reform. We need that. Workers nationwide are losing insurance for their families when they change or lose jobs. Insurance companies can and do discriminate against sick people. Notwithstanding what the hundreds of millions of dollars' worth of ads say, they can and do discriminate.

I hear heartbreaking stories daily from constituents in Vermont. They tell me of the trouble they have getting, paying for, and keeping health insurance. I hear it when I go to the grocery stores at home. I hear it when I am putting gas in my car at home. I hear it when I am walking down the street or coming out of church, such as the woman from Winhall, VT, who spends $500 a month on prescriptions—$500 a month on prescriptions—but she would be uninsured if not for her husband's job. She is working two jobs just to make ends meet and afford their health care costs.

Then there is the small business owner in Vermont who has three full-time employees and one part-time worker and she works 6 and 7 days a week, but she can't afford the blood test her doctor recommended. If she becomes sick, she will lose her business, she will lose her home, her employees will lose their insurance.

There is the man from central Vermont who told me about his sister-in-law who lost parts of both feet because she didn't have health insurance. She didn't have health insurance, and when she needed medical attention, she waited, hoping things would get better. Well, they didn't, and she had to be rushed to the emergency room for amputation.

Real-life stories such as these make us ask: Why are we the only industrialized Nation in the world that lacks health insurance for its citizens? Why does the wealthiest Nation on Earth lack health insurance for its citizens? Why does the most powerful Nation on Earth lack health insurance for its citizens? It is shameful. We owe it to all Americans to pass meaningful reform.

I strongly believe the best way to meet these goals is to include a public health insurance option in health insurance reform. A public option would give consumers more choices to purchase an affordable and quality health insurance plan. It would bring about competition. It will bring down costs. I applaud the majority leader for saying the Senate bill will consider this.

In order to introduce true competition in the insurance industry we must also end the exemption from antitrust scrutiny that has been carved out of our laws for the benefit of health insurers and medical malpractice insurance companies. The antitrust laws exist to protect consumers and promote competition, and we should no longer allow the insurance industry to hide behind its special, statutory exemption from the antitrust laws. During the Senate's debate on health insurance reform, I will offer as an amendment the Health Insurance Industry Antitrust Enforcement Act, which I introduced last month, to end the health insurance industry's exemption from our antitrust laws.

We know our current health system is unsustainable. It threatens not only our health security but also our economic security. Doing nothing has been seen as an option before us. It is always easier to do nothing, but that is not an option now. We tried doing nothing for years and the situation has grown worse. So let's debate and let's pass health insurance overhaul in the coming weeks. Let's give Americans the competition they need. Most importantly, let's give Americans the choice they need.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I wish to compliment my good friend from Vermont on his excellent remarks. I am proud to be a cosponsor on his legislation on the antitrust exception. I also wish to say to my friend that I know he was a little bit under the weather the last few days. I called him a couple times to wish him well. I think I can speak for every one of the other 99 of us, we are glad the Chairman is back and in fighting form.

UNEMPLOYMENT COMPENSATION EXTENSION

Mr. SCHUMER. Mr. President, I rise to speak in favor of the unemployment relief expansion that the Senate is poised to pass, hopefully, later today, with broad bipartisan support, although there were, I am sorry to say, some unnecessary delays from the other side.

This bill is vitally important and we could have, and should have, passed it weeks ago. I am relieved to finally see the light at the end of a very long, very dark tunnel that being out of work has caused for hundreds of thousands of American workers who have lost their jobs.

Since we first began considering this vital legislation nearly a month ago, nearly a quarter of a million Americans, and 50,000 New Yorkers have seen their benefits dry up. With each passing day of inaction, tens of thousands of middle-class families have seen their safety net pulled out from under them. So I am glad to see the Senate finally take action.

I think of something that happened to me on Monday. I was rushing to my New York City office in midtown Manhattan. A well-dressed gentleman was obviously waiting at the front door of the office building in which my office is 17 floors up. He was well dressed, in a camel hair coat, and he was well groomed. I could see anxiety in his eyes. He pulled me aside and said, ''Senator, I have been waiting for you. Can I speak with you for a minute?'' I said, ''I am late for a meeting, so can you walk with me?'' He said to me again, ''I would like to ask you a question. When will you pass an unemployment benefit extension? I have a lot of friends who are asking.'' I sort of knew what was happening. Of course, he was a man who was obviously middle class, and maybe more, who had lost his job and could not find his benefits. He was too proud to ask me for himself, so he asked me for others.

It hit home to me that New Yorkers of all backgrounds and economic levels and all parts of our State are out of work through no fault of their own. They are desperately looking for jobs, and not enough of those jobs have come back. Our job is to help them. That is what this bill does. I am glad to see the Senate finally take action.

The bill will also extend the home buyer tax credit for 7 months, which I support, and it will provide for a 5-year carryback of net operating losses, or NOLs.

The main focus of my remarks today is on this last provision, since one of the important effects of this NOL part of the legislation will be to provide much needed and deserved tax relief and, in too many cases, the money needed to survive to thousands of Americans who were lured into Ponzi schemes such as Bernie Madoff's and have lost everything. These evil schemes hurt so many people.

When we hear about the Madoff investors, we hear a lot about celebrities who lost hundreds of millions. But for every wealthy individual, there are hundreds, if not thousands, of people not at all of wealth who had their retirement savings stolen from them. They trusted Madoff or their investment adviser who put their money with Madoff. Now these poor folks have lost everything. In many ways, these average people are worse off than the people who lost many times as much, because so many—too many—of these smaller victims lost everything.

As you know, many of them are in New York, because Bernie Madoff was located there. I want to explain to my colleagues how what we are doing today helps the little guy, the average person, who saved for their retirement and now finds, at age 60, 65, or 70, that their retirement savings are gone. Everything they have worked for their whole life has been stolen from them. In many cases, the victims are destitute and have nothing to live on. They saved their money for years. They got statements and confirmations and 1099 forms that looked real. The SEC had checked out Madoff and said everything was fine. The victims did everything right. They played by the rules, and then their future financial security evaporated before their eyes on December 11 of last year.

Here is what we are doing to try to help those thousands of smaller investors. There are basically two types of Madoff investors, leaving out the charities and pension funds that were also

decimated. There are the direct investors, who knew Madoff and invested directly with him. Then there are the indirect investors, who went through someone they knew or an investment advisor called ''feeder fund'' investors. In general, direct investors tend to be the bigger investors, the wealthy who had personal relationships with Madoff. The indirect investors are the folks who tend to have a lower net worth, and a lot of them are elderly people who saved all their lives, and suddenly they are destitute. Many gave their money to somebody they trusted, such as an investment advisor, and didn't even know their money was invested with Bernie Madoff.

When the IRS issued a revenue ruling in April, which I urged them to do, the ruling simplified and clarified the rules under which a direct investor could take a theft loss deduction for their Madoff losses, by saying that theft losses could be treated as NOLs, as if the individual investors were small businesses. Direct investors were allowed to ''carry back'' their losses for 5 years instead of 3 and carry forward any remaining losses for up to 20 years. A longer carryback is important because it allows the investor to recoup some of those losses and put cash in their pockets.

But investors in a ''small business'' with more than $15 million in assets could not qualify for this relief. As a result, the IRS guidance was of help only to direct investors because the feeder funds that had the money of thousands of smaller investors were usually worth more than $15 million. They aggregated lots of little investors and gave one big chunk of money to Madoff. The IRS was sympathetic. They told us it was right to help these people, but they said they needed a change in the law.

I should also add that the indirect investors are also not eligible for the $500,000 of relief from the Security Investor Protection Corporation, or SIPC, so they have been hit by a double whammy: They are the smaller people usually, and they got shut out of the expanded carryback on the theft losses because the feeder funds of which they were a small part were too big, and they get no SIPC relief either.

The bill we are considering today will allow larger businesses to carry back their NOLs for 5 years. They can offset 100 percent of the income for the first 4 years and 50 percent in the fifth. I have worked hard to ensure that this language is drafted in such a way that the Madoff indirect investors will qualify for the expanded NOL relief, because these individuals will no longer be subject to the ''small business test.''

I believe very strongly that the indirect and direct investors should be treated equally. I tried to amend the bill so that those who are victims of theft losses from fraudulent investment schemes could get the full 100 percent in the fifth year. I particularly thank the chairman of the Finance Committee, Senator BAUCUS, and his staff, for being receptive to this, and for working with my very capable staff to make it happen. I believe we could have added this to the bill if we could have gotten it scored in the compressed timetable that we had had.

I will continue to work with the Finance Committee and the Joint Committee on Tax and the victims advocates to get the necessary data so that future tax relief for Ponzi scheme victims can be considered by the full Senate, and not stalled by unrelated scoring issues.

The action we are taking today will help millions of unemployed, thousands of home buyers, and many large corporations that need the refunds to improve their cash flow and make new investments, and that is hugely important. But I also wanted to explain how what we are doing today will help provide some modest assistance to thousands of people whose life savings were stolen from them 11 months ago.

The victims haven't been sure where to turn, but I assure them that they have allies in the Senate, including the chairman of the committee and myself. We hear them, and we are doing everything we can to help right these wrongs and at least make up for some of the evil done by Bernie Madoff.

I yield the floor.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, I rise today to address one particular aspect of the bill before us, the Home Ownership and Business Assistance Act of 2009.

Home ownership is addressed in this bill through an extension of the $8,000 credit to first-time home buyers. There are some adjustments to that credit encapsulated in the bill, but I will not get into that. I want to address a different aspect. This is an idea that hasn't been fully debated in the Senate. I think it is an appropriate time to put it forward.

We need a permanent $5,000 tax credit for first-time home buyers. Folks may say: But we have a mortgage interest deduction, and that is a major home ownership program in America. Why should we have a downpayment tax credit for first-time home buyers on an ongoing basis?

In the bill before us, the tax credit is designed to stimulate the economy, stimulate the housing market. But I put this idea forward from a different direction—the direction of empowering our working families through home ownership.

Why is that so important? I will tell you and I will give you a few vignettes.

I spent years working as director for Habitat for Humanities, working with low-income families trying to become homeowners. The community made it affordable and possible by donating land and materials and participating in the construction of the home. Habitat sold the homes to the individuals on a zero interest mortgage. Those families participated in the construction, which is often called ''sweat equity.'' They were out there hammering nails, putting up walls, pouring foundations, putting on roofing, putting their own labor and sweat into the construction of the house.

What I saw through that experience was the profound impact of home ownership on working families. I saw families, who were unstable and had been going from living in a van to living in a basement, become stable. I saw the positive impact on the children, who had never been able to invite a friend over before—now having pride in their home and having the ability to invite friends over, having more self-respect. I saw them doing better in school. I saw parents who didn't believe they had a stake in the community. Now they had a stake in the community, and that affected the way they behaved. They became more involved in the affairs of the community.

I want to turn first to laying out the fact that studies that look at the details of home ownership impact find that indeed home ownership has an enormous impact on working families. Sociologist R. J. Bursik found that crime, unemployment, suicides, juvenile delinquency, teen pregnancy, and drug use are decreased by home ownership. The Journal of Urban Economics found that children in home-owning families tend to have higher levels of achievement in math and reading, to have fewer behavioral problems, stay in school longer, are more likely to graduate from high school, and are more likely to go to college.

A study by Alba, Logan, and Bellaire titled ''Living with Crime'' found that home ownership resulted in family members being significantly less likely to be involved in crime.

All of this is common sense. It is common sense that a family who feels part of a community is going to be less likely to be involved in crime, is going to be more involved in the community, that children who have more stable lives have more self-respect and are going to fare better in school. The stability of home ownership makes it more likely that children are going to graduate from high school. But I think it is important to document those impacts from the studies, as well as from our common sense or from vignettes.

We have a major program in America, the home mortgage interest deduction, which is designed to facilitate home ownership. It is a terrific program, but the program does not assist working families getting into their first homes.

Let me put up a chart to explain what I am talking about.

Take a working family. Maybe they are earning $40,000 or $50,000 or $70,000, and they buy a $150,000 house and put 5 percent down. Right now, mortgage rates are low, so they pay 5 percent interest. Their total interest is $7,078. That is less than the standard deduction for a year. The standard deduction

is $11,400. So working families are not assisted by the home mortgage interest deduction in getting into homes.

It is still a good program. It still empowers home ownership over the long term. It certainly is beneficial in an increasing way to families who earn more.

Here is a family buying a $500,000 house. While the interest is the same, the same assumptions—5 percent down, 5 percent interest, $23,591, far exceeding the standard deduction. So if you are a family who is better off, you can buy a bigger house. The home mortgage interest deduction helps launch you into home ownership. But if you are a working family in America, it does not help much. In fact, often the interest is less than your standard deduction. So it has no impact whatsoever. This is why we should debate fully a permanent $5,000 downpayment tax credit for first-time home buyers.

Of course, we always struggle with the cost of programs and that is a very important thing to do. The cost of the home mortgage interest deduction in this last year was about $97 billion. That is the cost of the home mortgage interest deduction, with most of the benefits going to affluent families. So $97 billion is directed in ways that do not help our working families get into their first home.

What if we were to spend a fraction of that to help working families become homeowners, knowing that the externalities of home ownership—the stability for children, the lower crime rates, more likely to finish school, more likely to earn more money, you pay more in taxes, less likely to end up on public programs. All those programs are paid back to us in multiples.

What would the cost be of providing a $5,000 downpayment tax credit, a permanent one, to first-time home buyers? It would be on the order of $10 billion, assuming that every family, regardless of income, was eligible.

A $97 billion program, an important program, a good program, but it does not help working families get into homes. Why not spend 10 percent of that on a program that would help launch our working families into home ownership, which makes much better lives for them and a much better community, stronger communities for everyone else, and a much better future for their children?

I will conclude in this fashion. Home ownership has enormous value to our society—home ownership done right, not with liar loans, not with prepayment penalties, not with steering payments, not with mortgages that are basically scams. But home ownership done right has enormous returns—responsible, good, solid mortgages. We should support our working families to become homeowners, for their sake and for strengthening all of America and for the future of our children.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3548, which the clerk will report.

The bill clerk read as follows:

A 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.

Pending:

Reid (for Baucus/Reid) amendment No. 2712, in the nature of a substitute.

Reid amendment No. 2713 (to amendment No. 2712), to change the enactment date.

Reid amendment No. 2714 (to amendment No. 2713), of a perfecting nature.

Reid amendment No. 2715 (to the language proposed to be stricken by amendment No. 2712), to change the enactment date.

Reid amendment No. 2716 (to amendment No. 2715), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired, the substitute amendment is agreed to, and the motion to reconsider is considered made and laid upon the table.

The amendment (No. 2712) was agreed to.

The PRESIDING OFFICER. Under the previous order, the time until 12:15 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, that will be, I suppose, about 12 minutes each side; is that correct?

The PRESIDING OFFICER. The Republican side has 15 minutes.

Mr. ISAKSON. Mr. President, I rise in full support of the extension of the unemployment insurance compensation. I rise also to express my thanks to a number of people in this body.

First, as everybody knows, we adopted a substitute to the unemployment compensation bill by Senator REID. Senator REID, the majority leader, has been instrumental in seeing to it this bill not only passes but that enhancements are made to this bill to help the U.S. economy, and it is totally paid for and a net positive to the Federal Treasury. I appreciate more than I can express Senator REID's hard work to help this take place.

Secondly, I thank Max BAUCUS, chairman of the Finance Committee. Senator BAUCUS and his staff have been unbelievably cooperative in helping us find the pay-fors to match and actually exceed the cost of the home buyers tax credit which will be extended in this legislation.

Senator DODD, chairman of the Banking Committee, 3 weeks ago hosted a 3-hour hearing in the committee on the housing tax credit and the housing market. Without his giving us that time to bring forward the issues that are so pressing in our country today, I am not sure we would be standing here at all. So I am greatly appreciative of Senator DODD.

I particularly thank Chris Cook on my staff for the work he has done in helping make this take place.

Lastly, but not least, I thank Mr. Richard Smith, a private citizen, a person in the housing industry who dedicated countless hours of his life in the past month to educate people on the positive effects of what we are about to do.

Briefly, I want to say the following: We learned about 8 months ago that a tax credit for first-time home buyers worked. It worked to bring back the entry level marketplace in housing, and it helped to begin to stabilize the housing market which led us in late 2007 into the difficulties we have experienced over the last 20 months. Extending it is important, as long as everybody still understands permanent extension would be bad. Extending it to next April, which this bill does, with a closing no later than June 30, allows the American housing market and first-time home buyers to exercise their right to take tax they pay, convert it to equity in the investment and net appreciating asset, and help stimulate what is the rock-solid base of the American economy.

We also add, in addition to the $8,000 credit extension for first-time home buyers, a move-up buyer tax credit of $6,500. This is the cornerstone of the substitute before us now. It offers to any previous homeowner who has lived in their home for at least the last 5 years the opportunity to sell that home, invest in a new home, and take up to a $6,500 tax credit. That is going to help us boost what is the problem in the U.S. housing economy today, and that is what is called the move-up market. It is the gentleman who is transferred from Delaware with Hercules to Brunswick, GA, who cannot sell his house in Wilmington and cannot buy a house in Brunswick because the markets are so frozen and the move-up market is dead. Now he has an opportunity to sell that house and have an incentive for its purchase in Delaware and an incentive to come and reinvest that money in Georgia in a house in Brunswick. It will make a measurable difference over the next 7 months in our economy.

We also raised the means test on income from $75,000 to $150,000, which is in the current credit, to $150,000 and $225,000 in the new bill for both move-up buyers as well as first-time home buyers. Those income thresholds will open the incentive to more Americans and I think will show a measurable increase in the amount of business that takes place.

In response to the Internal Revenue Service concerns we expressed a few months ago on fraud, we put in every single request they made for fraud to

see to it the HUD–1 is attached to tax statements, to see to it there is no fraudulent claim of the money, and to see to it the IRS has every tool they can to prosecute to the fullest anybody who would abuse this credit.

Lastly, we have one exemption to the payback. As the Presiding Officer knows, the credit has to be paid back if somebody sells their house within the first 3 years of occupancy and moves. That is because they are required to own it at least 3 years. That payback is waived if they are a member of the U.S. military who has redeployed in our military in the United States or overseas. It is not right for them to respond to our country's call and then penalize them on the tax credit if they used it before by not knowing they would be called or moved again.

Again, I thank Senator REID, Senator BAUCUS, and Senator DODD for their tremendous work. I thank the Members of this body for their positive vote of 85 to 2 on cloture on Monday night and hopefully what will be a very positive vote tomorrow night to extend and pass the first-time home buyers credit and add to it the move-up buyers home credit.

I add to this list everybody who has an interest, everybody who thinks it is a great opportunity. It is a great opportunity, but it ends on April 30 for contracts and on June 30 for closing. It would not be in the best interests of the United States or this Senate to extend this credit. Part of the benefit of a tax credit is the scarcity or the urgency of its sunsetting. This tax credit will sunset on April 30, 2010, and it will not be extended. Closing will have to take place by June 30 or it will not count.

I urge all Americans who have always dreamed, if they are a first-time home buyer, of having a home of their own or Americans who have been gridlocked in the failure of our move-up market to actually move up and work, you have a 7-month opportunity that is good for you, it is good for the United States of America, and it is good for this economy.

I yield the floor by thanking all the Members of this body and urging them to vote in favor of the adoption of the substitute and ultimately on the passage of the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I commend several of my colleagues who brought us one step closer to passing an extension of unemployment insurance which is absolutely critical in the lives of millions of Americans. Hundreds of thousands—millions, indeed—have run out of their benefits or are about to run out of their benefits. They are facing the prospect of a tough economy without jobs and looking feverishly and not finding them and not having a basic support for their families. This is critical.

Majority Leader REID has helped immensely, together with Chairman BAUCUS. I particularly single out Senator ISAKSON and Senator BUNNING. They have worked collectively, collaboratively to bring to this bill two other measures which are critical. As Senator ISAKSON explained, the housing tax credit. One of the real benefits of this body when it works well is we are able to have the expertise and the judgment and the knowledge of someone such as Senator ISAKSON who understands better than anyone else the real estate market because he came up through that business.

His vision months ago gave us the option to move forward on this homeowners tax credit. It has been a huge success, and it is much to the credit of Senator ISAKSON.

Senator BUNNING recognizes the need for the net operating loss favorable treatment to small businesses.

When we work together, pooling our best ideas, we can contribute to the well-being of Americans all through this country. I thank those two Senators.

I hope that after what I anticipate to be another overwhelming procedural vote that we could move immediately to consideration of final passage of the unemployment compensation bill, together with the measures Senator ISAKSON and Senator BUNNING have offered.

I hesitate, but I will add that it has been 20-plus days since we have been considering this unemployment extension. We have been through numerous procedural votes. These procedural votes have been overwhelming. Monday evening, it was 85 to 2. Typically, when we have that kind of underlying support for a measure, we do not need 30 additional hours, particularly now since we are considering a bipartisan bill, incorporating unemployment compensation extensions, first-time home buyers, together with net operating loss treatment for small businesses.

So I anticipate a successful procedural vote. I would like to anticipate swift and unanimous passage, and I hope that is the case.

The issue of unemployment compensation is absolutely critical all across this country. There is no place today in the United States that does not see a serious crisis in unemployment. In my home State, we have a 13-percent unemployment rate. My assembly was briefed today with the prediction that the rate will peak sometime next year at 14 percent. That is crippling in terms of its effect on families.

We have seen some progress in our economy. We saw last week, for the first time in a year, a growth in the gross domestic product—3.5 percent. The economy is expanding. We are growing again. The downward collapse has stopped, and we are beginning to grow. But, as I suggested previously on the floor, you can't feed your family GDP. You need a job. You need to be able to work. You need to have the certainty of your work, that it will be there. And you have to be able to have that job to provide for your family and to give us the confidence we need to continue to grow and expand the economy.

One of the economic effects we have seen is lagging consumer consumption, which was a major driving force in our economy. It is obvious that when people are afraid of losing their jobs, when people have lost their jobs, their consumption is necessarily limited. So in order to sustain our growth, we have to go ahead and rebuild our employment situation.

But what we have to do immediately is to recognize there are people without jobs. These are people who have worked all their lives. My colleagues have come to the floor repeatedly and they have read—Senator DURBIN and so many others—letters from constituents, husbands and wives who are now faced with no employment, are faced with the loss of their insurance because their COBRA is running out, their health care, and they are worried about losing their homes. For the first time, they are at the edge of financial ruin. Many have already exhausted their 401(k)s, all their retirement benefits, just to get by, just to survive.

Again, these are people who have worked all their lives. We owe them something more than procedural niceties in the Senate. I hope that today we will pay that debt to these people.

We are here on the verge, I hope, of quick passage and not additional delay. We have taken it step by step. The leadership of Majority Leader REID and Chairman BAUCUS has been extraordinary, and with the thoughtful and substantive contributions of my colleagues, Senators ISAKSON and BUNNING. I hope that with this now bipartisan approach, we can, in fact, not only procedurally take it a further step but pick up the pace dramatically and cross the finish line—today, I hope. I would obviously urge all my colleagues to support this measure and support the underlying legislation as quickly as possible.

At this juncture, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, I ask unanimous consent that the time during the quorum be charged equally against both sides.

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

Mr. REED. Mr. President, again I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

ANNIVERSARY OF IRAN HOSTAGE CRISIS

Mr. KYL. Mr. President, I rise today to note the 30th anniversary of a very sad day in American history. On this day 30 years ago, an angry mob of so-called students stormed the U.S. Embassy in Tehran and took 66 U.S. citizens hostage there. The original plan of the terrorists was to hold the Embassy for 3 days. In the end, they held 52 American hostages for 444 days.

The images of hostages blindfolded, with their hands tied behind their backs, should remain seared in our memories. The ABC News program ''Nightline'' essentially has its beginning in this crisis. The title of the news program at the time was ''The Iran Crisis—America Held Hostage.'' Each night, as Americans went to bed, it would add a day to its count of how long Americans were held hostage. Walter Cronkite would similarly sign off his newscast.

I am sure many remember the chants of the hostage takers and those who supported them—''Death to America,'' they would say. The Iranian regime would call us the ''Great Satan.'' The thing is, although the hostages have long been released, not much else has changed. The government still leads its citizens in chants of ''Death to America.''

After Ayatollah Khamenei came to power, a Time magazine article in 1980 described him as the face showing ''the ease with which terrorism can be adopted as government policy.'' Terrorism remains the policy of the Government of Iran today. Earlier this year, the State Department issued its annual report on terrorism, finding that ''Iran remained the most active state sponsor of terrorism.''

The Ayatollah Khamenei blessed this brazen terrorist act of holding Americans hostage. Upon his coming to power, Iran went from being an American ally in the region to our mortal enemy. The hostage crisis was, and remains, the defining symbol of this rupture.

In his inaugural address, in keeping with his campaign promises, President Obama stated to countries such as Iran, ''We will extend a hand if you are willing to unclench your fist.'' On the nuclear weapons issue, the hand has been extended many times to Iran, but Iran has yet to unclench its fist.

Sadly, its resistance is nothing new. In October 2003, Iran concluded an agreement with France, Germany, and the United Kingdom known as the EU–3 in which Iran promised to suspend its uranium-enrichment activities. It did not live up to that promise. Iran arranged again, in November 2004, a suspension agreement with the EU–3, only to repudiate it again. This Iranian duplicity continues to this day.

In June 2006, the EU–3 was joined by Russia, China, and the United States to become the P5-plus-1. They called on Iran to suspend its uranium-enrichment activities in exchange for a variety of incentives. A revised version of this proposal was presented to Iran in the summer of 2008.

The International Atomic Energy Agency issued its most recent report on the matter in August 2009. In paragraph 27, it found that:

> Iran has not suspended its uranium enrichment related activities or its work on heavy water related projects as required by the Security Council.

The most recent Congressional Research Service report on the matter says:

> Iranian officials maintain that Iran will not suspend its enrichment program.

Yet another deal to bribe Iran to comply with its international obligations is before Iran today. Under this proposal, Iran would transfer stocks of its low-enriched uranium to Russia, Russia would enrich the uranium further and transfer that to France for France to fabricate into fuel assemblies, and then finally France would transfer this enriched uranium back to Iran. This deal came after the G–20 meeting in Pittsburgh in September, at which it was revealed that Iran had a covert enrichment facility in defiance of all of its international commitments and requirements.

French President Sarkozy said:

> If by December there is not an in-depth change by the Iranian leaders, sanctions will have to be taken.

Prime Minister Brown stated:

> I say on behalf of the United Kingdom today, we will not let this matter rest. And we are prepared to implement further and more stringent sanctions.

I hope President Obama will join in the Europeans' forceful and clear response to continued Iranian intransigence on the nuclear issue.

This current Iranian regime represents the same terrorists who took U.S. citizens hostage 30 years ago today and held them in humiliating captivity for 444 days. That seminal event is still celebrated in Iran. I do not believe it has ever been repudiated or condemned by the Iranian Government.

In his book ''Guests of the Ayatollah,'' Mark Bowden describes how the U.S. Embassy has perversely become an anti-American museum to which students are bussed to commemorate the terrorist event. He further describes how ''the takeover is remembered as one of the founding events of the Islamic 'republic.' ''

Mr. Bowden also writes:

> The Iran hostage crisis was for most Americans their first encounter with Islamo-fascism and, as such, can be seen as the first battle in that ongoing world conflict. [The hostages] were the first victims of the inaptly named 'war on terror.' ''

Now Iran continues its nuclear activities in defiance of Security Council resolutions, and it remains the world's leading state sponsor of terrorism. This regime is not negotiating in good faith over its nuclear program, and during the time we have attempted to bring it into compliance with its international obligations, Iran has continued to defiantly develop its nuclear capabilities.

Thirty years ago today, Iran directly threatened and harmed the most vital and core U.S. interests. No one in this Chamber should be confused that 30 years later this regime still means to do us harm.

Mr. President, I wish to especially thank Michael Stransky for his research on this matter.

As a sign of remembrance and respect, I ask unanimous consent to have printed in the RECORD the names of all of those taken hostage in Iran 30 years ago today, as well as the 8 servicemembers who lost their lives in an attempt to free them.

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

THE HOSTAGES AND THE CASUALTIES

Sixty-six Americans were taken captive when Iranian militants seized the U.S. Embassy in Tehran on Nov. 4, 1979, including three who were at the Iranian Foreign Ministry. Six more Americans escaped. Of the 66 who were taken hostage, 13 were released on Nov. 19 and 20, 1979; one was released on July 11, 1980, and the remaining 52 were released on Jan. 20, 1981. Ages in this list are at the time of release.

The 52:

Thomas L. Ahern, Jr., 48, McLean, VA. Narcotics control officer.

Clair Cortland Barnes, 35, Falls Church, VA. Communications specialist.

William E. Belk, 44, West Columbia, SC. Communications and records officer.

Robert O. Blucker, 54, North Little Rock, AR. Economics officer specializing in oil.

Donald J. Cooke, 26, Memphis, TN. Vice consul.

William J. Daugherty, 33, Tulsa, OK. Third secretary of U.S. mission.

Lt. Cmdr. Robert Englemann, 34, Hurst, TX. Naval attaché.

Sgt. William Gallegos, 22, Pueblo, CO. Marine guard.

Bruce W. German, 44, Rockville, MD. Budget officer.

Duane L. Gillette, 24, Columbia, PA. Navy communications and intelligence specialist.

Alan B. Golancinksi, 30, Silver Spring, MD. Security officer.

John E. Graves, 53, Reston, VA. Public affairs officer.

Joseph M. Hall, 32, Elyria, OH. Military attaché with warrant officer rank.

Sgt. Kevin J. Hermening, 21, Oak Creek, WI. Marine guard.

Sgt. 1st Class Donald R. Hohman, 38, Frankfurt, West Germany. Army medic.

Col. Leland J. Holland, 53, Laurel, MD. Military attaché.

Michael Howland, 34, Alexandria, VA. Security aide, one of three held in Iranian Foreign Ministry.

Charles A. Jones, Jr., 40, Communications specialist and teletype operator. Only African-American hostage not released in November 1979.

Malcolm Kalp, 42, Fairfax, VA. Position unknown.

Moorhead C. Kennedy Jr., 50, Washington, DC. Economic and commercial officer.

William F. Keough, Jr., 50, Brookline, MA. Superintendent of American School in Islamabad, Pakistan, visiting Tehran at time of embassy seizure.

Cpl. Steven W. Kirtley, 22, Little Rock, AR. Marine guard.

Kathryn L. Koob, 42, Fairfax, VA. Embassy cultural officer; one of two women hostages.

Frederick Lee Kupke, 34, Francesville, IN. Communications officer and electronics specialist.

L. Bruce Laingen, 58, Bethesda, MD. Chargé d'affaires. One of three held in Iranian Foreign Ministry.

Steven Lauterbach, 29, North Dayton, OH. Administrative officer.

Gary E. Lee, 37, Falls Church, VA. Administrative officer.

Sgt. Paul Edward Lewis, 23, Homer, IL. Marine guard.

John W. Limbert, Jr., 37, Washington, DC. Political officer.

Sgt. James M. Lopez, 22, Globe, AZ. Marine guard.

Sgt. John D. McKeel, Jr., 27, Balch Springs, TX. Marine guard.

Michael J. Metrinko, 34, Olyphant, PA. Political officer.

Jerry J. Miele, 42, Mt. Pleasant, PA. Communications officer.

Staff Sgt. Michael E. Moeller, 31, Quantico, VA. Head of Marine guard unit.

Bert C. Moore, 45, Mount Vernon, OH. Counselor for administration.

Richard H. Morefield, 51, San Diego, CA. U.S. Consul General in Tehran.

Capt. Paul M. Needham, Jr., 30, Bellevue, NE. Air Force logistics staff officer.

Robert C. Ode, 65, Sun City, AZ. Retired Foreign Service officer on temporary duty in Tehran.

Sgt. Gregory A. Persinger, 23, Seaford, DE. Marine guard.

Jerry Plotkin, 45, Sherman Oaks, CA. Private businessman visiting Tehran.

MSgt. Regis Ragan, 38, Johnstown, PA. Army noncom, assigned to defense attaché's officer.

Lt. Col. David M. Roeder, 41, Alexandria, VA. Deputy Air Force attaché.

Barry M. Rosen, 36, Brooklyn, NY. Press attaché.

William B. Royer, Jr., 49, Houston, TX. Assistant director of Iran-American Society.

Col. Thomas E. Schaefer, 50, Tacoma, WA. Air Force attaché.

Col. Charles W. Scott, 48, Stone Mountain, GA. Army officer, military attaché.

Cmdr. Donald A. Sharer, 40, Chesapeake, VA. Naval air attaché.

Sgt. Rodney V. (Rocky) Sickmann, 22, Krakow, MO. Marine Guard.

Staff Sgt. Joseph Subic, Jr., 23, Redford Township, MI. Military policeman (Army) on defense attaché's staff.

Elizabeth Ann Swift, 40, Washington, DC. Chief of embassy's political section; one of two women hostages.

Victor L. Tomseth, 39, Springfield, OR. Senior political officer; one of three held in Iranian Foreign Ministry.

Phillip R. Ward, 40, Culpeper, VA. Administrative officer.

One hostage was freed July 11, 1980, because of an illness later diagnosed as multiple sclerosis:

Richard I. Queen, 28, New York, NY. Vice consul.

Six American diplomats avoided capture when the embassy was seized. For three months they were sheltered at the Canadian and Swedish embassies in Tehran. On Jan. 28, 1980, they fled Iran using Canadian passports:

Robert Anders, 34, Port Charlotte, FL. Consular officer.

Mark J. Lijek, 29, Falls Church, VA. Consular officer.

Cora A. Lijek, 25, Falls Church, VA. Consular assistant.

Henry L. Schatz, 31, Coeur d'Alene, ID. Agriculture attaché.

Joseph D. Stafford, 29, Crossville, TN. Consular officer.

Kathleen F. Stafford, 28, Crossville, TN. Consular assistant.

Thirteen women and African-Americans among the Americans who were seized at the embassy were released on Nov. 19 and 20, 1979:

Kathy Gross, 22, Cambridge Springs, PA. Secretary.

Sgt. James Hughes, 30, Langley Air Force Base, VA. Air Force administrative manager.

Lillian Johnson, 32, Elmont, NY. Secretary.

Sgt. Ladell Maples, 23, Earle, AR. Marine guard.

Elizabeth Montagne, 42, Calumet City, IL. Secretary.

Sgt. William Quarles, 23, Washington, DC. Marine guard.

Lloyd Rollins, 40, Alexandria, VA. Administrative officer.

Capt. Neal (Terry) Robinson, 30, Houston, TX. Administrative officer.

Terri Tedford, 24, South San Francisco, CA. Secretary.

Sgt. Joseph Vincent, 42, New Orleans, LA. Air Force administrative manager.

Sgt. David Walker, 25, Prairie View, TX. Marine guard.

Joan Walsh, 33, Ogden, UT. Secretary.

Cpl. Wesley Williams, 24, Albany, NY. Marine guard.

Eight U.S. servicemen from the all-volunteer Joint Special Operations Group were killed in the Great Salt Desert near Tabas, Iran, on April 25, 1980, in the aborted attempt to rescue the American hostages:

Capt. Richard L. Bakke, 34, Long Beach, CA. Air Force.

Sgt. John D. Harvey, 21, Roanoke, VA. Marine Corps.

Cpl. George N. Holmes, Jr., 22, Pine Bluff, AR. Marine Corps.

Staff Sgt. Dewey L. Johnson, 32, Jacksonville, NC. Marine Corps.

Capt. Harold L. Lewis, 35, Mansfield, CT. Air Force.

Tech. Sgt. Joel C. Mayo, 34, Bonifay, FL. Air Force.

Capt. Lynn D. McIntosh, 33, Valdosta, GA. Air Force.

Capt. Charles T. McMillan II, 28, Corrytown, TN. Air Force.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. No time remains on your side. There is 32 seconds remaining on the other side.

Mr. REED. Mr. President, without objection, I will proceed for the remaining seconds and simply remind everyone that we are taking another step to expand unemployment coverage for an additional 14 weeks for every State and 6 more weeks for those States that have unemployment rates above 8.5 percent. We are incorporating a home buyer tax credit that has worked remarkably well, and we are also incorporating net operating loss treatment for small businesses so they can have additional resources to hire more Americans.

This legislation is important, it is critical, it is vital, and I hope it is unanimously accepted.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 3548, the Unemployment Compensation Extension Act of 2009.

Max Baucus, Byron L. Dorgan, Edward E. Kaufman, Mark L. Pryor, Jeff Bingaman, Tom Udall, Roland W. Burris, Tim Johnson, Mary L. Landrieu, Patty Murray, Al Franken, Michael F. Bennet, Benjamin L. Cardin, Richard Durbin, Herb Kohl, Mark Begich.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 3548, the Unemployment Compensation Extension Act of 2009, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 1, as follows:

[Rollcall Vote No. 333 Leg.]

YEAS—97

Akaka	Feingold	Merkley
Alexander	Feinstein	Mikulski
Barrasso	Franken	Murkowski
Baucus	Gillibrand	Murray
Bayh	Graham	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Gregg	Pryor
Bennett	Hagan	Reed
Bingaman	Harkin	Reid
Bond	Hatch	Risch
Boxer	Hutchison	Roberts
Brown	Inhofe	Rockefeller
Brownback	Inouye	Sanders
Bunning	Isakson	Schumer
Burr	Johanns	Sessions
Burris	Johnson	Shaheen
Cantwell	Kaufman	Shelby
Cardin	Kerry	Snowe
Carper	Kirk	Specter
Casey	Klobuchar	Stabenow
Chambliss	Kohl	Tester
Coburn	Kyl	Thune
Cochran	Landrieu	Udall (CO)
Collins	Lautenberg	Udall (NM)
Conrad	Leahy	Vitter
Corker	LeMieux	Voinovich
Cornyn	Levin	Warner
Crapo	Lieberman	Webb
Dodd	Lincoln	Whitehouse
Dorgan	Lugar	Wicker
Durbin	McCain	Wyden
Ensign	McConnell	
Enzi	Menendez	

NAYS—1

DeMint

NOT VOTING—2

Byrd McCaskill

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, I note that my colleague from New Hampshire is also on the floor. Did she want to go first?

Mrs. SHAHEEN. Go ahead.

Mr. GREGG. Madam President, I ask unanimous consent to speak for 10 minutes as in morning business.

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

DEBT AND DEFICIT

Mr. GREGG. Madam President, last night's elections have been interpreted in a variety of different ways. I listened to one channel and got one certain interpretation, I listened to another channel and I got the exact opposite interpretation. So I will throw in my interpretation.

I think the American people, most Americans today, are going through some tough times. They are finding it very difficult to make ends meet. Many Americans have lost their jobs, unfortunately. Those Americans who have jobs are worried about their jobs. They are going home at night, they are sitting down with their husbands or with their wives and they are trying to work through the family finances.

They are concerned about making ends meet. They are worried about their credit card debt, they are worried about their mortgage, they are worried about how they are going to pay for their children's schooling, if their kids are in school. If they are graduate students, they are not kids, they are worried about how they are going to pay all those debts they are running up to get through school.

I think Americans understand the debt is a problem personally and now they look at the Federal Government and they see we are running up this massive debt on them. We are going to be asked, fairly soon, to raise the level of the national debt by maybe $1 trillion.

This year the deficit will exceed $1.4 trillion—or last year—and we are seeing deficits projected for the next 10 years of over $1 trillion a year. They are seeing our Federal debt being bought up by foreign countries. Yet our Federal debt keeps going up dramatically. They are asking themselves: How can this be? How can a country as strong and vibrant as the United States continue to run up all this debt and continue to be successful? We cannot do it as family members. We cannot do it in our household. How can the Federal Government do this?

I think the answer is fairly intuitive: It cannot do this. Yet we continue to do it as a government. So I think some of the vote last night was a statement that, hey, Federal Government, take a pause. Think about what you are doing in the area of running up deficits and running up debt and passing on to the children, to our children and to our grandchildren, a situation which is not fiscally sustainable.

Think about what is going to occur if we continue to run these massive deficits and this massive debt. It will be a situation where we have a new saying in this country, ''No child left a dime'' as a result of all this debt being run up. Our kids will be put in a position where their quality of life will be fundamentally undermined. They will not be able to buy their home. They will not be able to send their children to college. They will not be able to do the things we have been able to do in our generation because they will have to be paying for the debt which we put on their backs, $1 trillion of deficit every year for the next 10 years, the public debt going to 80 percent of GDP.

Yet the proposals we are seeing come across this floor aggravate the situation almost on a daily basis. Two weeks ago, there was a proposal by the White House to add $13 billion of new deficit spending because they wanted to give $250 to every Social Security recipient.

Well, I think most Social Security recipients are sophisticated enough to know that putting $13 billion of debt on their children's backs, in a system that already has severe fiscal problems, is not worth it for $250. It is not worth doing that to their kids and their grandkids.

Then, 1 week ago, it was proposed we spend almost $¼ trillion—$250 billion—to fund the doctors fix. The doctors need this adjustment. But it was going to be funded by passing debt, putting debt on our children's backs. We could not afford to do that to them.

It is not right to fix the doctors' problem by passing the bill on to the next generation. Yet that was what was proposed. It passed in the House. Fortunately, over on the other side of the aisle, a number of folks stood and joined all the Republicans and said: No, that is not the way to do it. We should pay for that.

We are going to see a highway bill coming through here pretty soon. That bill is going to add potentially $150 billion of new debt to the deficit.

The most egregious example of this problem of expanding the deficit and the debt on our children and leaving our children in a situation where no child has a dime is the situation that is coming down the pike on the health care bill. The House of Representatives leadership on the Democratic side has proposed a bill that, when fully implemented—in the first 10 years, it is not fully implemented so the costs are underestimated—is going to cost $2.4 trillion of new spending. It will take health care spending up to 22 percent of the gross national product. We will be spending more than a fifth of this country's wealth on health care as a result of the House bill.

The practical implications of that are staggering, not only to our economy but to this government. To grow this government by $2.4 trillion is going to put us in a situation where we will basically have a government that is piling more debt on top of debt we already can afford.

It is alleged that this is paid for. It is paid for in the first 10 years, if you use the most rosy assumptions, because they start the pay-for years on year 1, and they don't start the expenditures until year 4. So in a 10-year period they have 6 years of expenditures matched against 10 years of income. But when you get it fully implemented, it is not paid for. There is a huge gap. The pay-for assumes that you are going to take $4- to $500 billion out of Medicare and move it over to a new entitlement. You will take $4- to $500 billion of new tax increases and pay for this new entitlement. We can't afford that. If we are going to adjust Medicare spending by $½ trillion, which is what the House is proposing, that money should go to making Medicare solvent. It should not go to creating a brand new entitlement which is going to weight down even further the ability of the Federal Government to pay its bills. Yet that is the proposal. If you are going to dramatically increase taxes, as the bill suggests, by $½ trillion, that money should also go to address the deficit and the debt. It should not go to expanding the size of government.

The fundamental problem with this health care bill, as it left the House and the Senate Finance and HELP Committees, is that it grows the government at a dramatic rate and uses resources which should be used to get the deficit under control or to make Medicare more solvent. It uses those resources to expand a brand new entitlement. We know, because we have seen it in all sorts of initiatives, that when you put a new program on the books, you inevitably, especially an entitlement program, underestimate the cost, and you equally overestimate revenues. Inevitably, the majority of that cost is financed through deficit spending and is added to the debt. You just have to look at our history to know that is true.

As we go forward from this point, I hope we will think a little bit about addressing what most Americans who voted last night were thinking about, at least when they went home to do their own budgets, and that is the deficit and debt, and that we won't put on the books a brandnew entitlement that will cost us $2.4 trillion when fully implemented and which will dramatically aggravate our ability to pay for debt we already know is coming down the road to make Medicare more solvent, which we know is a big issue and will increase the size of the government. When this bill is fully implemented, if it were passed in its present form, the Federal Government would grow from 20 percent of GDP to 23½ percent of GDP. That would be the largest percentage of the economy the Federal Government has taken out of it since World War II. Then it continues to go up. It ends up, after 10 years, at about 26 percent of GDP, if we factor in all the different expenditures which are proposed in other parts of the budget.

It is not sustainable. It is not fair. It is not right. One generation should not do this to another generation. We should not promise new programs we cannot pay for and which will pass on to our kids costs which they will have

to bear in a way which will dramatically affect their quality of life. I hope we will take a little time out and say: Let's see if there isn't a better way to do this. Let's see if we can't do this in a more fiscally responsible way, in a way that doesn't grow the government by trillions of dollars, and which doesn't pass massive new debt on to our children.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I agree with my colleague from New Hampshire. We have too many people who are struggling right now in this recession. We have too many people who are unemployed, who need help until they can get back on their feet, find a new job, until the economy starts creating jobs again. That is why I am having so much trouble understanding why it has taken this body so long—4 weeks now—to extend unemployment benefits for those people who are losing their benefits before the end of this year, almost 2 million Americans, and we have been trying to pass an extension of unemployment for the last month.

I rise to speak in support of the Worker Home Ownership and Business Assistance Act, a bill that will extend unemployment benefits 14 weeks for unemployed workers in every State and for an additional 6 weeks in those States with over 8.5 percent unemployment. I am pleased that today the Senate has voted by an overwhelming majority, 97-to-1, to proceed to final passage of this legislation.

This broad, bipartisan vote acknowledges that unemployment affects every community in every State in every part of the country. In fact, this is the third vote we have had now to proceed to this bill. Every vote has passed overwhelmingly with a bipartisan vote. Despite those strong votes in support of an extension, opponents have put up obstacles at every turn to delay passage of the bill. As a result of these delay tactics, approximately 200,000 workers have lost their benefits in the last month.

Hopefully after 4 long weeks, the end is in sight. Soon people like Richard, one of my constitutents from Winchester, NH, who called my office yesterday, will get the help he desperately needs. Richard is a single father of three boys. He lost his job as a machinist at Greenfield Tap and Dye plant, a small manufacturing plant in the southwestern part of the State, more than a year ago. Since then he has been using his savings, his unemployment benefits to pay his mortgage, to buy food, to buy gas, and to pay for other necessities. Richard has been out looking for other manufacturing jobs, but no one is willing to hire him until this economy improves.

That is what the Senate has been working on. I disagree respectfully with my colleague from New Hampshire. Much of the effort we have expended in the Senate has been to support the economy so it does improve, so we can create jobs again.

We are on the cusp of finally passing this legislation to help Richard and his family and millions of other jobless Americans whose benefits will run out, to help them get through the holidays. As I have said many times, when we extend unemployment, we are not only helping those workers whose benefits have been exhausted, we are helping small businesses that provide the goods and services the unemployed are going to need. They are going to go out and spend those unemployment checks on those goods and services so that for every $1 we spend on unemployment, it turns over $1.61 in the economy. People collecting unemployment spend their benefits immediately on necessities to keep their families going, which means these dollars get into communities almost as soon as the checks arrive. Economists say that dollar for dollar, extending unemployment benefits is one of the most cost-effective actions we can take to stimulate the economy.

Passing this extension is the right choice for unemployed workers and for communities. I look forward to passing this extension for Richard and for the millions of Americans who are counting on us to act.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BURRIS. Madam President, I ask unanimous consent to speak as in morning business.

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

HEALTH CARE REFORM

Mr. BURRIS. Thank you, Madam President.

Two months ago, I stood on the floor of this Chamber and made a solemn commitment. It is a commitment I have restated almost every day that the Senate has been in session, and I will say it once again today: I will not vote for any health care reform bill that fails to include a strong public option.

Unfortunately, there has been a great deal of misinformation about what the public option is really about and what it would mean to ordinary Americans. So let's cut through the distractions and scare tactics and talk seriously. Let's define exactly what a strong public option means.

I hear people talk about public options and triggers and opt-outs and opt-ins and all kinds of other proposals. Some people throw words around interchangeably. But words are important, and this is not some abstract idea, this is a real set of proposals that will affect real people in real ways. So let's define exactly what we are talking about.

The strong public option is about three things: competition, lower costs, and accountability. That is why a strong public option is essential to achieve real, meaningful reform.

We can all agree that we need to fix our health care system now, but let's also agree to fix it the right way.

First and foremost, a strong public option must create true competition in the health care insurance market. A key problem with health coverage is that consumers do not have any options. In America today, only two industries are not bound by antitrust laws that apply to every other business in this country: health care insurance and Major League Baseball. When every other private enterprise has to compete in the open market for their business, why does big insurance deserve special treatment? In my opinion, they don't. In such a highly concentrated environment, there is no incentive to compete. There is no reason to improve service, expand access, or work with patients and doctors to achieve better health outcomes. In fact, there is every incentive to do just the opposite.

We have seen unprecedented consolidation in the insurance market, and that has led to a lack of competition and choice for American consumers. Over the past 13 years, there have been more than 400 corporate mergers involving health insurers. As a result, 94 percent of our Nation's health markets are now considered ''highly concentrated,'' meaning they are virtual monopolies.

In my home State of Illinois, just two companies control 69 percent of our market. Sadly, Illinois is far from alone. In Alabama, a single company controls almost 90 percent of the market, and in Iowa, Rhode Island, Arkansas, Hawaii, Alaska, Vermont, Wyoming, Maine, and Montana, the two largest insurance companies control at least 80 percent of the market. In fact, there are only three States in the entire country where the largest three companies control less than 50 percent of the insurance market.

This must end. We must restore competition and choice to the health insurance industry. It is time to create a strong public option that will make insurers compete for people's business, just like any other company in America.

A strong public option will give people a choice for the first time in decades. No one would be forced to change their coverage, but if their current provider isn't treating them right, they deserve the opportunity to choose something better and more affordable.

That brings me to my next point. In order to achieve real reform, a public option must be strong enough to significantly lower costs. Every Member of this Senate knows what America pays for insurance. One dollar out of every $6 we spend in this country goes to pay for health care. Health outcomes are down, but somehow insurance company profits are through the

roof. This does not make sense. Premiums are rising four times faster than wages. In fact, between 2000 and 2007, 10 of the country's top insurance companies increased their profits by an average of 428 percent. There is nothing wrong with making a profit. I think all businesses should make a profit. But there is nothing fair about creating a monopoly and then wringing money out of sick Americans who are counting on them in their hour of need.

Not only are there almost 50 million Americans without health insurance, there is also a massive segment of the population who can't afford what little coverage they have.

The American people deserve the chance to shop around, to compare options and pick plans that are right for themselves and their families or small businesses. If private companies have to compete with a strong public plan, people's premiums will come down, companies will bring costs under control, and this will help save money. But it is not just costs that will improve. Providers will also improve quality of coverage. They will start to focus on patient outcomes rather than profits. As a result, better care will become available to more people.

A strong public option would require some capital to get off the ground, just like any other business, but after that, it would rely on the premiums it collects to remain self-sufficient. It would operate like a not-for-profit insurance company, setting affordable rates based on the actual cost of care, not a desire to give giant bonuses to their executives and pay dividends to their stockholders.

The current system is a drain on the American taxpayer, but a strong public option would not be. It would not be a handout, it would not force anyone to change their current coverage, but it would drive down costs and give people a real choice for the first time in decades. A strong public option would provide a cheaper alternative to private companies and would force those companies to improve their product or risk losing customers.

That brings me to the third goal we must achieve with real health care reform. A public option must be strong enough to bring real accountability to the health insurance industry. For far too long, private insurance providers have been running roughshod over the American public. More often than not, those most in need are the ones who suffer the worst abuse. There is a lot of money to be made off of the poor. I will repeat that statement. There is a lot of money to be made off of the poor. Insurance companies don't seem to mind raking in the cash at their expense. Private insurance companies will drop your coverage for almost any reason. They routinely exploit minor technicalities to avoid paying claims for those who need assistance the most. These companies continue to look at new and innovative ways to deny coverage to sick Americans because they know these people have nowhere else to turn. A strong public option, coupled with the rest of our insurance reform, will change all of that.

Our reforms would make it illegal to deny coverage because of a preexisting condition. A strong public option would allow people to shop around if they don't like the coverage they have or if they are paying too much. As the system exists today, the health insurance corporations are accountable to their shareholders first and their customers second. A strong public option would reverse that; it would prioritize patients over profit. It would give the American people the chance to hold their companies accountable for the first time in many years.

So that is why I support a strong public option. That is what it would mean for America: competition, cost savings, and accountability. Unless we are able to meet these three conditions in the bill, I will not vote for it. I believe a strong public option is the best way to achieve these goals. In fact, my preference is to have a robust plan that would be tied to Medicare. Whatever form the legislation takes, I will ultimately judge it based on its ability to bring about real competition, lower costs, and restore accountability.

So it is time to make good on the promise first articulated by Teddy Roosevelt almost 100 years ago. It is time to make comprehensive health care reform a reality. After a century of debate, we are faced with the opportunity to accomplish something truly historic. If we do this now and if we do this right, we can make a real difference in the lives of millions of Americans. That is why I will not stop fighting until this fight has been won.

I ask my colleagues to join me to make sure America has access to quality, affordable health care through a system that is competitive, cost-effective, and accountable.

With that, Madam President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

JOB CREATION

Mr. BINGAMAN. Mr. President, I wish to speak about the need for additional policies to create jobs in our country and about how energy legislation can help to accomplish that goal.

First, let me make a point I made last week on the Senate floor; that is, despite the recent positive economic news, Congress needs to take additional steps if we are going to create the jobs we need in this country. The economy has lost 7.2 million jobs during this recession—1 out of every 20 jobs in the country. In percentage terms, this is the biggest job loss since the recession in 1948 and 1949.

This chart vividly describes the jobs deficit we are seeing. The heading is: ''Not enough job creation to maintain employment at level in January 2001.'' Let me explain that a little bit. These job losses we have experienced in this recession add to the jobs deficit that has been accumulating over the last 9 years. The country needs—our economy needs—12 million new jobs in order to bring employment back to where it was at the end of the Clinton administration. Economists expect the jobs report—which comes up in 2 days, this Friday—to show even more jobs were lost in October of this year.

We should not, in my view, overlook the positive news about our economy reported last week. The gross domestic product jumped to 3.5 percent in the third quarter, a complete turnaround from the 6.4-percent decline in the first quarter of this year. It is reported that the Recovery Act has created or saved 1 million jobs—640,000 through direct spending alone. The Recovery Act is working, but Congress still needs to take additional action. We need additional policies to create jobs if we are going to prevent this recovery from being a jobless recovery, much like the previous two recoveries we had from recessions.

Let me go to another chart. This chart is entitled ''Job losses continued for months after the recessions in 1990–91 and 2001.'' What the chart shows is the change in the number of jobs during the recessions—the two recessions I have referred to, 1990–91 as one recession and 2001 as another recession. During the months after those recessions ended, the job losses continued. As you can see, the economy continued to shed jobs for 2 months after the 1990–91 recession ended, which is the green line, as you can see. After the 2001 recession, job losses continued for a staggering 18 months—not 2 months but 18 months—at that time.

This is the paradox of the recoveries from the past two recessions. The GDP began to grow, as it now has in our own period, with the results of this last quarter, but the country continued to lose jobs. When jobs finally did return, they returned very slowly.

Let me go to another chart. This chart is entitled ''Unemployment rate continued to rise after the recessions in 1990–91 and 2001.'' This chart shows what happened to the unemployment rate. The unemployment rate rose for 16 months after the 1990–91 recession ended. The unemployment rate rose for 20 months after the 2001 recession ended.

Even 5 years after the 2001 recession ended, more people were out of work than before that recession began. So Congress needs to take steps to ensure that the recovery this time is different.

The tax cuts enacted during the Bush administration were meant to stimulate job growth, but it is apparent now they failed to do so. Those tax cuts

were too blunt an instrument to do the job. They were not focused enough on creating jobs. The $4 trillion hole they dug in the Federal budget has made it harder for us to recover from the current recession. So the country needs policies that are more targeted on job creation.

Last week, I outlined four ideas Congress should consider: a jobs creation tax credit; second, a manufacturing tax credit; third, emergency bridge loans to homeowners to keep them in their homes; and fourth, additional aid to States.

It should be noted the aid to States that has already been provided has been effective at saving hundreds of thousands of teaching jobs—325,000 of the 640,000 jobs created or saved by the Recovery Act were jobs in education. Congress should consider providing additional aid to States to help close those budget shortfalls which are projected. The cumulative budget shortfalls are projected to total $175 billion for the States over the next 2 years.

Let me turn now to another action we should take to create jobs. To create jobs, in my view, Congress should go ahead, at the earliest possible time, to enact the American Clean Energy Leadership Act. This is legislation that was reported out of our Energy and Natural Resources Committee in June of this year, where it received bipartisan support. The vote there was 15 in favor of reporting that legislation and 8 members voted against it.

This Energy bill I am referring to is a jobs bill. The Energy bill could create 350,000 to 500,000 jobs over the next decade. It would create jobs by increasing the amount of research and development that is supported by the Department of Energy. It would create jobs by increasing the demand for renewable energy by establishing a renewable electricity standard. It would create jobs by financing the construction of nuclear powerplants through the establishment of a clean energy deployment administration. It would create jobs by promoting energy efficiency retrofits for homes and for commercial buildings. These are jobs that cannot be outsourced. It would create jobs by building new clean energy and improving energy efficiency throughout the manufacturing sector.

Reducing energy usage means reducing the cost of doing business, which will make American businesses more competitive in the global market and allow them to expand and to create jobs in the United States. This is part of what this Energy bill is all about, creating jobs and making the United States more competitive in the global economy.

The Energy bill would position our country to lead in the development of clean energy technologies, which is a rapidly growing industrial segment that I believe will be one of the most important sectors of industry in the 21st century. It will also make our economy stronger by enabling businesses to flourish in other areas of the economy.

Before elaborating on some of the provisions in that bill, let me give a concrete example of how forward-thinking energy legislation has the effect of creating jobs for middle-class Americans. In September of this year, the Department of Energy awarded Fisker Automotive a $529 million loan through a program that was created by the Energy Independence and Security Act of 2007. This last week, Fisker announced it will be reopen a previously owned General Motors plant in Delaware that has been shut down, and it will use that plant to produce a plug-in hybrid car. The new Fisker plant will employ 2,000 people and indirectly create another 3,000 jobs in the surrounding area. So not only will consumers benefit from the increased choices they will have in energy-efficient automobiles, but American workers will benefit from increased clean energy jobs. Similar good news stories can be told about new or retooled factories in Michigan, Indiana, and Tennessee as well.

The American Clean Energy Leadership Act I have been referring to would provide more loans of this kind by creating this clean energy deployment administration—or CEDA. CEDA will be an independent agency within the Department of Energy with a mission to support the financing of low-carbon energy projects. For example, CEDA could provide loans and loan guarantees or other credit enhancements to enable the construction of powerplants that produce renewable energy or factories that make wind turbines or other components. CEDA will also create financial mechanisms to allow affordable financing for energy efficiency retrofits and distributed generation in entire communities. This new agency will give special focus to high-risk, high-reward technologies that are otherwise difficult to finance.

Additional financing is critical at this time, when credit markets are still very tight and private investors are reluctant to take on even low-risk commercial projects. In the first quarter of 2009, investments in renewable energy totaled only $500 million, just one-tenth of the $5 billion invested in the same period the year before. Even when financial markets recover, banks are leery of the risk associated with new technologies. Without CEDA—which we are creating in this legislation—to fill the gap, we run the risk of these investments continuing to be made overseas, where market conditions are better for innovative clean energy technologies.

CEDA initially will be capitalized under the legislation at $10 billion in appropriated funds that can conservatively support Federal lending of approximately $100 billion.

Combined with funds from private partners, a reasonable estimate would lead to $20 billion worth of clean energy projects.

CEDA could potentially be scaled up in the future, enabling it to create even more jobs.

The energy bill would also establish a Renewable Electricity Standard, or RES, for the entire country. This policy would require electricity companies to get 15 percent of their power from renewable resources by 2021, with an exemption for small-scale utility companies. By increasing the demand for clean energy, the Renewable Electricity Standard will promote the construction of new wind farms, solar power plants, and geothermal plants. A variety of other clean technologies will also qualify, technologies such as hydro, biomass, and ocean power. Constructing these plants and manufacturing the components needed could create 100,000 to 125,000 jobs by 2025.

In addition to the Renewable Electricity Standard, the energy bill includes policies to strengthen the Nation's electricity transmission grid and increase the production of renewable energy on public lands. These policies would complement the Renewable Electricity Standard.

Improving energy efficiency is a cost-effective way to reduce the energy costs of homeowners and improve the competitiveness of American businesses. The energy bill has programs targeted both at the manufacturing sector and at residential and commercial buildings.

For residential and commercial buildings, the bill creates a grant program that states could use to fund retrofit programs for residential and commercial buildings. A home energy retrofit finance program would also be created. States could use this program to set up revolving finance funds to help homeowners pay for energy efficiency improvements. This support would be in addition to the support available through CEDA.

The residential and commercial energy efficiency programs in the energy bill could create tens of thousands of jobs. Overall, energy retrofits is potentially a large job creator. Rebuilding America estimates that retrofitting 50 million homes over the next 10 years would create 625,000 jobs that could be sustained during that period. The programs in the energy bill would accomplish part of that goal.

The bill also includes programs to increase the energy efficiency of American manufacturers. Energy Department financing will help small and large manufacturers upgrade to energy efficient production equipment and processes. Public/private partnerships will map out and develop the technologies needed by specific industries to reduce their energy intensity. The American Council for an Energy-Efficient Economy estimates these energy efficiency programs would at a minimum create 15,000 to 20,000 jobs by 2020.

But more important than this estimate is the competitive edge American manufacturers would gain by increasing their energy efficiency. This is a

key step to revitalizing the manufacturing sector and ensuring it remains strong in the future.

Nearly everyone agrees that research and development is vital to creating jobs and to the competitiveness of the United States. The energy bill would nearly double the authorization for the Office of Science in the Energy Department, to over $8 billion in 2013. At that funding level, the Office of Science could support over 27,000 Ph.D.-level researchers across the United States. The authorization would also double for applied energy research to $6.5 billion, research focused nuclear energy, fossil fuels, and energy efficiency. Other countries in Asia are well ahead of the United States creating research, development, and deployment roadmaps for clean energy technologies. With additional resources, this research will make American industries competitive in a carbon constrained economy.

All told, using both the specific estimates that have been made for policies in the American Clean Energy Leadership Act, and a midpoint estimate for jobs resulting from the retrofit provisions of the bill, the act could create up to 500,000 jobs over the next decade if it is enacted and funded.

This is just a part of the job creation potential in the energy sector. The National Commission on Energy Policy estimates that the country will need 400,000 new jobs in the electricity sector alone. If indirect jobs are included, the number of new jobs created could total 1 to 1.5 million. Similarly, the Center for American Progress has estimated the job-growth potential if both the public and private sectors combined were to invest $150 billion per year in clean energy. That is the level of investment that the center estimates would be mobilized by a comprehensive set of policies that include both what Congress has already enacted as part of the American Reinvestment and Recovery Act and a full suite of policies surrounding a cap-and-trade system for regulating greenhouse gases. In that larger context, the Center for American Progress has concluded that there is the potential to increase the number of permanent jobs in the economy related to clean energy by a net amount of 1.7 million.

The energy bill is a downpayment on reaching that target, and has significant potential to create jobs in the near term. It would strengthen the competitiveness of American businesses through energy efficiency improvements and investments in research and development. And it would position the United States to be the global leader in the development of clean energy technologies. I urge my colleagues to support this legislation when it does come to the floor for consideration.

The jobs we can create as we transition to a clean energy economy are not the total answer to our job needs in the coming years. But they are an important part of the answer.

I urge my colleagues to support this legislation not only for what it will do to meet our energy needs and reduce greenhouse gas emissions, but for what it will do to create jobs and put our economy on a growth track in future years.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HEALTH CARE REFORM

Mr. CORKER. Mr. President, I know there has been a lot of discussion throughout our country and probably some here on the Senate floor regarding the elections that took place last night and what that means. I think most of it has been centered around politics.

I wish to suggest something. I think that much of what the country is in some degree of upheaval about is the policies we are discussing here on the Senate floor and the things that are moving through committees. Obviously the major issue of the day is health care, health care reform.

We have a bill over in the House, we have one that can essentially be on the Senate floor in the very near future. I would like to sort of create a picture, if I could, for my friends on the other side of the aisle.

As I look at the bill, the health care bill that seems to be coming together, that I think again will be put together soon, I know, No. 1, there is a lot of hesitation. I know our majority leader is having difficulty finding 60 votes to actually move the bill ahead. What I wish to mention to my friends on the other side of the aisle is this: If Republicans had put forth a health care bill that took $400 to $500 billion out of Medicare to leverage another program that was not used to make Medicare, which is insolvent, more solvent; if Republicans had put forth a bill that created an unfunded mandate for States by making States raise their Medicaid levels—in other words, we are mandating that in my State alone it is going to cost $735 million; and if Republicans had put forth a bill that we knew was going to raise premiums—in our State it is going to raise premiums by 60 percent over the next 5 years based on an independent study; if Republicans had put forth a bill that had the exact same building blocks as the bill that has been put together through our Finance Committee, that is now being merged with the HELP Committee bill, I do not believe there would be a single Democratic vote for that bill. I absolutely do not believe that if Republicans put forth exactly the bill we have been discussing here in the Senate, I do not think there would be one Democratic vote for that bill.

What I am suggesting is that I know there is a lot of unease on the other side of the aisle regarding this bill. There is tremendous unease on our side.

I do not think we have a single Republican today who feels in any way good about the legislation that has been discussed. A lot of times we as parties make a lot of mistakes by ''doing one for the Gipper,'' through supporting our President. Republicans have done that in the past where sometimes we get behind a policy that maybe we were uneasy with, but our President, our leader, wanted a particular policy to be brought forth.

My sense is that is exactly what is happening right now with my friends on the other side of the aisle and our sitting President; that is, for political victory people are seeking this health care reform. But I believe, again, if Republicans offered exactly this same bill with the same fundamental funding mechanisms, there would not be a single Democratic vote.

For that reason, there has been a message sent to this body by the recent elections that have taken place. People across the country are concerned about the policies this health care bill we have been discussing puts forth. I say to my friends on the other side of the aisle: Let's stop what we are doing right now. I know there is a lot of unease. Let's get this right. I am one of those Republicans who would like to see health insurance reform. I campaigned on that when I ran for the Senate in Tennessee. I was commissioner of finance for our State in the middle 1990s and dealt with many of the issues of people in our State not having health insurance. I would like to see us do the right thing. I would like to see us have a policy that will stand the test of time.

I say to my friends on the other side of the aisle: Let's throw this bill aside. You wouldn't vote for this bill if we offered it. You should not vote for it just because your leadership and your President want to see it happen. Let's step back and do something that will stand the test of time.

I hope my colleagues on the other side, who I know are incredibly uneasy about this legislation that has very poor building blocks, I hope they will listen. I hope together we can step back, and I hope we will put in place some policies that, again, will benefit Americans and stand the test of time.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Mr. President, this afternoon I wish to share my insights about health care reform efforts in the

U.S. Congress and how beneficiaries who currently participate in the Medicare Advantage Program, Medicare Part C, would be impacted.

When I think of health care reform, I envision legislation that reduces health costs and improves affordable access to coverage. Unfortunately, the bills reported by the Senate HELP and Finance Committees do not achieve either of those goals. As a Senator from Utah, I have cast many tough votes throughout my service. Regarding health care reform, I have pushed for a strong bipartisan vote. Unfortunately, it is obvious that Senate and House floor debates on this issue will be another largely partisan exercise.

This summer I participated in more than a month of debate and partisan votes in the HELP Committee and 2 weeks of the same in the Finance Committee. Unfortunately, however, it appears those many hours of debate were all for naught.

It is important to note that the bills the members of the Senate HELP and Finance Committees spent hours considering will not be the legislation debated on the Senate floor. In fact, we have yet to see a bill that will be considered on the Senate floor.

I certainly hope Members of the Senate will have the opportunity—at least 72 hours—to review not only the entire bill but also the final Congressional Budget Office cost estimate before considering any such bill on the floor. This bill affects every American and every American business. Therefore, I believe there should be a comprehensive public review before it is even considered.

Let me take a few minutes to talk about the specifics of how Medicare will be impacted by the health care reform proposals before Congress.

The President has consistently pledged not to ''mess'' with Medicare. Again, this is another pledge that is not honored through the Senate health reform bills I have reviewed. The Senate Finance Committee bill reduces Medicare by over $400 billion—according to CBO, $117 billion comes out of the Medicare Advantage Program. I offered an amendment during the Finance Committee markup to protect extra benefits currently enjoyed by Medicare Advantage beneficiaries. Unfortunately, that amendment was defeated.

Bottom line, the President's pledge assuring Americans they would not lose benefits was not met by the Finance Committee bill. Here is how supporters of the Finance bill justified it: The extra benefits that would be cut—such as vision care, dental care, reduced hospital deductibles, lower copayments, and premiums—were not statutory benefits offered in the Medicare fee-for-service program; therefore, those extra benefits do not count. I believe there is no logic to that position.

Let me quote what our President said last Thursday about this important promise:

> The first thing I want to make clear is that if you are happy with the insurance plan that you have right now, if the costs you're paying and the benefits you're getting are what you want them to be, then you can keep offering that same plan. Nobody will make you change it.

Quite frankly, when a promise such as that is made assuring Americans they will not lose their benefits, that promise should be extended to Medicare Advantage beneficiaries. Congress is either going to protect existing benefits or not. It is that simple. However, under the bill reported by the Senate Finance Committee, if you are a beneficiary participating in Medicare Advantage, that promise simply does not apply to you.

I am a staunch supporter of the Medicare Advantage Program. I served on the Medicare Modernization Act House-Senate conference committee in 2003, which created the program. Medicare Advantage works. Medicare+Choice and its predecessors did not.

I know it works. I represent a State where Medicare managed care plans could not exist due to low reimbursement rates. To address that concern, Congress included language, which was signed into law, establishing a payment floor for rural areas. But it was not enough. In fact, in Utah, all the Medicare+Choice plans eventually left because they were operating in the red. This happened after promises were made that Medicare+Choice plans would be reimbursed fairly and that all Medicare beneficiaries would have access to these plans.

So during the Medicare Modernization Act conference, we fixed the problem. First, we renamed the program to Medicare Advantage. Second, we increased reimbursement rates so all Medicare beneficiaries, regardless of where they lived—be it in Fillmore, UT, or New York City—had choice in coverage. We did not want beneficiaries stuck with a one-size-fits-all government plan.

Today, Medicare Advantage works. Every Medicare beneficiary has access to a Medicare Advantage plan. Close to 90 percent of Medicare beneficiaries participating in the program are satisfied with their health coverage. But that would all change should the health care reform legislation currently being considered becomes law.

Choice in coverage has made a difference in the lives of over 10 million individuals nationwide. The extra benefits I mentioned earlier are being portrayed as gym memberships as opposed to lower premiums, copayments, and deductibles. To be clear, the SilverSneakers Program is one that has made a difference in the lives of many seniors because it encourages them to get out of their homes and remain active. It has been helpful to those with serious weight issues and has been invaluable to women suffering from osteoporosis and joint problems.

Additionally, these beneficiaries receive other services, such as coordinated chronic care management, dental coverage, vision care, and hearing aids. Medicare Advantage is better for seniors than traditional Medicare because beneficiaries have a choice in coverage instead of a one-size-fits-all health plan.

Another important point is, the House bill will affect Medicare Advantage enrollees differently than the bill reported by the Senate Finance Committee. The Senate bill includes competitive bidding in the Medicare Advantage Program. My analysis of competitive bidding is that some States will be hit harder than others, especially if there is not a competitive market. I worry about what happens if only one plan submits a bid. While CBO believes Medicare beneficiaries will continue to enroll in the Medicare Advantage Program should competitive bidding be implemented, fewer beneficiaries will enroll in the future.

In the House health reform bill, Medicare Advantage plans will be paid at 100 percent of the Medicare fee-for-service rate, which is fine for Miami beneficiaries but will kill Medicare Advantage plans in rural parts of the country. Those beneficiaries living in States such as Utah, Montana, South Dakota, and North Dakota could be in serious jeopardy because it is possible Medicare Advantage plans serving that part of the country could pull out due to low reimbursement rates.

CMS actuaries have estimated that more than 6 million Medicare Advantage enrollees would be forced out of the program under the House bill, leaving only 4.7 million in Medicare Advantage by 2014. This does not fulfill the President's goal that you can keep what you have. I believe it is unwise for Congress to take such a risk because, in the end, the Medicare beneficiaries will suffer the consequences.

I also wish to touch on the recent CMS guidance on how Medicare Advantage plans may communicate with their beneficiaries. It is gratifying to know HHS will now allow plans to communicate with beneficiaries once prior authorization is received from the plan enrollee.

To be frank, I was outraged by the actions taken by CMS in September. To me, there is a fine line between freedom of speech and government interference. I feel CMS may have crossed the line when it sent Medicare Advantage companies correspondence on this issue. While the new guidance is an improvement, I am still concerned about the beneficiary opt-in requirement.

Another issue that needs to be discussed is the removal of the open enrollment period for Medicare Advantage beneficiaries. Prior to 2006, beneficiaries could enroll and disenroll from Medicare Advantage plans at any time. This open marketplace allowed beneficiaries to find the plan best suited for them. The Medicare Modernization Act included a transition to enrollment periods for Medicare Advantage plans to help beneficiaries become comfortable with the program and to ensure that the selected plan was the right plan for them.

Today, there are two enrollment periods for most beneficiaries. First, the annual election period takes place between November 15 and December 31 each year. Changes take effect on January 1 of the following year. During this time, beneficiaries may change prescription drug plans, change Medicare Advantage plans, return to traditional Medicare or enroll in a Medicare Advantage plan for the first time.

Second, there is an open enrollment period from January 1 to March 31 each year. One Medicare Advantage-related selection may be made during this timeframe, such as enrolling in a new plan, changing plans or disenrolling from a plan. Coverage is then locked in until the following December 31 for most beneficiaries.

The House health reform bill essentially eliminates the Open Enrollment Period for Medicare beneficiaries starting in 2011. In addition, the House bill proposes moving the annual election period up 2 weeks, from November 1 to December 15, thus creating a 2-week processing period for enrollment—right around the holidays—before the January 1 effective date. The Senate bill also moves up the annual election period. It would take place from October 15 through December 7.

The Senate bill does not eliminate the open enrollment period. However, it is important to note that while beneficiaries may disenroll from Medicare Advantage plans during the open enrollment period, they are not allowed to reenroll in another Medicare Advantage plan. Therefore, the only choice available to these beneficiaries under the Senate bill appears to be traditional Medicare.

I feel like little has been said about the dramatic impact these changes will have on Medicare beneficiaries. The primary focus has been the reductions to the program. When we wrote the Medicare Advantage provisions in 2003, we viewed the open enrollment period as an important consumer protection for those who need flexibility when choosing health coverage.

I am worried about the impact these little known changes will have on Medicare beneficiaries. I fear it could lead to a lot of confusion among seniors, especially when they are choosing their health care plans.

Another issue that troubles me is the fee on health insurance plans included in the Senate Finance Committee bill. The Joint Committee on Taxation, JCT, estimates that this provision will save $60 billion over the next 10 years—$60 billion that comes from the health insurance industry. It is no secret that these fees will be passed on to consumers, including Medicare Advantage enrollees through premium increases and the reduction of health care choices. Most seniors are on a fixed income and are least capable of absorbing the added cost of this burden. I strongly oppose this fee and will continue to fight against it when the Senate debates health care reform.

Finally, let me speak for a moment about the Nelson grandfathering amendment that was included in the Senate Finance Committee bill. While many Florida Medicare Advantage beneficiaries will not lose their benefits due to this amendment, that provision does little to help Medicare Advantage beneficiaries living in rural parts of our country.

In fact, the grandfathering amendment approved during the Finance Committee markup only helps Utah beneficiaries living in two—just two—counties. What happens to Medicare Advantage beneficiaries who live in rural areas? I must conclude they will not be as lucky as the Floridian seniors. In my opinion, it does not make sense to only grandfather the Medicare Advantage plans of certain seniors living in certain States.

Before I conclude, I would like to take a few minutes to discuss issues associated with abortion coverage and conscience clause protections for medical providers.

I am concerned about the bills before both the House and the Senate. I believe it is a real possibility Federal dollars will be used to finance elective abortions through both the Federal subsidies to purchase health coverage and the new public plan created through the legislation; that is, Federal taxpayers' dollars.

During both the HELP Committee and Finance Committee markups, we were told over and over again the health reform bill would not cover elective abortions. We were assured Federal dollars would not finance abortions and that the Hyde-like language would apply. More specifically, the Finance health bill attempts to segregate Federal dollars given to individuals to purchase health plans through the State exchanges. The reason these Federal funds would be segregated, we were told, is so Federal taxpayers' dollars would supposedly not pay for abortion coverage.

Let me be clear. The provision included in both the Finance and HELP bills is not the way the Hyde language works today. For example, the Medicaid Program does not segregate dollars it receives either from the State or the Federal Government. Any Federal or State money received by the Medicaid Program simply does not pay for elective abortions. There is no separation of funds. Should a person want abortion coverage, that coverage is paid for separately, either by private dollars or State-only money outside the Medicaid Program.

I think the way this needs to be resolved is simple: Hyde language, which, I wish to remind my colleagues, has been included in every appropriations bill that funds the Department of Health and Human Services since 1976, needs to be included in the legislation. The Hyde provision is a specific prohibition on the use of any public funds for elective abortions and is enforced through strict accountability.

In addition, I am very worried about the government plan option that is included in both the House and the Senate health reform bills. The government option is, of course, a Federal program, and therefore all of the money it spends is Federal funds. If the public or government option pays for abortions, then that is, without a doubt, Federal funding using taxpayer dollars for abortion. Again, today Federal dollars may not be used to fund elective abortions. I believe the language in the House and the Senate bills as currently written would include the coverage of elective abortions through this government public plan. This must be addressed immediately. It is not fair to force people who are totally opposed to elective abortions, either for religious reasons, moral reasons, or whatever, to have their taxpayer dollars used to pay for these types of abortions.

I also do not understand why it is necessary to require all State exchanges to offer at least one plan with abortion coverage. I view that as a mandate to cover elective abortions, and I wish to point out that today there is not one Federal health plan that has such a requirement.

In addition, I strongly support including protections in this legislation to ensure health care providers are not required to perform abortions if they are opposed to abortions. It is unfair that these providers who strongly oppose abortion should be forced to perform this type of procedure. Why would we force Catholic hospitals, Catholic doctors and nurses, and other people of similar religious beliefs on abortion to participate in something they believe is inherently evil and sinful and wrong? It does not make sense. We have always protected the right of conscience. These bills do not.

It is also extremely important that State laws regulating abortion, such as those requiring parental consent or involvement or prohibiting late-term abortions, for example, are protected and not preempted through this legislation. To me, it is unclear whether the current health care bills before Congress offer these protections.

Before I conclude, I wish to read a letter from the esteemed former Surgeon General, C. Everett Koop, dated November 2, 2009.

Mr. President, Dr. C. Everett Koop is one of the alltime great Surgeons General of the United States. Liberals and conservatives, moderates and Independents, Democrats and Republicans would acknowledge that. Here is what he says:

Dear Majority Leader Reid and Madam Speaker:

As the former Surgeon General of the United States, two terms, from 1981 to 1989, I am writing to express my deep personal concerns about the direction of the health care reform bills currently being considered by the United States Congress. More specifically, I am troubled about the possibility of Federal dollars being used to pay for elective abortions and Americans being forced to subsidize them. In addition, I firmly believe

that strong protections must be included in this legislation so that health care providers are not forced to participate in abortions against their will. Polls have recently shown an increasing number of participants opposed to abortion.

It is essential that a Hyde-like abortion funding restriction provision (like the amendment included in the annual appropriations bill for the Department of Health and Human Services since 1976) be included in any health care bill that is signed into law.

He goes on to say:

I believe that including this legislative language is necessary to ensure that elective abortions are not financed either directly through a public plan or indirectly through Federal subsidies provided to purchase health insurance through State exchanges. I also find it troubling that the legislation requires all State exchanges to offer at least one health plan that includes abortion coverage—no other Federal health plan has that specific requirement today.

As a physician, I also want to ensure that laws and regulations remain intact, allowing health care providers to exercise their consciences and not be forced to provide services to which they have religious or moral objections. Congress has a long history of protecting the conscience of health care providers, first passing the Church Amendment in 1973.

Finally, I believe that it must be made clear through this legislation that State laws are protected and not preempted through this legislation, especially those that prohibit abortion coverage. Since 2004, additional conscience protections were included in the annual appropriations legislation for the Department of Health and Human Services to include health care entities such as hospitals, provider-sponsored organizations, health maintenance organizations (HMOs), health insurance plans, or any other kind of health care facility, organization or plan. Today, virtually all States have conscience law protections for medical providers.

From my first days as Surgeon General until today, I have always been honest and straightforward with the American people. Therefore, before this legislation becomes law, I believe that the important issues outlined above must be addressed so that it is consistent with current laws regarding abortion coverage conscience protection. I would appreciate your serious consideration of these matters before this legislation is debated and approved by the Senate and the House of Representatives.

Sincerely yours,

C. Everett Koop, M.D., ScD,

U.S. Surgeon General (1981–1989)

I believe Dr. Koop's letter says it all.

Again, both the Medicare Advantage Program and pro-life related issues are matters that I believe must be carefully addressed in this health care legislation. Medicare Advantage beneficiaries should be able to continue to be covered by the plan of their choice without losing benefits, and the legislation needs to have specific and clear provisions stating that no taxpayer dollars should be used to finance elective abortions. In addition, individual State pro-life laws must be protected. Mandates that require abortion coverage should not be included in this bill. Finally, health care providers should not be forced to perform abortions against their will.

I appreciate the opportunity to share my thoughts with my colleagues on these two very important issues.

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

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

Mr. CARPER. Mr. President, do I need to ask for unanimous consent to speak as in morning business?

The ACTING PRESIDENT pro tempore. Yes.

Mr. CARPER. I so request.

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

Mr. CARPER. Mr. President, I go home almost every night. It is a lot easier to go home to Delaware than it is to Oregon every night, as the Presiding Officer knows. I love it because I get to really live among the people I represent. I get up in the morning, go to the Y, work out, jump on the 7:18 train, and come on down here and go to work with all of my colleagues and the staff. Almost everybody at home wants to talk about, among other things, health care, and they want to find out what we are doing and what we are not doing.

During the August recess, I did something I had never done before in terms of meeting with constituents. We did a couple of telephone townhall meetings. I don't know if the Presiding Officer has done those, but I had never done them before. I have done a lot of traditional townhall meetings, but I went ahead and did one. Senator CORKER from Tennessee told me he did a telephone townhall meeting in Tennessee, and he said it went well and he thought I might want to consider it as well.

I said: How many people were on the call?

He said: Fourteen hundred.

That is a lot of people.

Sure enough, we scheduled not one but two of them, one in August and the other in early September before Labor Day.

When we had the first telephone town meeting, it was over after an hour or an hour and a half. I asked my staff: Any idea how many people were on the call? They had 1,400 in Tennessee, a big State. In little Delaware, I thought maybe we might have 200, I don't know. They told me I had 4,000 people. Four thousand people. It really shocked me a lot.

About a week later, we had our second telephone townhall meeting, and this was done in conjunction with AARP. It was not for the whole State, just AARP members in Delaware. So I knew we wouldn't have as many people, but I thought we could have quite a few. When the second telephone townhall meeting was over, done in conjunction with AARP, I said: How many people were on the call? They said 6,000—6,000 people. Little Delaware, to have 4,000 one time and a week later have 6,000 people in a telephone townhall meeting—I was blown away.

People were very polite, they asked good questions, and I tried to give them good responses. We had hundreds of people who stayed on the line at the end of the conference call, if you will, to ask more questions. We will do some more of those in the future, and we will do traditional townhall meetings as well. But what I drew from that is there are a whole lot of people who just had questions they wanted to have answered. They were just confused and in some cases misinformed, and they wanted to have some straight talk—what we used to call it in the Navy—just the straight skinny, the straight truth, just tell us the story. We have tried to do that in the time since then.

About two or three weekends ago, I was getting gas for my minivan not far from my house in Delaware, and I was standing there pumping the gas into my Chrysler Town and Country minivan—listen to this: 236,000 miles, and they say they don't build cars like they used to. We make them better now.

Anyway, this lady pulled up on the other side and said: Senator CARPER—just the person I have been looking for.

Sometimes when people say that, you think, maybe I should get back in the minivan and drive away while I can still escape.

I said: What would you like to talk about?

She said: Let's talk about health care.

Pretty much it was: Why can't I have the kind of health care that you have, the same health insurance for my family through my small business that I run.

She said: We are paying about $24,000, $25,000 a year. What are you paying?

She wasn't belligerent or rude or anything.

I said: Well, as it turns out, we are paying about half that.

In my family, it is standard BlueCross BlueShield, and we have—the secret to what we do, as the Presiding Officer knows, is we created here, long before we came along, a very large purchasing pool that includes all Federal employees, all Federal retirees and dependents. In all, it makes a huge purchasing pool of 8 million people in all. We have the Federal Office of Personnel Management that gets a whole bunch of private health insurance companies to come in and offer their products to us, and we can choose from among those private plans. Because there are so many of us, a lot of interest comes from wanting to offer the product to us. It helps drive down the cost because of the competition. With 8 million people in a purchasing pool, you can actually get pretty low administrative costs. It turns out our administrative costs are 3 percent of premiums, which is very low.

My guess is, the lady I was talking to that day at the service station—I know she wasn't getting insurance through her small business. She was a realtor. I know she wasn't getting it for 3 cents' administrative costs on the dollar per premiums—probably not 23 cents, maybe 33 cents.

She said: Why can't we have the kind of health insurance you have?

Actually, I like that. I would be happy to open it up and allow you and others in our State—small businesspeople, families, or individuals who don't have coverage or who do—to buy your health insurance as part of a large purchasing pool. We will make it even bigger, and as a result, maybe we will get better prices.

As it turned out, some of my colleagues on the left here in the Senate and some of my colleagues on the right aren't crazy about that idea. Folks on the left here say: If we do that, it will sort of take the place of the public option; that will be the public option. Folks on the right say: Well, that is too much like the public option. So both sides are kind of against doing that. I still think it is a good idea.

What we are going to do is we are going to take the idea of a large purchasing pool and we are going to allow every State to create its own purchasing pool. We call them an exchange. We exchange. Each State can have its own exchange.

Every State can enter into interstate compacts with other States and create compacts with other States. For example, I don't know if Delaware would create an interstate compact with the State of the Presiding Officer because it is on the other side of America. We may want to do it with New Jersey or Pennsylvania or Maryland. We might want to do it with Idaho or other States out West. What is interesting about the interstate compacts is that States can create, under what has been reported out of the Finance Committee on which I serve, interstate compacts between two or more States, and insurance can be sold in another State, which would introduce competition, and that doesn't exist in a bunch of States.

In some States, just one or two insurance companies rule the roost and pretty much offer all the insurance. It is not very good for competition or affordability.

So what I want to do is make sure States have options to introduce competition. They can create interstate compacts across State lines, create regional exchanges and a larger purchasing pool, which would drive down costs. Some of my colleagues want States to start health care cooperatives, such as in Washington State, where there is an outfit called Group Health. The Presiding Officer is probably familiar with that. Some States might want to do that. They seem to like that idea in Washington. Maybe that will work.

Some States have their own public plans. I think Minnesota is one. States could set up their own public plan. That would be listed on the exchange as an option. States might want to open the State employees health benefit plan for State employees and pensioners and their dependents. That can be an option on the exchange.

The Senate will probably be prepared to offer a tax credit to lower income folks. They can start with a low income and phase it out as the income goes higher. That is an effort to help folks who need help in affording health insurance. They can let States choose from that menu when there are problems with lack of competition.

What do we do then? Are we going to have a national public plan in which everybody has to participate? Are we going to have a level playing field? Senator SCHUMER has put a fair amount of time and interest into exploring that. Are we going to have a national public plan with a level playing field, where the national plan doesn't have an advantage over those in the private sector? Should the States be able to opt out of this national plan? That is the proposal I think Senator REID submitted to CBO to try to score and see what it would cost.

Should States have a right to opt into the national plan? There are a variety of ideas. I think a number of centrists I have talked to are interested, at the end of the day—if we have States where there is an affordability standard, and it is clear that affordability standard in 1, 10, 20, or 30 States is not being met, there is lack of affordability and competition—should there be some other option? I think parties are open to that.

There is probably a fair amount of concern over a couple of aspects of a public plan. One, who is going to run it? The government or the Secretary of Health and Human Services or the Department of Health and Human Services? Should it be funded by the Federal Government beyond the startup? I think if we will work around the idea that States need to meet some affordability standard, and for those that don't, there might be the opportunity to create another option for those States, maybe an option involving a national nonprofit board, and without government funding—at least not beyond the beginning of the startup, I think there is a center of gravity there that might provide a path forward for some of my colleagues, particularly the moderates.

In terms of government-run, government-funded, I think that can be addressed by having a national nonprofit board appointed by the President and confirmed by the Senate. They would have to retain funding after the startup and create their own reserve fund so that if the plan runs afoul or gets into financial difficulty, they would have a reserve fund to be able to meet that. I just wanted to lay that out. That is a place where we might find common ground.

There has been discussion in the last hour about cutting Medicare. I am not interested in that. I don't know any Democrat or Republican who is interested in doing that. The legislation I am most familiar with, reported out of the Finance Committee, doesn't cut Medicare benefits. In fact, we add some benefits. One is, under Medicare, people only get one lifetime only physical—just one—when they sign up for Medicare. If they don't take advantage of it then, they don't get it. Most people try to get an annual physical.

One of the changes that we make in our legislation that I hope will be in whatever we finally pass is that every year, a Medicare patient would be eligible for a physical. That is good preventive medicine. You can catch problems early rather than wait until it is too late.

Some people are familiar with the Medicare prescription drug program. They know when people exceed $2,500, up to about $5,500, for the most part, if their drug costs are in that range, almost all of the costs are borne by the senior citizens unless they are very low income. Then Medicare picks it up.

One of the principles in our legislation that I hope will be available is that the pharmaceutical industry said they are going to put up about $80 billion, a lot of which will be used for filling the doughnut hole to cut in half people's out-of-pocket expenses, when they would otherwise be called upon to pay for prescription drugs. We want to make sure people, No. 1—if there are pharmaceutical companies out there that will help—can find out about it, use it, and they can afford it. In the legislation reported out of our committee, I think we dramatically increase the likelihood that people will be helped by the pharmaceutical industry.

In terms of reducing spending out of Medicare, we can go out and identify—not just identify waste, fraud, and abuse, but identify it and quantify it, and we can go out and get the money back. We call that postaudit cost recovery. Last year, about $700 million was recovered in 1 year in these postaudit cost recoveries in just three States. What we need to do this year, and what we are going to do, is go to all 50 States and do postaudit cost recovery for Medicare. The money will go back to the trust fund. If we can gather $700 million in just three States, we can do a lot more than that in all 50 States. Those are the kinds of things we are going to do.

If folks were going to simply cut Medicare services and benefits, I am not aware of that in the legislation. I don't think that is the case.

I have one or two other points, and I will close. I had the opportunity to visit a place called the Cleveland Clinic in Cleveland, OH, a month or two ago. I went to find out how are they able to provide better health care and better outcomes for less money and to see if there is a lesson we can take from

them and from the Mayo Clinic and from Geisinger up in Pennsylvania—what lessons can we take from those places—all nonprofits—where all the doctors are on salary, where they focus on primary care and prevention and wellness, and where they focus on coordinating care among physicians and other providers within their units, and where the medical malpractice coverage is paid for by the Mayo Clinic and the Cleveland Clinic, not the individual physicians, and where all the patients have electronic health records.

If you look at all those nonprofits I have mentioned, including the Mayo Clinic, Cleveland Clinic, Geisinger, and Kaiser in California, they are all pretty much the same. I think one of the things we sought to do in our legislation is infuse that delivery system, change that and infuse that into our system for health care and, frankly, learn from what works—look to see what works and act on that.

Lastly, we will have the opportunity, after the legislation is merged together and the products from several committees, including the HELP Committee—but after the products of the two principal committees in the Senate have been merged and that has been submitted by our majority leader to the CBO, they will come back and say whether the legislation increases the budget deficit and whether the legislation can be expected to rein in the growth of health care costs. We will find out the answers to the questions, hopefully, in a week or two.

The President said, and I have heard others say:

> I am not going to sign legislation that increase the deficit by a dime, now or later.

I have said that I am not going to vote for legislation that increases the budget deficit now or later. The version of the health bill that we reported out of the Finance Committee over the next 10 years will reduce the deficit by $80 billion and the second 10 years by $400 billion to $800 billion. That is what we need to do.

At the end of the day, I think it is paramount for us to extend coverage to people who don't have it—40 million plus. About 14,000 people who woke up today with health insurance will not wake up tomorrow and have it. We pay way more for health insurance than anybody else, without better results. Some are going out of business. GM and Chrysler, who had a presence in my State, are bankrupt, and a lot of their trouble was because of enormous growth in health care costs.

One of the most important things we can do in health care reform this year is rein in the growth in health care costs. The idea that health care costs continue to go up two or three times the rate of inflation is not acceptable. The idea that we pay 1½ times more for health coverage than any other nation in the world is not sustainable. The idea that we don't get better results—actually, we get worse results—is unacceptable also.

Lastly, a lot of times we say: What responsibility do people have for their own health? Is there some way we can get people to take better care of themselves? As a population, we are overweight and, in many cases, obese. We have high blood pressure, and we have high levels of cholesterol. People suffer from hypertension. We smoke too much, and we eat the wrong foods, and too much of the wrong foods. We don't exercise. There are a couple of companies around the country where they have employee-provided health insurance to sort of self-insure. Some are encouraging us to allow them to do more in terms of reducing the premiums of people who basically do the right things. We have all heard about the company called Safeway, a grocery store chain headquartered in California. There are other companies, such as Pitney-Bowes and Delta, that have figured that out, and they have started to invite their employees to voluntarily enter into programs to stop smoking. If they do that, they can earn premium reductions. If they lose weight, they can reduce their premiums.

One of our colleagues, Senator ENSIGN, and I offered legislation, adopted in the HELP and Finance Committees, that says that individuals can reduce premiums by as much as 30 percent if they are doing things that will help reduce their exposure and costs to their company through the health plan. For example, at Safeway, if people stop smoking, they reduce their premiums by $400. If people lose 10 percent of their body mass, if they are overweight, there will be roughly another $400 reduction in their premium.

The idea is not just for people to say: I know I am overweight, and I need to exercise. So they get a gym membership, but then they stop going. Or they will walk every other day and maybe on weekends, or they will go on a diet and stay on it for a while, or they will stop smoking and then they start smoking again. That is kind of human nature, with all these temptations. Unfortunately, a lot of them lead to worse health outcomes for individuals. We want people to take better care of themselves. That should be in this legislation.

Lastly, at the Cleveland Clinic, they talked to us about defensive medicine, the fee-for-service delivery system where we incentivize doctors to do more of everything—more visits, procedures, tests, more of this and that because when they do those they—they—No. 1, may provide a better health outcome; No. 2, they make more money; and, No. 3, they reduce the likelihood that they will be successfully sued.

We don't have jurisdiction in the Finance Committee over medical malpractice. That is under the jurisdiction of the States. What we do want to do when we come to the Senate floor, my colleagues, both Democrats and Republicans, is to robustly test what is being done in States to, No. 1, reduce the incidence of illness with defensive medicine, reduce the incidence of medical malpractice lawsuits, and do so in a way that will encourage better outcomes; to take good ideas like what works in a company in Michigan or the idea of health courts, the idea of safe harbors where doctors who provide medicine basically under best medical practices and best practiced guidelines, maybe give them a safe harbor from lawsuits.

We can test a couple of these caps—a $250,000 cap or maybe a sliding scale cap on noneconomic. Ohio goes from $250,000 to $1 million. We can test those and see do they work? The certification programs, such as in Delaware, if my doctor performs a procedure on me, and I am not happy with the outcome, I have to go through a panel of knowledgeable people. If they say I don't have a case, basically I don't do it.

Those are the kinds of things we want to have the opportunity to explore, find out what is working in the States and other States to learn from it. Those are the kinds of things we will have a chance to debate on this floor in the next couple of weeks and in the end hopefully provide better insurance, a better outcome for less money, and use the savings to extend coverage to people who do not have it. That is what we are trying to do.

I thank my colleague from Arizona for his patience and for allowing me to finish my statement.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I always enjoy hearing the words of wisdom of my friend and colleague from Delaware.

30TH ANNIVERSARY OF THE HOSTAGE CRISIS IN IRAN

Mr. MCCAIN. Mr. President, today we mark a painful anniversary for our country—the day, 30 years ago, when America's Embassy in Iran was violently seized and an institution of diplomacy became a prison for dozens of peaceful servants of this Nation. For 444 days, the United States and the world watched and feared for the safety of our citizens. Eight brave Americans lost their lives trying to rescue our diplomats. And after so many days of dread, anguish, and heartbreak, we all felt a great weight lifted when our fellow citizens were returned home safely to their friends and families.

Today we express our deepest gratitude to those Americans taken hostage in Iran 30 years ago and to those who died to save them. They all gave more for our country than should be asked of any public servant, and we thank them for it.

Today, however, we are also mindful that the pain and suffering that began on November 4, 1979, did not end after only 444 days. For the people of Iran, that hardship continued for 30 more years, and it continues to this day.

Iran is a great nation, and the Iranian people are the stewards of a proud and accomplished civilization.

Throughout their nation's history, Iranians have made spectacular contributions to the arts and sciences, to literature and learning. These achievements have not only benefited Iran, they have added to the development and enrichment of all mankind. So it is with profound sadness that we think today of all the potential of the Iranian people that has been suppressed and squandered over the past 30 years by the rulers in Tehran.

I know that the Iranian Government is singing the praises of their revolution today. But Iranians are not fools. They know what the real legacy of the past 30 years is. Iranians know that the government in Tehran has ruined their nation's economy and kept them isolated from the promise of trading and engaging with the world.

Iranians are right to ask how much better off they would be if all of the money—the billions and billions of dollars—that Iran's rulers have spent sponsoring terrorist groups, tyrannizing their people, and building weapons to threaten the world were instead devoted to creating jobs, educating young people, and caring for the sick.

Iranians are right to wonder why a country so blessed with natural resources cannot meet the basic needs of so many of its own citizens. And yet corrupt members of the ruling elite are stuffing the wealth of their nation into their own pockets.

The rulers in Iran seized power 30 years ago, promising justice and better lives for all. But now they throw innocent Iranians in prison without proper trials. They mistreat and torture Iranians in jail. They beat and murder Iranians in the streets for trying to speak freely and exercise their basic human rights.

The world watched in horror as Iran's rulers inflicted all of this abuse and more upon peaceful Iranian protesters after the flawed elections last June. But the world also watched in awe as courageous Iranians risked everything for freedom and justice.

We Americans reflect with sympathy on Iran's continuing struggle for human dignity and human rights. Our country seeks a relationship of peace and prosperity with Iran, and it is incredibly unfortunate that the Iranian Government seems determined to keep the relationship between our two countries mired in the past by funding and arming violent groups that threaten our citizens and our allies, by building a nuclear weapons program in violation of Iran's own agreements and multiple U.N. Security Council resolutions, and by spurning repeated American efforts to reach out respectfully to resolve our differences in peace. The United States of America has no eternal enemies. We can overcome even the most painful parts of our own history, as we are doing now with countries such as Vietnam.

So today, on this solemn anniversary of the hostage crisis in Iran, we honor our fellow Americans whose lives were forever altered by that tragic day. But we also look forward to a new day, a better day when the long nightmare of the Iranian people is over and when our two nations share a relationship of mutual security, mutual respect, and mutual advantage.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DODD. Mr. President, I want to spend a few minutes, if I can, to express my thanks first to Majority Leader REID and the leadership team for all they have done to bring us to a final vote later this evening on the effort to extend unemployment insurance to jobless Americans as well as to provide tax credits for homebuyers and allow more businesses to utilize the net operating loss carry back. I thank the leadership for it.

I want to also thank Senator BAUCUS, the chairman of the Finance Committee, who was responsible for putting this all together, and his staff who worked very hard. I presume they did so in conjunction with Senator GRASSLEY, the ranking member of that committee. I know it took some time. I regret it took as long as it did to get the extension of unemployment insurance.

As I am sure Members have heard over the last few weeks, every day we delayed in providing some relief to people who have lost their jobs through no fault of their own, 7,000 people were losing their unemployment insurance. Again, all of us know people within our communities, our neighborhoods, and our States who have lost their jobs as a result of the tremendous downturn in our economy. These people are trying to pay mortgages, literally put food on the table and provide for their families. Unemployment insurance has been absolutely critical over the years. This is not the first time, obviously, we have had an extension. It has traditionally been a bipartisan effort. Republican and Democratic administrations have agreed to provide these extensions. This one, unfortunately, took too long, in my view, to put in place, given the depth of this recession, given the fact that so many people have now fallen outside of the employment picture.

I know the numbers people talked about are anywhere from 8 to 15 percent unemployment rates, depending upon where you live. I don't think those numbers are anywhere near close to reflecting what is going on. If you asked me candidly what the unemployment rate is in this country, I think it hovers closer to 20 percent since an awful lot of people are so discouraged they have stopped looking because the economy has been that bad. So this extension of benefits is absolutely essential.

But extending unemployment benefits means in effect there is simply not enough job creation in the economy. That gets me to the second part of this bill and that is the homebuyer's tax credit.

I see my friend from Georgia who has arrived on the floor. It is perfect timing, because I was about to talk about him. He was the principal author a number of months ago of the first-time home buyer tax credit that was included as part of the Recovery Act. That provision authored by JOHNNY ISAKSON of Georgia which I was pleased to support has been used by almost 2 million people.

That provision is about to run out by the end of this month. As a result of his efforts these past few weeks—and I am pleased once more to be his partner in this effort—we have been able to extend that benefit to the first-time home buyer. But we have done something beyond that, which JOHNNY ISAKSON has talked about over the many weeks he and I have talked and that is to expand it to the move-up buyer. That is that person who literally moves up from the house they are in to that new house. That family may have grown—a couple of additional children—and they are able to move up into that next category. This bill now provides not only the benefit to the first-time home buyer but to that move-up home buyer as well. 70 percent of existing homeowners today can potentially qualify for this move-up buyer credit. That is going to be a tremendous benefit, in my view.

The credit is still $8,000 for the first-time home buyer, but now move-up buyers can claim a credit up to $6,500. You have to have an income, if you are a single person, of $125,000 or less; if you are joint filers, $225,000 or less. There is a cap on the home price of $800,000 or less. Move-up buyers have to have lived in their current home for at least 5 years. And all home buyers, first-time or move-up, have to be prepared to stay in their new home for 3 years. This credit cannot be used by investors. We also included a lot of anti-fraud provisions.

Again, I am confident my friend from Georgia has made this point: The first-time buyer traditionally is someone who has saved just enough to get into that first home. As I think Senator ISAKSON said, they are probably sleeping on futons and eating a lot of Lean Cuisine or other things just to survive in that new house. They are so excited to be in there, and sacrificed tremendously to get into that first home they dreamed about having.

The move-up buyer is more inclined and capable of buying that furniture, maybe building a porch, putting a garage on, a new roof on the house and generally making improvements. So the ripple effect economically from that move-up buyer is going to be a real benefit. The first-time home buyer obviously helps, but being able to actually make those kinds of investments I

think is going to be help create jobs in this country. It is not going to solve all our problems, but it is going to help get people working again: the home builders, employees at home improvement and hardware stores, landscapers, contractors, people in the real estate business, those kinds of jobs that can make a difference. So I am pleased we are extending unemployment insurance, but I am also very pleased we are doing this on the homebuyer tax credit because it does provide some economic lift in the country at a time when we desperately need to restore confidence and optimism.

We have a way to go, obviously, before we start feeling that level of confidence and optimism that was present before the current downturn. But in most recessions our country has been in, real estate has been at the heart of it, and the recoveries from our recessions have been led by the real estate sector of our economy. If this recession is typical of other recessions, real estate will help our economy to come out of this downturn. It is not the only factor but it is a major factor in recovery. This extension will run to next spring, at a critical time of real estate sales in our Nation.

I can't begin to thank my colleague from Georgia enough for his tireless efforts in this arena. This is how it ought to be, by the way. This is the way we are supposed to do business around here, where we come together, listen to each other's ideas, and then try to work it so our colleagues will appreciate the effort that has been made and try to make a difference in our country.

I thank my friend from Georgia for his leadership once again on this issue. But for him, I don't think this would have happened. You can't always say that about every bill. A lot of people were involved in this issue. But I would say to my colleagues, had it not been for Senator JOHNNY ISAKSON of Georgia, I don't think we would be where we are today. On behalf of my constituents in the State of Connecticut, your first-time home buyer provision, which I was pleased to join in, will likely help 10,000 home owners in my State. I don't know what the number will be as a result of this provision, but it is going to make a difference to families in Connecticut, so we thank the Senator from Georgia.

Mr. ISAKSON. Will the Senator yield?

Mr. DODD. I yield.

Mr. ISAKSON. Mr. President, first, I thank the Senator from Connecticut for his many kind words. But as I said earlier today in a speech—and this is important for everybody to know—had it not been for his willingness to call the hearing 3 weeks ago in the Senate and bring in the professionals from around the country, including the head of HUD, Shaun Donovan, to talk about the application of this credit and its extension, I don't think the information necessary to bring us to this point would have happened. So the Congress and the people who take advantage of this are in no small measure indebted to Senator DODD for that leadership and, I might add, to Senator BAUCUS who helped us define the pay-for. This bill, including the UI, the loss carryback, and housing tax credit, has a net plus against the deficit, not a cost to the country. That is extremely important. We couldn't have done that without Senator BAUCUS.

Quite frankly, Majority Leader HARRY REID helped us to make this happen as only he could do as majority leader of the Senate. While I appreciate very much the kind words of the Senator, it is true this has been a team effort and the captain of the team has been the chairman of the Banking Committee who brought about the hearing and helped it happen. I thank the Senator from Connecticut for that and tell the Senate we are about to do something meaningful for the U.S. economy, meaningful for the U.S. homeowners. This bill in the end is a jobs bill.

My last point to the Senator from Connecticut that people also need to know is this is the last extension. The benefit of tax credits is when they have a finality, when they have a sunset, when there is a sense of urgency to take advantage. Now is the time. With that type of momentum, the U.S. economy will come back because housing, which led us into it, will help lead us out of it.

I am grateful to the Senator for his kind remarks.

Mr. DODD. I thank my colleague and, as I said earlier, I thank Senator REID and Senator BAUCUS and their staffs as well for allowing us to come to this moment. It is a good day for our country.

I thank my colleague again, and I yield the floor.

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

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

HEALTH CARE REFORM

Mr. GRASSLEY. Mr. President, over the past few days, this Senator and several other Senators have been coming to the floor, talking about various aspects of the health care reform bills the majority has brought forward so far. Today I want to review the impact of these bills on Medicare beneficiaries.

First, this is the Senate Finance Committee bill. It would cut Medicare by about $470 billion over 10 years. The House version takes an even bigger bite out of Medicare. In that bill, Medicare is cut by about $540 billion. That is more, obviously, than $½ trillion. Cuts of this magnitude are sure to hurt Medicare providers and threaten beneficiaries' access to care.

Take a look at the cuts in these reform bills. It shows why there is genuine concern that health care for Medicare beneficiaries will suffer greatly because of health care reform. The proposed legislation permanently cuts all annual Medicare provider updates. Permanently, or another way to say it, cuts them forever.

In addition, some providers, such as hospitals, home health agencies, and hospices, would face additional cuts over the next 10 years. These permanent cuts are supposed to reduce Medicare payments to account for increases in productivity by health care providers.

Supporters of those productivity adjustments believe Medicare generally overpays providers. I wish they would ask providers in my State of Iowa. And they say this would happen because today's Medicare payments do not take into account productivity increases that might reduce the cost of providing care to beneficiaries.

However, this proposal for productivity adjustments is an extremely blunt instrument that will threaten beneficiary access to care. It is flawed in at least two ways. First, the productivity measure used to cut provider payments in the bill does not represent productivity for specific types of providers, such as nursing homes. I mean, you would think that if Medicare is going to reduce your payments to account for increases in productivity, it would at least measure your specific productivity, but that is not the case. Instead, these reform bills would make the payment cuts based on measures of productivity for the entire economy. So if productivity in the economy grows because let's say computer chips or any other products are made more efficiently, then health care providers see their payments go down. Where is the connection?

But there is a second major problem. This other problem is that the productivity adjustment actually punishes providers for increases in productivity. This policy says that when a provider is more productive, Medicare is going to take it all—100 percent of the productivity increase. The provider does not even get to keep half of the financial benefit for that increase in productivity. Where is the reward? Confiscating the entire productivity increase removes all of the incentives for providers to improve their productivity in the first place. This is a typical government policy. If you do better, the government wants its share. But here, the government not only takes its share, it takes all of it.

These cuts are sure to impact health care for seniors. But I don't want you to take my word for it, so I am going to go to one of those nonpartisan people in government. There are a lot of nonpartisan, very professional people in government. But now I refer to the Chief Actuary of the U.S. Department of Health and Human Services. He recently identified this threat to beneficiary access to care. He confirmed

this in an October 21 memorandum analyzing the House bill. The House bill and the Senate Finance bill both propose the same types of permanent Medicare productivity cuts.

Here we have a chart referring to the Chief Actuary. Here is what Medicare's own Chief Actuary had to say about these productivity cuts. In reference to those cuts, he wrote that:

> The estimated savings . . . may be unrealistic.

In their own analysis of the House bill, Medicare's own Chief Actuary says:

> It is doubtful that many could improve their own productivity to the degree achieved by the economy at large.

They go on to say:

> We are not aware of any empirical evidence demonstrating the medical community's ability to achieve productivity improvements equal to those of the overall economy.

In fact, the Chief Actuary's conclusion is that it would be difficult for providers to even remain profitable over time as Medicare payments fail to keep up with the costs of caring for beneficiaries.

So let's go back to this chart again. Ultimately, here is their conclusion: Providers that rely on Medicare might end their participation in Medicare, ''possibly jeopardizing access to care for beneficiaries.''

Medicare's Chief Actuary confirms what I have been hearing from providers back in my State of Iowa about these permanent productivity payment cuts.

Those providers are doing everything they can to be efficient and to be innovative. They are doing everything they can to get the biggest bang out of every Medicare dollar they can. But assuming the level of productivity assumed in these bills would be like getting blood out of a stone.

These health reform bills will make it even harder for them to keep their doors open. Look at providers such as nursing homes and hospices. They provide labor-intensive services. There are few gadgets or processes in these settings that will increase productivity. Nothing in these settings replaces staff being at their bedside and providing care.

So it is very incorrect to assume these providers will achieve levels of productivity like the rest of the economy, justifying those cuts that these bills anticipate.

Let's look at other providers affected by these productivity adjustments, like ambulances. The Finance Committee bill would permanently cut payments for ambulance services beginning in 2011. It would do this in spite of the fact that Congress enacts payment increases to ambulances year after year. In fact, the Senate Finance bill extends the existing add-on payments for ambulance services for another 2 years, until 2012, and then you know what, it turns right around and cuts them.

I have no quarrel with providing additional payments for ambulance services because without them many ambulance providers would not survive. Well, what about this slight of hand? What is the impact? The bill proposes that we cut ambulance payments while we vote to increase them. It is kind of like, I voted to cut before I voted to increase.

There is another proposal in the Senate bill that cuts Medicare, and now I am talking about the Medicare Commission.

The pending insolvency of Medicare is a very serious problem, and Congress needs to stop kicking the can down the road when it comes to shoring up Medicare. We are nearing the end of that road.

This Medicare Commission is fatally flawed, and the risk of unintended consequences that will hurt seniors outweighs any benefits it might have. Not only will it be harder to find a doctor or hospital that will see Medicare patients, you can also forget President Obama's promise about keeping what you have.

After all the promises about not cutting Medicare benefits, Congressional Democrats and the White House are using the Medicare Commission to take aim at the popular Medicare prescription drug benefits and the Medicare Advantage Program. Under the Finance Committee bill, this new Medicare Commission would be given explicit authority to cut Federal subsidies for Medicare prescription drug premiums. Think about that. Today, that Federal subsidy pays for about 75 percent of the premium for Medicare prescription drug coverage for seniors, but the Finance bill says: Cut that subsidy. It says: Raise Part D premiums for our seniors. That is right.

But again, do not take my word for it. On October 13, during the Finance Committee health reform markup, the Director of the Congressional Budget Office, CBO, was asked whether reducing the Part D subsidy would raise premiums. So chart 2 here is what Dr. Elmendorf, the Director of CBO, said: ''Yes . . . [reduced subsidies] would raise the costs to beneficiaries.'' So this was clear confirmation that if the Medicare Commission cuts payments to Medicare drug benefits, it will cause Part D premiums for seniors and the disabled to go up.

At a time when the country is facing record unemployment and Americans are struggling to keep up with increasing prescription drug costs, these provisions will make these lifesaving prescription drugs more expensive for beneficiaries. These are the kinds of things that get buried in a 2,000-page bill. When the other side does not understand why the American people are concerned about these huge bills, those are some of the reasons.

These health reform bills also propose to cut up to $170 billion from Medicare Advantage. In my home State of Iowa, these cuts will cause about a 25-percent cut in the amount of money going to extra benefits for 63,000 seniors who are enrolled in Medicare Advantage. That means fewer low-income Iowans will be getting the eyeglasses, hearing aids, and chronic care management they have come to rely upon.

Some health care providers, such as hospitals, got a special deal. They are exempted from the Medicare Commission's payment cuts. That means other providers and programs, such as drug benefits for seniors and Medicare Advantage, will be bearing the brunt of payment cuts.

The Medicare Commission would also become a permanent program that Congress would, for practical purposes, be unable to undo. By making the Commission a permanent program, it becomes part of the baseline in the budget over the next decade, so it just goes on forever, sort of like the Energizer bunny—it will just keep cutting and cutting and cutting. If Congress ever wants to shut off those cuts, then it will have to offset the cost when of terminating this commission. That will make it effectively impossible, and the damage will have been done.

These Medicare cuts will also only make things worse for beneficiaries in rural areas. Seniors in rural areas already face health care access problems. Medicare generally pays rural providers less than those in urban areas. Cuts of this magnitude will make it much harder for rural Medicare providers to care for beneficiaries.

But believe it or not, it only gets worse. My colleagues on the other side of the aisle intend to create a government-run health plan. If this government plan pays providers based on already low Medicare rates, it is only going to make this whole situation with access and keeping hospitals open much worse.

These Medicare cuts are achieved at the expense of health care access and quality. These Medicare cuts turn a blind eye to threats to health care quality and access. There are no fail-safes in these bills that kick in automatically if these drastic cuts cause limited provider access or worse quality of care. Instead, Congress will have to step in.

The Congressional Budget Office has already projected that these Medicare cuts keep increasing by—can you believe it?—the cuts will keep increasing 10 to 15 percent each year over the next decade, so 15 percent even beyond the year 2019. And provisions such as these productivity adjustments and the Medicare Commission would drive the increased cuts to the program.

So this will give you an idea of the damage these bills will do to health care, particularly for seniors. This is an example of the challenge Congress will face in the next decade if these bills become law. And this is just what we know about these bills we see. Who knows what is being cooked up behind closed doors right now.

Once again, it is time to back up this process. It is headed in the wrong direction. A bill of this magnitude should

be done on a bipartisan basis with broad support. We can get it done right, if we work together. These bills have massive Medicare cuts. They will do permanent damage to our health care system—higher prescription drug premiums for seniors, increased costs, jeopardized access for beneficiaries. These bills are taking us in the wrong direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

THE ECONOMY

Mr. DORGAN. Mr. President, a couple weeks ago, I was on an airplane. The passenger sitting next to me had on a pair of sweatpants and looked pretty relaxed. I asked him where he was going. He said: I am dressed this way because I am going to Thailand, then going to Singapore, and then going to China. He said: I have a 24-hour flight ahead of me so I dressed pretty casually. I said: What are you going to do in Thailand, Singapore, and China? He said: I work for a company, and we have a lot of smaller companies that provide parts to us. We want those smaller companies to move those parts jobs to Thailand and Singapore and China so it costs us less to purchase parts. I am going to these three countries in order to see if we can offshore these jobs from companies we purchase from.

I was thinking about that as I sat there talking to him. I was thinking, there are likely hundreds of employees someplace going to work today not knowing he is on an airplane going over to Asia to see if he can get rid of their jobs and move them to Asia so they can pay just a fraction of the price.

So it goes, day after day after day. It happened to be someone I sat next to on an airplane. This is about jobs then. It is about American jobs. I am thinking, as we are talking, we have lost 7.6 million jobs since the recession began; 7.6 million people had to come home and tell their family: I have lost my job, not because I am a bad worker, I lost my job because they are cutting back. Most of that is because of the recession. But going into the recession and even now coming out of the recession, when we still have most of those folks looking for work, we still have people getting on airplanes, finding ways to move American jobs overseas.

When you think about where we are and what our agenda needs to be in the Congress and in the country, jobs have to be right at the top. How do you put people back to work? How do you get the economic engine started? How do you stop the hemorrhaging of jobs to China, where you can find somebody to work for 50 cents an hour, working 12 or 14 hours a day, 7 days a week. The agenda has to have jobs and economic recovery right at the top, putting people back to work, getting the economic engine started.

Our agenda, of course, includes health care and climate change. I am the first to attest to the importance of both. Health care is a very important subject. The relentless climb of increasing costs year after year after year means families take a look at their bill and wonder: How on Earth can I pay the bill—it is 10, 12, 14 percent higher than last year—in order to provide insurance for my family? I can't drop the insurance. Yet I can't afford to pay for it either. Businesses—small, medium, and large—are trying to figure out how to pay the increased cost. That is certainly important.

Climate change and global warming are both important, no question about that. We are going to have a lower carbon future, and we need to find ways to address it.

But the most important agenda, while standing in a very deep economic hole, the deepest hole since the Great Depression of the 1930s, the most important part of that agenda is trying to put people back to work, restarting the economic engine and putting people back to work with good jobs that pay well. That is what makes everything else possible. It is the menu and the success that has lifted so many people out of poverty, expanded the middle class in a manner that almost no one else was able to do. It is the way we succeed in this country, economic expansion and opportunity for the American worker.

While I think health care and climate change are important, my agenda is to put jobs right at the top, to try to understand we are in the deepest recession—or have been—since the Great Depression. The third quarter numbers of this year suggest there has been economic growth. But economic growth of GDP does not relate to people going back onto payrolls. For example, 263,000 people lost their jobs last month. That relates to the 7.6 million people total who have lost their jobs since the recession began.

The first priority is to start the economic engine, do the things that put together the policies that begin to start this big American economic engine again, get the economy back on track and create those jobs again.

I have indicated often that I taught a bit of economics in college. When I would teach the supply-and-demand curve and all the other things one teaches in economics, I used to say, by far, much more important than anything else in this book is to understand the American economy expands as a result of confidence. When people are confident about the future and they feel that confidence, they do the things that manifest confidence. They buy a suit, a car, a house. They take a trip. In other words, they are confident about their future. They are feeling good. They do the things that expand the economy. That is all about confidence. When they are confident and do the things that expand the economy, people work. The economy begins to hum along and the country does very well.

When they are not confident about the future, exactly the opposite happens. We have economic contraction. People don't buy the suit, the car, the home. They don't take a trip. We contract the economy. Confidence is at the root of progress. The question is, Standing in this deep economic hole, how do we restore confidence? How do we do that?

This President has only been in office 10 months. He inherited the biggest economic mess anybody has inherited since the Great Depression. That is a fact. We have a lot of people who want to blame the new administration for all the economic ills of the country. This President inherited the biggest economic mess any President has ever inherited since the 1930s. What do we do to restore confidence and what do we do to address this issue of the economy?

In my judgment, we do three things. One is financial reform. It seems to me the financial system went completely awry, and we had a carnival of greed, an atmosphere of anything goes, unbelievable gambling going on—they could have put a casino table in the lobby of some of the biggest banks in the country—the development of new financial engineering, things such as credit default swaps and CDOs, you name it. These folks steered this country's economy right into the ditch. If that is the case—and I believe it is—the first step to restore confidence is to reform the financial system to say this cannot happen again. We will not allow it. We have to fix it.

Fifteen years ago, I wrote the cover story for the Washington monthly magazine called Very Risky Business, in which I described even then that FDIC-insured financial institutions—financial institutions guaranteed by the Federal Government and the taxpayer, therefore—were trading on their own proprietary accounts and derivatives. I said then they might as well put a keno pit in the lobby of the bank. Fifteen years later, of course, the whole thing collapsed. The center poll broke, and the tent collapsed over all of it. Financial reform has to be the first step in developing some confidence in the American people that this will not happen again.

We need regulations. I know regulation is a four-letter word to some. It is not to me. If ever there was a demonstration that we need regulations, it is this carnival of greed that happened in the last decade or so, where we had regulators come to town who said: I intend to be woefully blind. I know I will get paid by the Federal Government. I know I am supposed to be a regulator, but I want to boast about not being able to watch. I want the market system to be whatever it is.

The fact is, this should demonstrate to us we need regulators who will keep a watchful eye on the market system so they can call the fouls. We need referees. That is what regulators are for. When someone commits a foul that injures the free market system, they

need to blow the whistle. We need effective regulatory authority. That is No. 1.

No. 2, deal with the issues we know are inappropriate. Never should an FDIC-insured institution be trading on unbelievably risky instruments on their own proprietary accounts. It is still going on today. We have to fix that.

No. 3, the issue of too big to fail. Have we not learned we can't have institutions that grow too big to fail without it being no-fault capitalism? I hear folks come and crow about the issue of the market system and free market capitalism. The fact is, when we have institutions that grow too big to fail, it means, when they steer the country into the ditch and they are about to go belly up, the American taxpayer is told: It is time for you to take some action. We intend to have you be a backstop for the biggest financial institutions in the country. We know they pay big bonuses. We know there are tens and tens of billions of dollars of bonuses being paid for failure, but we don't want you to pay attention to that, the fact that they lost a lot of money and paid big bonuses. We still want you to bail them out because they are too big to be allowed to fail.

This country should no longer allow that. At the very least, we have to address this question of too big to fail. That is no-fault capitalism, and it should not be allowed to continue to exist. Financial reform is essential to restore confidence by the American people. That has to lead the list.

Second, the issue of fiscal policy and deficits. It is not irrelevant to understand we are running very large budget deficits that are unsustainable. It is relevant for this administration to point out that when you have a steep economic downturn, the deep recession we have experienced, you have a dramatic loss of revenue coming into the Federal Government, hundreds of billions in lost revenue. You have a very substantial amount of increased expenditures because there are economic stabilizers, such as unemployment compensation and other things, that when times are tough, they kick in and it costs more. So you have less revenue and higher cost. The fact is, this administration inherited this unbelievable fiscal policy of deciding let's cut taxes for the highest income Americans and then we will go to war and not ask anybody to pay for one penny of it. We will charge it all. We will charge all of it for 8 years.

This country is in a big hole. The fact is, we can't allow that to be a sustainable policy. We have to change it. The President knows it, so does the Congress.

If we are going to restore confidence by the American people in what we are doing, there needs to be a plan to address these very large budget deficits. We cannot continue to provide a level of government the American people are either unwilling or unable to pay for. That is a fact. In my judgment, with respect to this agenda of No. 1, financial reform; No. 2, addressing fiscal policy and deficits, we must develop together a plan to tame these Federal budget deficits and get this fiscal policy back on track. That is a fact.

While I am talking about it, let me also say budget deficits are unsustainable, especially in the outyears. I understand you run big deficits in the middle of the deepest recession. Your revenue is down, expenditures are up. I am talking about in the outyears. This is unsustainable, and we must come together on a plan to address it.

The other side of the deficit issue is the trade deficit. Trade deficits are unbelievable. We also have to respond to the trade deficits. That relates to what I had described about the fellow on the airplane going to move American jobs overseas. I have talked about this on the floor, but this chart shows the trade deficits we face. You can make a case on budget deficits that that is something we want to repay to ourselves. You can't make that case with trade deficits. These are moneys we will have to repay to other countries. Last year we had an $800 billion merchandise trade deficit. This is an avalanche of red ink that will have to be repaid. It weakens the country. This gets worse every single year.

The most important part of that is the trade deficit with China. Nearly one-third of this trade deficit is with China. This deficit increases year after year after year after year.

I have told forever on the floor—and I will again, ever so briefly—the story of Huffy bicycles. The first book I wrote, I wrote extensively about these products: Huffy bicycles; the little red wagons, the Radio Flyer; the Etch A Sketch—gone to China. They are all made in China. Huffy bicycles were made in Ohio.

All those folks who made Huffy bicycles and were proud of their jobs then lost their jobs. They all got fired. This bicycle still exists. You can still buy it. It is made in China. The brand is owned by the Chinese, and from $11 an hour in Ohio that was paid to workers making the bicycle—$11 an hour—this job went to China, where they have paid them 30 cents an hour, and have worked them 12 to 14 hours a day, 7 days a week. The question is this: Should Americans be asked to compete with that? Can they compete with that? The answer is: No, of course not.

If I might show a couple other points about what causes these trade deficits. As shown on this chart, 98 percent of the cars driven in South Korea are made in South Korea. Everybody understands why that is. South Korea wants it that way. They do not want American cars in South Korea, so virtually all the cars in South Korea are made in South Korea.

As shown on this chart, here is our bilateral automobile trade with South Korea. Last year, they sent us 730,000 cars to be sold in the United States. We were able to sell them 4,000 cars. Think of that: 730,000 Korean cars put on ships to be sold in the United States, and we were able to get 4,200 American cars into South Korea. It is going to be much worse with China, by the way.

My point is very simply, we have these giant trade deficits growing and growing and growing, combined with a fiscal policy deficit that is record high, and this is unsustainable. It is unsustainable. So we have to deal with financial reform, and we have to deal with deficits—fiscal policy deficits and trade deficits.

Then, finally, the issue is jobs. When I talk about restoring the economic strength of this country, it means talking about: How do you put people back to work? It is interesting to me that the Wall Street firms are reporting record profits, they are going to pay record bonuses, and so they have healed. They are all fine. It is just those 7.6 million people who lost their jobs. They are still out there looking for work, and they ought to be plenty angry about what is going on. So the question is, How do we create jobs and keep jobs here? I want to talk about that for a moment.

It seems to me the issue of job creation—my colleagues Senators WARNER and CORKER have an idea that I have embraced that makes a lot of sense, and that is, job creation in most cases is a result of small and medium-sized businesses that have an idea and are running a business and putting people to work on Main Streets, and yet they are the very ones that cannot get lending. You need lending when you are in business. You need loan funds to finance your inventory and to expand, and so on. The very people who cannot get business loans are the very ones who would be creating the jobs.

So this Congress, without my vote, voted for $700 billion in TARP funds to provide a pillow and some aspirin and some soft landing for some big financial firms in the country that ran the country's economy into the ditch. My colleagues suggest—and I agree—that we probably ought to convert just a portion of that—just a portion of that—to create a mechanism by which we would have a bank of small business loans that would be available to small and medium-sized businesses.

There is no excuse not to use some of those funds for the right purpose. If you believe they were appropriated for the wrong purpose—that is to help out the biggest firms that steered us into the ditch—how about helping out Main Street businesses that would create some jobs?

Second, I think we ought to finally consider—and we have talked about it for a long while—creating an infrastructure investment bank, and over a period of 30 years float the bonds that allow you to rebuild the infrastructure in this country that will put massive numbers of people back to work. We can do that. If you create it the right way with an infrastructure investment

bank, you are not going to blow a hole in the Federal budget deficit, but you are going to put a lot of people back to work.

The issue that has been used previously during chronic eras of unemployment, which I think we should consider, is the issue of the new jobs tax credit. We did that in 1977 and 1978. The new jobs tax credit, it was reported, provided up to 2.1 million new jobs in this country. I think we ought to consider that.

Finally, we ought to end the disincentive for creating jobs by getting rid of these pernicious tax breaks that say: If you fire your workers and lock your plant and ship the whole thing overseas, we will give you a big fat tax break. Yes, that exists in tax law today. We cannot get it changed. It is outrageous, in my judgment. So let's provide some incentives for people to hire employees in this country and end the disincentives by getting rid of tax breaks for those companies that ship their jobs out of the country.

There is a lot to do. I have described some big issues that, for me, would represent the top of the agenda. I know that is not the agenda we are on at the moment, and I understand that the play gets called, and we all run toward the same goalposts. But the facts is, this country, in my judgment, will not have the kind of economic recovery we need unless we put at the top of the agenda, as we move forward, the issue of financial reform, which my colleagues are working on in the Banking Committee. It is urgent we get that done. In my judgment, that should have been at the front of the agenda: the issue of fiscal policy, deficits and trade policy deficits and, finally, the issue of jobs.

I want to mention that there is one additional issue that has been kicked around, and that is climate change. As I said when I started this presentation, I do not think climate change is irrelevant at all. I think it is important. For me, it would not lead the set of issues that would require us first to put the economy back on track.

But with respect to the issue of climate change and energy, part of having confidence in the future is also having some energy security. Energy security and national security, in my judgment, go together in many ways. Because if tomorrow, God forbid, we had an interruption in the pipeline of oil that comes to this country, our economy would be flat on its back. About one-fourth of the 85 million barrels of oil that are taken out of this planet every day, has to come into this country. We have a prodigious appetite for energy. But the problem is, 70 percent of our nation's oil comes from other countries. Seventy percent of the oil we use comes from other countries.

We have a real energy security issue and we need to work hard to be less dependent on other countries—some of who do not like us very much—for the oil we need to run this American economy.

We wrote a bill about 4 months ago in the Senate Energy and Natural Resources Committee, a bill that deals with all of the energy policies that would make America more energy secure and provide greater national security as a result. The Senate Energy Committee's bill, in my judgment, should be on the floor of the Senate before the climate change bill. It does all the things in the matter of policy, that you would do to address climate change.

The Senate Energy Committee's legislation maximizes the use of renewable energy, so you can produce electricity where the wind blows, and the Sun shines, and move it through a modern transmission system to the load centers where the energy is needed. The Senate Energy Committee's bill does the building retrofits and efficiencies, which are the lowest hanging fruit in energy. For the first time in history, it establishes a renewable electricity standard of 15 percent. It opens up the Eastern Gulf for offshore oil and natural gas production.

The Senate Energy Committee's legislation does all of the things you would do to take significant steps toward addressing climate change. The bill maximizes the production of renewable energy—it moves in exactly the right direction. Retrofitting buildings—it does exactly the right thing. The increase in the renewable electricity standard is exactly the right policy.

So I would say to those who are pushing very hard that we need to have climate change on the floor of the Senate. The fact is, it is much more important, in terms of public policy to move this country in the right direction, to bring the Senate Energy and Natural Resources Committee's bill on the floor. The Senate Energy Committee's bill includes a whole series of investments to make coal development, which is the most abundant resource in this country, more compatible with our need to address a lower carbon future.

Carbon capture and sequestration from coal development is very important. Carbon capture, beneficial use all of these investments require money, and we put some of that money in the Senate Energy Committee's bill so we can continue to use that resource as well.

The Senate Energy Committee's bill makes sense and, in my judgment, it ought to have a priority to come to the floor of the Senate after financial reform and deficits and jobs. Because all of that, I think, is necessary to address the very serious economic questions that face Americans.

Let me conclude by saying, I mentioned a few moments ago that we have these very large Federal budget deficits, and I think it would be useful to say that while there are expenditure cuts we should make—and there are plenty I have suggested; I think we should tighten our belts—there are other ways to begin to reduce the Federal budget deficit; and that is, to ask those who are not paying their fair share to pay some.

I want to describe that by showing a chart. This is a chart from a company that is part of their financial report. But I am doing this only to say this is a just a representation of many companies. But this one says: The United States Government is this company's largest single customer. The government operates in segments and supplies nuclear power systems, and so on. We are active in government-sponsored operations and research.

All right. So who is this company? This is a company that decided, in filing with the Securities and Exchange Commission, to say:

> [The company] is a Panamanian corporation that has earned all of its income outside of Panama.

It is not really a Panamanian corporation. Well, it is legally now. But it used to be an American corporation that decided to do what is called an inversion; that means disavowing your U.S. citizenship and saying, as a corporation: I don't want to be an American citizen anymore. I want to be a citizen of Panama. So that is what this company did.

All right. We decided some while ago, if you want to decide not to be an American citizen, as a company, then do not tell us you want to keep doing business with the American Government. The only reason you want to invert and get rid of your American citizenship is to avoid paying U.S. taxes. So we say, if you do not want to pay U.S. taxes—do you know what?—you ought not get business from the Federal Government.

Well, this company did not like that so much. This company has 2007 revenues that were sheltered now because they inverted to Panama—2007 revenues—of $2.6 billion.

It has taken the government a little longer than it should have to shut off these companies that inverted from doing business with the Federal Government. But now we have an understanding that one of the Federal agencies quietly approached the Appropriations Committee and asked to insert a clause in an appropriations bill which says that the contracting ban, which I have described, can only be administered consistent with U.S. international trade agreements. That was done because there is discussion of a trade agreement with Panama, and so with respect to the trade agreement with Panama, the contracting ban would be limited to not affect this company that inverted to Panama.

Isn't that interesting. Actually, we have people in government trying to help the company get Federal business once again, despite the fact that this company moved away to Panama as a legal address in order to avoid paying U.S. taxes. And it is not just this company.

Some long while ago, probably 2 years ago, I brought to the floor of the

Senate—and many of my colleagues have since used this—this picture. When you talk about everybody paying their fair share, this is a picture of a little four-story building on Church Street in the Cayman Islands. It is called the Ugland House. This is actually the original chart I used about 2 years ago. There was some enterprising reporting by a reporter named Evans from Bloomberg. Mr. Evans from Bloomberg actually did the reporting on this.

This little white building on Church Street in the Cayman Islands was home to 12,748 corporations. They are not there. That is just a legal address, a figment created by lawyers, to say, if you run your mail through a mailbox in this building, you can avoid paying U.S. taxes.

Isn't that wonderful? I think it is unpatriotic. It is going on all the time. By the way, since I first used this chart, my understanding is, there are now not 12,000 corporations using this address; there are 18,000 corporations. Isn't that unbelievable?

My point is, when you talk about the need for fiscal policy reform—yes, let's cut some spending; let's tighten our belts—let's also ask some interests who decided they want all the benefits that America has to offer but they do not want to pay taxes, let's ask them to become tax-paying citizens, corporate tax-paying citizens once again. There is a lot to do, and I am convinced we can do it if we have the priorities straight.

Yesterday, it was interesting to me to hear that Warren Buffett purchased the Burlington Northern Railroad.

Berkshire Hathaway, the company owned by Warren Buffett, purchased Burlington Northern Railroad. He said he is betting on America. I know Warren Buffett. I have known him for years. I like him. He is a good guy. In fact, he is one of the smartest investors perhaps in the history of our country. He is betting on America. That is probably a pretty good bet. I don't know the details of his purchase of this railroad company, but it is probably a pretty good bet to bet on this country.

I mentioned previously that we had Warren Buffett to speak to our caucus some while ago and somebody asked him the question: What do you think the economy will be like in 6 months?

Warren Buffett said: I don't have the foggiest idea. That is not the way I think. I don't know what is going to happen 6 months from now or 16 months from now, but I will tell you this: I know what the economy is going to be like 6 years from now. It is going to be great.

He said: America always pulls itself up. Look at the couple hundred years of history, at the creativeness, the inventiveness, the ambition of the American people. It is just innate in the soul of the American people and its culture to just keep moving forward.

He said: This country is going to do fine. I don't know whether it is going to be 7 or 10 or 15 months or 5 years, but, he said, I believe this country is going to do well.

So I kind of smiled yesterday when I saw that he had purchased a railroad and said: I am betting on America.

I think this Congress should bet on America too, but America needs some help from this Congress. America needs a lot of help to deal with the issues I have just described. I believe we can do that, but it is not going to happen unless we have some cooperation. We have gotten cooperation on nothing. By the way, just for interest's sake, we are now in this lengthy period, and we have had to burn 30 hours postcloture in 2 days, ripening cloture on everything, even on noncontroversial things, because there are people who don't want this institution to work. It doesn't make any sense to me. There ought not be two teams here; we all ought to be pulling for the same team.

Mr. President, I yield the floor.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mrs. MCCASKILL. Mr. President, I rise to state my support for the extension of unemployment benefits that was included in H.R. 3548. Recent reports on gross domestic product by the Bureau of Economic Analysis indicate that we are out of the recession. However, unemployment is a lagging indicator, and we will need to see more GDP growth before employers start hiring again. In the meantime, families in Missouri and across the country are hurting. The unemployment rate in Missouri is 9.5 percent. American Airlines announced just last week that it would close its maintenance facility in Kansas City, and 490 workers are losing their jobs.

I believe we have a responsibility and an obligation to help good, hard working Americans who are struggling in these difficult times. To that end, the extension of unemployment benefits will provide a vital lifeline to people struggling to find work through one of the most severe recessions in our lifetime, and I fully support it.

I also strongly support inclusion in this bill of the provisions from the Service Members Homeownership Tax Act, which I introduced. These provisions will ensure that our troops deployed overseas this year and next will not be penalized for their service when they seek to buy their first homes. You cannot shop for a house while you are hunting al-Qaida in Afghanistan or supporting a diplomatic mission to NATO Allies, so it is only fair that service members have additional time to take advantage of the first-time homebuyer tax credit. This bill will give members of the armed, intelligence, and foreign services who were stationed abroad in 2009 or 2010 an additional year to qualify. It will also eliminate the ''recapture'' requirement for servicemembers. Unlike other recipients, they will not have to pay the credit back if they move within 3 years, as long as the relocation is service-related. Finally, Housing Assistance Program benefits that were expanded in the Recovery Act will be exempt from taxation. These temporary benefits are helping cushion the financial blow to military families who are forced to sell their homes in the current, depressed market. Families who are reassigned or are relocating to seek treatment for service-related injuries are some of the biggest beneficiaries of the program. I would note that the cost of extending the first-time homebuyer tax credit for servicemembers will be less than one percent of a full extension of the credit, and that the cost was fully offset in the bill I introduced.

Unfortunately, H.R. 3548 went further than only taking care of our men and women in uniform. It also contains a fiscally irresponsible extension and expansion of the first-time homebuyer tax credit for many other Americans. I do not support this extension.

Congress created the first-time homebuyer credit last year as a timely, targeted, and temporary response to the housing crisis, designed to reduce excess housing inventories by encouraging home purchases. Judging from home sales over the past few months, the credit has helped stabilize the housing market. However, the Treasury Inspector General for Tax Administration has found serious instances of fraud within the program, and economists have suggested that extending the credit is not the most effective way of addressing the remaining problems in the housing market. Now that we are out of crisis, it is time to let the first-time homebuyer credit expire. We simply cannot continue to expand one-time programs from the stimulus and ever expect to return to a state of fiscal responsibility. If we say it is a one-time program, it should be a one-time program.

In conclusion, I applaud the important, commonsense steps we have taken for Americans looking for work and for military families. I am disappointed that a broad extension of the first-time homebuyer credit was included in this legislation. I would not have supported an extension of the credit independently. However, the positive elements of this bill outweigh the negative, and I support the overall bill.•

Mr. GRASSLEY. Mr. President, I would like to take a moment to express my concern about a provision included in the unemployment compensation bill before the Senate.

The provision I am concerned about deals with a reversal of a sound international tax policy reform. Back in 2004, Congress passed and President Bush signed a major bipartisan business tax reform bill. The centerpiece proposal in the international tax reform area was a restoration of the Finance Committee position from the 1986 Tax Reform Act on the treatment of interest for the purposes of the foreign tax credit.

This reform, known as World Wide Interest Apportionment, was due to take effect at the beginning of 2009, but its implementation was delayed for 2 years in order to pay for housing legislation enacted in July of 2008. I expressed my concerns at the time about delaying sound international tax policy in order to fund new spending priorities. However, my view lost out and the delay of this provision was used as an offset.

Now, here we are again, in need of revenue offset in order to fund other priorities. The proposal in the bill before us delays this important reform an additional 7 years, until December 31, 2017. I support the main provisions of the bill intended to provide relief to those struggling to find work by extending unemployment benefits and to provide a lift to the economy by extending the homebuyer tax credit and the expanded net operating loss carryback period for small businesses.

My opposition to this revenue offset rests in the bad tax policy this proposal represents. The interest allocation reform would, if allowed to take effect, lower the chance of double tax that arises under current law from the artificial overallocation of interest expense to foreign income, even when the debt is incurred to fund domestic investment. The current rules actually penalize domestic manufacturers that compete in global markets by making it more likely they will be double-taxed on their foreign income.

Several companies have spoken to my staff about the negative ramifications this delay will have on them. Some of these companies are just starting to grow their businesses beyond the U.S. borders. The delay of this important international reform will make it more costly for these companies to expand into these markets. If these companies cannot grow beyond the domestic economy, they will be unable to compete in the global marketplace.

Mr. President, I ask unanimous consent that a letter I received from John Deere explaining their concern about delaying the implementation of this provision be printed in the RECORD.

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

DEERE & COMPANY,
Moline, IL, October 22, 2009.

Hon. CHARLES GRASSLEY,
Senate Finance Committee,
Washington, DC.

DEAR SENATOR GRASSLEY: Deere and Company would like to reemphasize to you the importance of worldwide interest allocation and our strong desire that implementation of this provision not be further delayed by using the provision as a ''pay for'' for other issues. Further continued delays in implementing this provision will make U.S. companies less competitive with our foreign competitors.

We ask that you find a different offset to fund H.R. 3548, the Supplemental Appropriations, and oppose using the Reid-Baucus proposed delay of the interest allocation rules to offset other tax policy. U.S. based employers like Deere believe implementing World Wide Interest Allocation is critically important international tax law.

THOMAS K. JARRETT,
Vice President, Tax.

Mr. HARKIN. Mr. President, I want to speak in support of extending the unemployment insurance program, to provide up to 20 weeks of additional unemployment insurance benefits for out-of-work Americans and their families.

American workers are facing tough times. During the last recession, our country lost millions of good jobs—jobs that have never been replaced. And the downturn of the past 2 years, brought on by the subprime mortgage disaster and skyrocketing oil costs, has created a perfect storm leading to severe unemployment, with official unemployment approaching 10 percent. Today, 15.1 million Americans are out of work, and more than a third of them have been out of a job for 6 months or more. Unfortunately, the jobless rates jumps closer to 20 percent when you take into account the millions more who have given up looking for work, or can only find part-time work when they need full-time incomes.

In recent weeks we have seen signs that our economy is starting to turn the corner, with growth in consumer spending, improved home sales and expansion in some manufacturing industries. Thanks to the Recovery Act, we have also been able to keep teachers in the classroom, and get construction workers started on new jobs because this administration and this Congress made significant investments that saved or created these and hundreds of thousands of other jobs. But we know that achieving a full economic recovery won't happen overnight. As our economy gradually improves, American families will still need help to get by.

The recession has meant hardship for many thousands of families in my home state. Des Moines' nine food banks have seen a significant increase in demand. And organizations like the Salvation Army are also seeing a surge of requests for assistance with utilities, food, and clothing.

When a family member is out of work, times are particularly tough. One survey found that 70 percent of families with a person out of work reported having cut back spending on food and groceries. That is why it is important that we act now to extend unemployment insurance benefits.

The unemployment insurance program provides a vital safety net during times of economic hardship. Workers have paid into the system through their hard work, so when they are out of a job they deserve support to see them through tough times. These benefits are fundamental to helping families meet basic necessities—to provide a roof over their heads, to put food on the table, or to keep the heat on. A recent survey found that 90 percent of people receiving unemployment benefits used them for just such necessities.

With over one-third of unemployed Americans out of a job for more than half a year, unemployment benefits have been a lifeline for these families. The critical nature of these benefits has enabled us to pass previous extensions with bipartisan support. Earlier this year we provided additional weeks of unemployment assistance and a small increase in workers' weekly benefits. Yet 400,000 workers ran out of benefits last month and another 200,000 exhausted their unemployment by the end of October. Over 30,000 Iowans have run out of State benefits since June.

Running out of unemployment support means even tougher times for Americans who are already strapped—and so I hope my colleagues will join me in supporting and quickly passing this extension of unemployment benefits.

The amendment before us will provide critical help to working families as our economy gets going again. Nationwide, it provides 14 additional weeks of benefits for workers who have run out of safety net support. In States where unemployment is at or above 8.5 percent, workers are eligible for 20 additional weeks of benefits. This amendment will provide much needed help to 1.9 million people across the country, including 31,000 in Iowa.

This help can't come too soon for hardworking men and women who are trying to hang on for better times ahead; people like Kimberly Anders, from West Des Moines, IA. She writes:

> As an older person, I feel lost in the face of not being able to find a job, especially after I've worked hard my whole life and never once relied on any state or federal aid . . . now my unemployment is about to run out, and my hope with it . . .

Unemployment benefits help Michelle Paulson from Huxley, IA, who is trying to train for a new career while caring for her family. A mother of two, Michelle went back to community college after she was laid off by a window manufacturer last August. As the lagging economy continues to take its toll on Iowans, Michelle is pursuing a degree in advanced manufacturing. Unemployment benefits provide Michelle the safety net to meet basic needs for her family while building her own workforce skills.

The American people are counting on us to help them. It is time to act now.

Passing this amendment now will give people like Kimberly Anders and Michelle Paulson the immediate help they need. What's more, it will benefit them and all American workers in the long run by helping to get our economy back on track. That is because unemployment benefits provide a major, immediate boost to the economy. Economists calculate that every $1 invested in the unemployment insurance safety net generates $1.63 in economic activity. Unemployed households spend these dollars on immediate needs—to pay the rent or a medical bill, buy groceries and school supplies, or repair the family car—all economic activities that quickly inject dollars into our communities.

An extension of unemployment benefits gives workers and their families the support they need while people continue to look for work. And it provides a needed stimulus to the rest of our economy. I urge my colleagues to support this amendment and pass it without delay.

Mr. LEVIN. Mr. President, the measure we have before us is vital to the three-quarters of a million people in Michigan who are unemployed. It is vital to the 15.1 million Americans who are unemployed. It will keep them in their homes. It will keep their children fed and clothed.

It is also vital to the millions of American workers who remain employed, but are plagued by fear that they too will lose their job. Previous extensions of unemployment insurance benefits have played an underappreciated role in helping us avoid even greater economic collapse. There are businesses still open, neighborhoods still filled with families instead of foreclosed homes, wheels of commerce still turning because of the economic fuel these extensions have provided. This extension, too, means help not just for those facing a loss of benefits but for entire communities.

I am also pleased that this legislation extends the homebuyer tax credit which had been set to expire on November 30, 2009. This credit, which has helped pull the real-estate market from the depths of decline, will now be available until April 30, 2010. This legislation expands eligible recipients to tax payers who have owned their homes for more than 5 years. The credit will also provide additional relief to members of the military by eliminating the recapture requirement of the credit if they are forced to sell their home as a result of an official extension of duty.

So I am glad that we are ready to approve this legislation. I wish it had come sooner. During the debate and delay here in Washington, 7,000 unemployed Americans each day saw their unemployment benefits expire. By mid-October, 44,000 Michigan workers had exhausted their benefits, and that number will more than double by the end of the year if we do not act. The anxiety caused by our delays has been a tremendous hardship for families facing the loss of their benefits hardship made painfully clear by the calls and letters to my office from Michiganders desperate for any word on when Congress would act.

For a family battered by the loss of a job, fearing the loss of a home, wondering if life will ever be the same, facing such uncertainty requires genuine courage to hold onto hope. This extension of unemployment benefits is one important way we can help alleviate fear and help preserve that hope that is essential to persevere until times get better.

Mr. DURBIN. Mr. President, I ask unanimous consent that immediately after the adoption of this unanimous consent request, all postcloture time be yielded back, and the bill, as amended, be read a third time, that no points of order be in order, and the Senate then proceed to vote on passage of H.R. 3548; that upon passage, the Senate then proceed to executive session to consider Calendar No. 331, the nomination of Tara Jeanne O'Toole; and that once the nomination is reported, the Senate proceed to vote on confirmation of the nomination, with any statements relating to the nomination appearing at the appropriate place in the RECORD, as if read; that upon confirmation, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; that on Thursday, November 5, after a period of morning business, the Senate consider the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the committee-reported substitute amendment to H.R. 2847, the Commerce-Justice-Science Appropriations Act; that the motion to proceed be agreed to and the motion to reconsider be agreed to; and that prior to the vote on the motion to invoke cloture on the substitute amendment, there be 40 minutes of debate, equally divided and controlled as follows: 20 minutes under the control of Senator VITTER and 20 minutes total for Senators MIKULSKI and SHELBY; that upon the use or yielding back of that time, the Senate proceed to vote on the motion to invoke cloture on the substitute amendment; further, that upon disposition of H.R. 2847, the Senate then proceed to the consideration of Calendar No. 106, H.R. 3082, the Military Construction/Veterans Affairs Appropriations Act; that immediately after the bill is reported, Senator JOHNSON or his designee be recognized to call up the substitute amendment, which is the text of S. 1407, the Senate committee-reported bill.

Mr. President, I wish to inform my colleagues that the unanimous consent request I just made has been cleared by both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment in the nature of a substitute was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 334 Leg.]

YEAS—98

Akaka	Enzi	Menendez
Alexander	Feingold	Merkley
Barrasso	Feinstein	Mikulski
Baucus	Franken	Murkowski
Bayh	Gillibrand	Murray
Begich	Graham	Nelson (NE)
Bennet	Grassley	Nelson (FL)
Bennett	Gregg	Pryor
Bingaman	Hagan	Reed
Bond	Harkin	Reid
Boxer	Hatch	Risch
Brown	Hutchison	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burris	Johanns	Sessions
Cantwell	Johnson	Shaheen
Cardin	Kaufman	Shelby
Carper	Kerry	Snowe
Casey	Kirk	Specter
Chambliss	Klobuchar	Stabenow
Coburn	Kohl	Tester
Cochran	Kyl	Thune
Collins	Landrieu	Udall (CO)
Conrad	Lautenberg	Udall (NM)
Corker	Leahy	Vitter
Cornyn	LeMieux	Voinovich
Crapo	Levin	Warner
DeMint	Lieberman	Webb
Dodd	Lincoln	Whitehouse
Dorgan	Lugar	Wicker
Durbin	McCain	Wyden
Ensign	McConnell	

NOT VOTING—2

Byrd McCaskill

The bill (H.R. 3548), as amended, was passed, as follows:

H.R. 3548

Resolved, That the bill from the House of Representatives (H.R. 3548) entitled ''An Act to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.'', do pass with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Worker, Homeownership, and Business Assistance Act of 2009''.

SEC. 2. REVISIONS TO SECOND-TIER BENEFITS.

(a) IN GENERAL.—Section 4002(c) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''If'' and all that follows through ''paragraph (2))'' and inserting ''At the time that the amount established in an individual's account under subsection (b)(1) is exhausted'';

(B) in subparagraph (A), by striking ''50 percent'' and inserting ''54 percent''; and

(C) in subparagraph (B), by striking ''13'' and inserting ''14'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 3. THIRD-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following new subsection:

''(d) THIRD-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—

''(1) IN GENERAL.—If, at the time that the amount added to an individual's account under

subsection (c)(1) (hereinafter 'second-tier emergency unemployment compensation') is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be further augmented by an amount (hereinafter 'third-tier emergency unemployment compensation') equal to the lesser of—

''(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law; or

''(B) 13 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

''(A) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

''(i) were applied by substituting '4' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(B) such a period would then be in effect for such State under such Act if—

''(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

''(ii) such section 203(f)—

''(I) were applied by substituting '6.0' for '6.5' in paragraph (1)(A)(i) thereof; and

''(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

(b) CONFORMING AMENDMENT TO NON-AUGMENTATION RULE.—Section 4007(b)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) by striking ''then section 4002(c)'' and inserting ''then subsections (c) and (d) of section 4002''; and

(2) by striking ''paragraph (2) of such section)'' and inserting ''paragraph (2) of such subsection (c) or (d) (as the case may be))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 4. FOURTH-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 3(a), is amended by adding at the end the following new subsection:

''(e) FOURTH-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—

''(1) IN GENERAL.—If, at the time that the amount added to an individual's account under subsection (d)(1) (third-tier emergency unemployment compensation) is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be further augmented by an amount (hereinafter 'fourth-tier emergency unemployment compensation') equal to the lesser of—

''(A) 24 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law; or

''(B) 6 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

''(A) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

''(i) were applied by substituting '6' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(B) such a period would then be in effect for such State under such Act if—

''(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

''(ii) such section 203(f)—

''(I) were applied by substituting '8.5' for '6.5' in paragraph (1)(A)(i) thereof; and

''(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

(b) CONFORMING AMENDMENT TO NON-AUGMENTATION RULE.—Section 4007(b)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 3(b), is amended—

(1) by striking ''and (d)'' and inserting '', (d), and (e) of section 4002''; and

(2) by striking ''or (d)'' and inserting '', (d), or (e) (as the case may be))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 5. COORDINATION.

Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 4, is amended by adding at the end the following new subsection:

''(f) COORDINATION RULES.—

''(1) COORDINATION WITH EXTENDED COMPENSATION.—Notwithstanding an election under section 4001(e) by a State to provide for the payment of emergency unemployment compensation prior to extended compensation, such State may pay extended compensation to an otherwise eligible individual prior to any emergency unemployment compensation under subsection (c), (d), or (e) (by reason of the amendments made by sections 2, 3, and 4 of the Worker, Homeownership, and Business Assistance Act of 2009), if such individual claimed extended compensation for at least 1 week of unemployment after the exhaustion of emergency unemployment compensation under subsection (b) (as such subsection was in effect on the day before the date of the enactment of this subsection).

''(2) COORDINATION WITH TIERS II, III, AND IV.—If a State determines that implementation of the increased entitlement to second-tier emergency unemployment compensation by reason of the amendments made by section 2 of the Worker, Homeownership, and Business Assistance Act of 2009 would unduly delay the prompt payment of emergency unemployment compensation under this title by reason of the amendments made by such Act, such State may elect to pay third-tier emergency unemployment compensation prior to the payment of such increased second-tier emergency unemployment compensation until such time as such State determines that such increased second-tier emergency unemployment compensation may be paid without such undue delay. If a State makes the election under the preceding sentence, then, for purposes of determining whether an account may be augmented for fourth-tier emergency unemployment compensation under subsection (e), such State shall treat the date of exhaustion of such increased second-tier emergency unemployment compensation as the date of exhaustion of third-tier emergency unemployment compensation, if such date is later than the date of exhaustion of the third-tier emergency unemployment compensation.''.

SEC. 6. TRANSFER OF FUNDS.

Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''Act;'' and inserting ''Act and sections 2, 3, and 4 of the Worker, Homeownership, and Business Assistance Act of 2009;''.

SEC. 7. EXPANSION OF MODERNIZATION GRANTS FOR UNEMPLOYMENT RESULTING FROM COMPELLING FAMILY REASON.

(a) IN GENERAL.—Clause (i) of section 903(f)(3)(B) of the Social Security Act (42 U.S.C. 1103(f)(3)(B)) is amended to read as follows:

''(i) One or both of the following offenses as selected by the State, but in making such selection, the resulting change in the State law shall not supercede any other provision of law relating to unemployment insurance to the extent that such other provision provides broader access to unemployment benefits for victims of such selected offense or offenses:

''(I) Domestic violence, verified by such reasonable and confidential documentation as the State law may require, which causes the individual reasonably to believe that such individual's continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family (as defined by the Secretary of Labor); and

''(II) Sexual assault, verified by such reasonable and confidential documentation as the State law may require, which causes the individual reasonably to believe that such individual's continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family (as defined by the Secretary of Labor).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to State applications submitted on and after January 1, 2010.

SEC. 8. TREATMENT OF ADDITIONAL REGULAR COMPENSATION.

The monthly equivalent of any additional compensation paid by reason of section 2002 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438) shall be disregarded after the date of the enactment of this Act in considering the amount of income and assets of an individual for purposes of determining such individual's eligibility for, or amount of, benefits under the Supplemental Nutrition Assistance Program (SNAP).

SEC. 9. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) BENEFITS.—Section 2(c)(2)(D) of the Railroad Unemployment Insurance Act, as added by section 2006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), is amended—

(1) in clause (iii)—

(A) by striking ''June 30, 2009'' and inserting ''June 30, 2010''; and

(B) by striking ''December 31, 2009'' and inserting ''December 31, 2010''; and

(2) by adding at the end of clause (iv) the following: ''In addition to the amount appropriated by the preceding sentence, out of any funds in the Treasury not otherwise appropriated, there are appropriated $175,000,000 to cover the cost of additional extended unemployment benefits provided under this subparagraph, to remain available until expended.''.

(b) ADMINISTRATIVE EXPENSES.—Section 2006 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 445) is amended by adding at the end of subsection (b) the following: ''In addition to funds appropriated by the preceding sentence, out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board $807,000 to cover the administrative expenses associated with the payment of additional extended unemployment benefits under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act, to remain available until expended.''.

SEC. 10. 0.2 PERCENT FUTA SURTAX.

(a) IN GENERAL.—Section 3301 of the Internal Revenue Code of 1986 (relating to rate of tax) is amended—

(1) by striking ''through 2009'' in paragraph (1) and inserting ''through 2010 and the first 6 months of calendar year 2011'',

(2) by striking ''calendar year 2010'' in paragraph (2) and inserting ''the remainder of calendar year 2011'', and

(3) by inserting ''(or portion of the calendar year)'' after ''during the calendar year''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to wages paid after December 31, 2009.

SEC. 11. EXTENSION AND MODIFICATION OF FIRST-TIME HOMEBUYER TAX CREDIT.

(a) EXTENSION OF APPLICATION PERIOD.—

(1) IN GENERAL.—Subsection (h) of section 36 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''December 1, 2009'' and inserting ''May 1, 2010'',

(B) by striking ''SECTION.—This section'' and inserting ''SECTION.—

''(1) IN GENERAL.—This section'', and

(C) by adding at the end the following new paragraph:

''(2) EXCEPTION IN CASE OF BINDING CONTRACT.—In the case of any taxpayer who enters into a written binding contract before May 1, 2010, to close on the purchase of a principal residence before July 1, 2010, paragraph (1) shall be applied by substituting 'July 1, 2010' for 'May 1, 2010'.''.

(2) WAIVER OF RECAPTURE.—

(A) IN GENERAL.—Subparagraph (D) of section 36(f)(4) of such Code is amended by striking '', and before December 1, 2009''.

(B) CONFORMING AMENDMENT.—The heading of such subparagraph (D) is amended by inserting ''AND 2010'' after ''2009''.

(3) ELECTION TO TREAT PURCHASE IN PRIOR YEAR.—Subsection (g) of section 36 of such Code is amended to read as follows:

''(g) ELECTION TO TREAT PURCHASE IN PRIOR YEAR.—In the case of a purchase of a principal residence after December 31, 2008, a taxpayer may elect to treat such purchase as made on December 31 of the calendar year preceding such purchase for purposes of this section (other than subsections (c), (f)(4)(D), and (h)).''.

(b) SPECIAL RULE FOR LONG-TIME RESIDENTS OF SAME PRINCIPAL RESIDENCE.—Subsection (c) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) EXCEPTION FOR LONG-TIME RESIDENTS OF SAME PRINCIPAL RESIDENCE.—In the case of an individual (and, if married, such individual's spouse) who has owned and used the same residence as such individual's principal residence for any 5-consecutive-year period during the 8-year period ending on the date of the purchase of a subsequent principal residence, such individual shall be treated as a first-time homebuyer for purposes of this section with respect to the purchase of such subsequent residence.''.

(c) MODIFICATION OF DOLLAR AND INCOME LIMITATIONS.—

(1) DOLLAR LIMITATION.—Subsection (b)(1) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR LONG-TIME RESIDENTS OF SAME PRINCIPAL RESIDENCE.—In the case of a taxpayer to whom a credit under subsection (a) is allowed by reason of subsection (c)(6), subparagraphs (A), (B), and (C) shall be applied by substituting '$6,500' for '$8,000' and '$3,250' for '$4,000'.''.

(2) INCOME LIMITATION.—Subsection (b)(2)(A)(i)(II) of section 36 of such Code is amended by striking ''$75,000 ($150,000'' and inserting ''$125,000 ($225,000''.

(d) LIMITATION ON PURCHASE PRICE OF RESIDENCE.—Subsection (b) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) LIMITATION BASED ON PURCHASE PRICE.—No credit shall be allowed under subsection (a) for the purchase of any residence if the purchase price of such residence exceeds $800,000.''.

(e) WAIVER OF RECAPTURE OF FIRST-TIME HOMEBUYER CREDIT FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY.—Paragraph (4) of section 36(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR MEMBERS OF THE ARMED FORCES, ETC.—

''(i) IN GENERAL.—In the case of the disposition of a principal residence by an individual (or a cessation referred to in paragraph (2)) after December 31, 2008, in connection with Government orders received by such individual, or such individual's spouse, for qualified official extended duty service—

''(I) paragraph (2) and subsection (d)(2) shall not apply to such disposition (or cessation), and

''(II) if such residence was acquired before January 1, 2009, paragraph (1) shall not apply to the taxable year in which such disposition (or cessation) occurs or any subsequent taxable year.

''(ii) QUALIFIED OFFICIAL EXTENDED DUTY SERVICE.—For purposes of this section, the term 'qualified official extended duty service' means service on qualified official extended duty as—

''(I) a member of the uniformed services,

''(II) a member of the Foreign Service of the United States, or

''(III) an employee of the intelligence community.

''(iii) DEFINITIONS.—Any term used in this subparagraph which is also used in paragraph (9) of section 121(d) shall have the same meaning as when used in such paragraph.''.

(f) EXTENSION OF FIRST-TIME HOMEBUYER CREDIT FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—Subsection (h) of section 36 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by adding at the end the following:

''(3) SPECIAL RULE FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY OUTSIDE THE UNITED STATES.—In the case of any individual who serves on qualified official extended duty service (as defined in section 121(d)(9)(C)(i)) outside the United States for at least 90 days during the period beginning after December 31, 2008, and ending before May 1, 2010, and, if married, such individual's spouse—

''(A) paragraphs (1) and (2) shall each be applied by substituting 'May 1, 2011' for 'May 1, 2010', and

''(B) paragraph (2) shall be applied by substituting 'July 1, 2011' for 'July 1, 2010'.''.

(g) DEPENDENTS INELIGIBLE FOR CREDIT.—Subsection (d) of section 36 of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', or'', and by adding at the end the following new paragraph:

''(3) a deduction under section 151 with respect to such taxpayer is allowable to another taxpayer for such taxable year.''.

(h) IRS MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of subparagraph (M),

(2) by striking the period at the end of subparagraph (N) and inserting '', and'', and

(3) by inserting after subparagraph (N) the following new subparagraph:

''(O) an omission of any increase required under section 36(f) with respect to the recapture of a credit allowed under section 36.''.

(i) COORDINATION WITH FIRST-TIME HOMEBUYER CREDIT FOR DISTRICT OF COLUMBIA.—Paragraph (4) of section 1400C(e) of the Internal Revenue Code of 1986 is amended by striking ''and before December 1, 2009,''.

(j) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (b), (c), (d), and (g) shall apply to residences purchased after the date of the enactment of this Act.

(2) EXTENSIONS.—The amendments made by subsections (a), (f), and (i) shall apply to residences purchased after November 30, 2009.

(3) WAIVER OF RECAPTURE.—The amendment made by subsection (e) shall apply to dispositions and cessations after December 31, 2008.

(4) MATHEMATICAL ERROR AUTHORITY.—The amendments made by subsection (h) shall apply to returns for taxable years ending on or after April 9, 2008.

SEC. 12. PROVISIONS TO ENHANCE THE ADMINISTRATION OF THE FIRST-TIME HOMEBUYER TAX CREDIT.

(a) AGE LIMITATION.—

(1) IN GENERAL.—Subsection (b) of section 36 of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new paragraph:

''(4) AGE LIMITATION.—No credit shall be allowed under subsection (a) with respect to the purchase of any residence unless the taxpayer has attained age 18 as of the date of such purchase. In the case of any taxpayer who is married (within the meaning of section 7703), the taxpayer shall be treated as meeting the age requirement of the preceding sentence if the taxpayer or the taxpayer's spouse meets such age requirement.''.

(2) CONFORMING AMENDMENT.—Subsection (g) of section 36 of such Code, as amended by this Act, is amended by inserting ''(b)(4),'' before ''(c)''.

(b) DOCUMENTATION REQUIREMENT.—Subsection (d) of section 36 of the Internal Revenue Code of 1986, as amended by this Act, is amended by striking ''or'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', or'', and by adding at the end the following new paragraph:

''(4) the taxpayer fails to attach to the return of tax for such taxable year a properly executed copy of the settlement statement used to complete such purchase.''.

(c) RESTRICTION ON MARRIED INDIVIDUAL ACQUIRING RESIDENCE FROM FAMILY OF SPOUSE.—Clause (i) of section 36(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting ''(or, if married, such individual's spouse)'' after ''person acquiring such property''.

(d) CERTAIN ERRORS WITH RESPECT TO THE FIRST-TIME HOMEBUYER TAX CREDIT TREATED AS MATHEMATICAL OR CLERICAL ERRORS.—Paragraph (2) of section 6213(g) the Internal Revenue Code of 1986, as amended by this Act, is amended by striking ''and'' at the end of subparagraph (N), by striking the period at the end of subparagraph (O) and inserting '', and'', and by inserting after subparagraph (O) the following new subparagraph:

''(P) an entry on a return claiming the credit under section 36 if—

''(i) the Secretary obtains information from the person issuing the TIN of the taxpayer that indicates that the taxpayer does not meet the age requirement of section 36(b)(4),

''(ii) information provided to the Secretary by the taxpayer on an income tax return for at least one of the 2 preceding taxable years is inconsistent with eligibility for such credit, or

''(iii) the taxpayer fails to attach to the return the form described in section 36(d)(4).''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to purchases after the date of the enactment of this Act.

(2) DOCUMENTATION REQUIREMENT.—The amendments made by subsection (b) shall apply to returns for taxable years ending after the date of the enactment of this Act.

(3) TREATMENT AS MATHEMATICAL AND CLERICAL ERRORS.—The amendments made by subsection (d) shall apply to returns for taxable years ending on or after April 9, 2008.

SEC. 13. 5-YEAR CARRYBACK OF OPERATING LOSSES.

(a) IN GENERAL.—Subparagraph (H) of section 172(b)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(H) CARRYBACK FOR 2008 OR 2009 NET OPERATING LOSSES.—

''(i) IN GENERAL.—In the case of an applicable net operating loss with respect to which the taxpayer has elected the application of this subparagraph—

''(I) subparagraph (A)(i) shall be applied by substituting any whole number elected by the taxpayer which is more than 2 and less than 6 for '2',

''(II) subparagraph (E)(ii) shall be applied by substituting the whole number which is one less than the whole number substituted under subclause (I) for '2', and

''(III) subparagraph (F) shall not apply.

''(ii) APPLICABLE NET OPERATING LOSS.—For purposes of this subparagraph, the term 'applicable net operating loss' means the taxpayer's net operating loss for a taxable year ending after December 31, 2007, and beginning before January 1, 2010.

''(iii) ELECTION.—

''(I) IN GENERAL.—Any election under this subparagraph may be made only with respect to 1 taxable year.

''(II) PROCEDURE.—Any election under this subparagraph shall be made in such manner as may be prescribed by the Secretary, and shall be made by the due date (including extension of time) for filing the return for the taxpayer's last taxable year beginning in 2009. Any such election, once made, shall be irrevocable.

''(iv) LIMITATION ON AMOUNT OF LOSS CARRYBACK TO 5TH PRECEDING TAXABLE YEAR.—

''(I) IN GENERAL.—The amount of any net operating loss which may be carried back to the 5th taxable year preceding the taxable year of such loss under clause (i) shall not exceed 50 percent of the taxpayer's taxable income (computed without regard to the net operating loss for the loss year or any taxable year thereafter) for such preceding taxable year.

''(II) CARRYBACKS AND CARRYOVERS TO OTHER TAXABLE YEARS.—Appropriate adjustments in the application of the second sentence of paragraph (2) shall be made to take into account the limitation of subclause (I).

''(III) EXCEPTION FOR 2008 ELECTIONS BY SMALL BUSINESSES.—Subclause (I) shall not apply to any loss of an eligible small business with respect to any election made under this subparagraph as in effect on the day before the date of the enactment of the Worker, Homeownership, and Business Assistance Act of 2009.

''(v) SPECIAL RULES FOR SMALL BUSINESS.—

''(I) IN GENERAL.—In the case of an eligible small business which made or makes an election under this subparagraph as in effect on the day before the date of the enactment of the Worker, Homeownership, and Business Assistance Act of 2009, clause (iii)(I) shall be applied by substituting '2 taxable years' for '1 taxable year'.

''(II) ELIGIBLE SMALL BUSINESS.—For purposes of this subparagraph, the term 'eligible small business' has the meaning given such term by subparagraph (F)(iii), except that in applying such subparagraph, section 448(c) shall be applied by substituting '$15,000,000' for '$5,000,000' each place it appears.''.

(b) ALTERNATIVE TAX NET OPERATING LOSS DEDUCTION.—Subclause (I) of section 56(d)(1)(A)(ii) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) the amount of such deduction attributable to an applicable net operating loss with respect to which an election is made under section 172(b)(1)(H), or''.

(c) LOSS FROM OPERATIONS OF LIFE INSURANCE COMPANIES.—Subsection (b) of section 810 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) CARRYBACK FOR 2008 OR 2009 LOSSES.—

''(A) IN GENERAL.—In the case of an applicable loss from operations with respect to which the taxpayer has elected the application of this paragraph, paragraph (1)(A) shall be applied by substituting any whole number elected by the taxpayer which is more than 3 and less than 6 for '3'.

''(B) APPLICABLE LOSS FROM OPERATIONS.—For purposes of this paragraph, the term 'applicable loss from operations' means the taxpayer's loss from operations for a taxable year ending after December 31, 2007, and beginning before January 1, 2010.

''(C) ELECTION.—

''(i) IN GENERAL.—Any election under this paragraph may be made only with respect to 1 taxable year.

''(ii) PROCEDURE.—Any election under this paragraph shall be made in such manner as may be prescribed by the Secretary, and shall be made by the due date (including extension of time) for filing the return for the taxpayer's last taxable year beginning in 2009. Any such election, once made, shall be irrevocable.

''(D) LIMITATION ON AMOUNT OF LOSS CARRYBACK TO 5TH PRECEDING TAXABLE YEAR.—

''(i) IN GENERAL.—The amount of any loss from operations which may be carried back to the 5th taxable year preceding the taxable year of such loss under subparagraph (A) shall not exceed 50 percent of the taxpayer's taxable income (computed without regard to the loss from operations for the loss year or any taxable year thereafter) for such preceding taxable year.

''(ii) CARRYBACKS AND CARRYOVERS TO OTHER TAXABLE YEARS.—Appropriate adjustments in the application of the second sentence of paragraph (2) shall be made to take into account the limitation of clause (i).''.

(d) ANTI-ABUSE RULES.—The Secretary of the Treasury or the Secretary's designee shall prescribe such rules as are necessary to prevent the abuse of the purposes of the amendments made by this section, including anti-stuffing rules, anti-churning rules (including rules relating to sale-leasebacks), and rules similar to the rules under section 1091 of the Internal Revenue Code of 1986 relating to losses from wash sales.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to net operating losses arising in taxable years ending after December 31, 2007.

(2) ALTERNATIVE TAX NET OPERATING LOSS DEDUCTION.—The amendment made by subsection (b) shall apply to taxable years ending after December 31, 2002.

(3) LOSS FROM OPERATIONS OF LIFE INSURANCE COMPANIES.—The amendment made by subsection (d) shall apply to losses from operations arising in taxable years ending after December 31, 2007.

(4) TRANSITIONAL RULE.—In the case of any net operating loss (or, in the case of a life insurance company, any loss from operations) for a taxable year ending before the date of the enactment of this Act—

(A) any election made under section 172(b)(3) or 810(b)(3) of the Internal Revenue Code of 1986 with respect to such loss may (notwithstanding such section) be revoked before the due date (including extension of time) for filing the return for the taxpayer's last taxable year beginning in 2009, and

(B) any application under section 6411(a) of such Code with respect to such loss shall be treated as timely filed if filed before such due date.

(f) EXCEPTION FOR TARP RECIPIENTS.—The amendments made by this section shall not apply to—

(1) any taxpayer if—

(A) the Federal Government acquired before the date of the enactment of this Act an equity interest in the taxpayer pursuant to the Emergency Economic Stabilization Act of 2008,

(B) the Federal Government acquired before such date of enactment any warrant (or other right) to acquire any equity interest with respect to the taxpayer pursuant to the Emergency Economic Stabilization Act of 2008, or

(C) such taxpayer receives after such date of enactment funds from the Federal Government in exchange for an interest described in subparagraph (A) or (B) pursuant to a program established under title I of division A of the Emergency Economic Stabilization Act of 2008 (unless such taxpayer is a financial institution (as defined in section 3 of such Act) and the funds are received pursuant to a program established by the Secretary of the Treasury for the stated purpose of increasing the availability of credit to small businesses using funding made available under such Act), or

(2) the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and

(3) any taxpayer which at any time in 2008 or 2009 was or is a member of the same affiliated group (as defined in section 1504 of the Internal Revenue Code of 1986, determined without regard to subsection (b) thereof) as a taxpayer described in paragraph (1) or (2).

SEC. 14. EXCLUSION FROM GROSS INCOME OF QUALIFIED MILITARY BASE REALIGNMENT AND CLOSURE FRINGE.

(a) IN GENERAL.—Subsection (n) of section 132 of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (1) by striking ''this subsection) to offset the adverse effects on housing values as a result of a military base realignment or closure'' and inserting ''the American Recovery and Reinvestment Tax Act of 2009)'', and

(2) in subparagraph (2) by striking ''clause (1) of''.

(b) EFFECTIVE DATE.—The amendments made by this act shall apply to payments made after February 17, 2009.

SEC. 15. DELAY IN APPLICATION OF WORLDWIDE ALLOCATION OF INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2010'' and inserting ''December 31, 2017''.

(b) CONFORMING AMENDMENT.—Section 864(f) of the Internal Revenue Code of 1986 is amended by striking paragraph (7).

(c) EFFECTIVE DATES.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

SEC. 16. INCREASE IN PENALTY FOR FAILURE TO FILE A PARTNERSHIP OR S CORPORATION RETURN.

(a) IN GENERAL.—Sections 6698(b)(1) and 6699(b)(1) of the Internal Revenue Code of 1986 are each amended by striking ''$89'' and inserting ''$195''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to returns for taxable years beginning after December 31, 2009.

SEC. 17. CERTAIN TAX RETURN PREPARERS REQUIRED TO FILE RETURNS ELECTRONICALLY.

(a) IN GENERAL.—Subsection (e) of section 6011 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR TAX RETURN PREPARERS.—

''(A) IN GENERAL.—The Secretary shall require than any individual income tax return prepared by a tax return preparer be filed on magnetic media if—

''(i) such return is filed by such tax return preparer, and

''(ii) such tax return preparer is a specified tax return preparer for the calendar year during which such return is filed.

''(B) SPECIFIED TAX RETURN PREPARER.—For purposes of this paragraph, the term 'specified tax return preparer' means, with respect to any

calendar year, any tax return preparer unless such preparer reasonably expects to file 10 or fewer individual income tax returns during such calendar year.

''(C) INDIVIDUAL INCOME TAX RETURN.—For purposes of this paragraph, the term 'individual income tax return' means any return of the tax imposed by subtitle A on individuals, estates, or trusts.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 6011(e) of the Internal Revenue Code of 1986 is amended by striking ''The Secretary may not'' and inserting ''Except as provided in paragraph (3), the Secretary may not''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns filed after December 31, 2010.

SEC. 18. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under paragraph (1) of section 202(b) of the Corporate Estimated Tax Shift Act of 2009 in effect on the date of the enactment of this Act is increased by 33.0 percentage points.

Mr. HARKIN. Mr. President, I move to reconsider the vote.

Mr. WHITEHOUSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. BYRD. Mr. President, it is a moral responsibility for a great nation to help provide for its citizens when they are in dire economic circumstances. There are more than 30,000 workers in West Virginia who have exhausted their regular unemployment benefits, and thousands of them have already received their final payment of emergency unemployment benefits. These workers and their families are relying on this unemployment extension bill to survive. Later this year, many more unemployed workers will be counting on the Congress to take action to extend provisions contained in the stimulus bill, in order to be able to purchase health insurance. Congress must not fail them.

I am very pleased that the Senate has passed this unemployment extension measure, which provides a lifeline for families who are barely hanging on.•

EXECUTIVE SESSION

NOMINATION OF TARA JEANNE O'TOOLE TO BE UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Tara Jeanne O'Toole, of Maryland, to be Under Secretary for Science and Technology, Department of Homeland Security.

Mr. MCCAIN. Mr. President, I understand the Senate is proceeding to the consideration of the nomination of Dr. Tara O'Toole to serve as Under Secretary for the Science and Technology Directorate at the Department of Homeland Security. This nomination has not been available for consideration until now because I was waiting for Dr. O'Toole to answer the nearly two dozen questions I submitted to her during the past month. As of Monday, she has answered each question.

While I continue to have concerns about this nominee failing to disclose her activities as strategic director for the Alliance for Biosecurity, I will not hold up consideration of her nomination. A September 8, 2009 article in the Washington Times referred to the Alliance as a ''lobbying group funded by the pharmaceutical industry.''

Specifically, the article stated, ''The alliance has spent more than $500,000 lobbying Congress and federal agencies—including Homeland Security—since 2005, congressional records show. However, Homeland Security officials said Dr. O'Toole need not disclose her ties to the group on her government ethics form because the alliance is not incorporated . . . Analysts say the lack of disclosure reflects a potential loophole in the policies for the Obama administration, which has boasted about its efforts to make government more transparent.''

The article continued:

They also question lobbying laws that allow such a group to spend hundreds of thousands of dollars without the public knowing exactly how much money each of the companies that belongs to the group contributes, though such arrangements are permitted under the law . . . Ethics rules require nominees to report any paid or unpaid positions held outside of government, including but not limited to those of ''officer, trustee, general partner, representative, employee or any consultant of any corporation, firm, partnership or other business enterprise.'' Dr. O'Toole signed a letter on behalf of the group sent to the White House as recently as March.

I put forward numerous questions to Dr. O'Toole about her ''stealth lobbying'' on behalf of the Alliance. She repeatedly answered that her ''activities did not constitute lobbying.''' I also asked numerous questions about her involvement in securing an earmark for the Center for BioSecurity at the University of Pittsburgh Medical Center. She provided answers to the questions and stated that although she provided a statement for the media in support of the earmark, she did not provide any assistance in lobbying Congress for the earmark.

Elections have consequences, and while she would not have been the nominee I would have chosen for this position, she is the President's choice.

I ask unanimous consent that the September 8, 2009, Washington Times article be printed in the RECORD.

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

[From the Washington Times, Sept. 8, 2009]

OBAMA NOMINEE OMITTED TIES TO BIOTECH

(By Jim McElhatton)

President Obama's nominee at the Department of Homeland Security overseeing bioterrorism defense has served as a key adviser for a lobbying group funded by the pharmaceutical industry that has asked the government to spend more money for anthrax vaccines and biodefense research.

But Dr. Tara O'Toole, whose confirmation as undersecretary of science and technology is pending, never reported her involvement with the lobbying group called the Alliance for Biosecurity in a recent government ethics filing.

The alliance has spent more than $500,000 lobbying Congress and federal agencies—including Homeland Security—since 2005, congressional records show.

However, Homeland Security officials said Dr. O'Toole need not disclose her ties to the group on her government ethics form because the alliance is not incorporated: ''There's no legal existence so she wouldn't have to disclose it,'' said Robert Coyle, an ethics official for the Department of Homeland Security.

Analysts say the lack of disclosure reflects a potential loophole in the policies for the Obama administration, which has boasted about its efforts to make government more transparent. They also question lobbying laws that allow such a group to spend hundreds of thousands of dollars without the public knowing exactly how much money each of the companies that belongs to the group contributes, though such arrangements are permitted under the law.

''You're not allowing the public to know the full background of this nominee,'' said Judy Nadler, a senior fellow at the Markkula Center for Applied Ethics at Santa Clara University in California. ''It shouldn't matter whether it's incorporated or not.''

Craig Holman, legislative director of the nonpartisan watchdog group Public Citizen, said the lack of disclosure ''definitely and clearly runs counter to the intent of the law.''

Ethics rules require nominees to report any paid or unpaid positions held outside of government, including but not limited to those of ''officer, trustee, general partner, representative, employee or any consultant of any corporation, firm, partnership or other business enterprise. . . .'' Dr. O'Toole signed a letter on behalf of the group sent to the White House as recently as March.

Dr. O'Toole declined to comment for this article. Her office referred questions to Mr. Coyle at Homeland Security and to officials for the Alliance for Biosecurity, who said the group is in ''full compliance'' with lobbying rules and noted that there were no financial ties between the Center for Biosecurity, where Dr. O'Toole is chief executive, and the lobbying group she help found.

In written testimony to Congress, Dr. O'Toole said the alliance was ''created to protect the Center for Biosecurity's status as an honest broker between the biopharma companies and the U.S. government.''

As undersecretary of science and technology, one of Dr. O'Toole's responsibilities would involve overseeing the department's chemical and biological division, which is in charge of making sure the nation is prepared to defend itself against chemical and biological attacks.

Dr. O'Toole was nominated less than four years after the alliance was formed in 2005. She has served as the group's unpaid strategic director and has signed her name on more than a dozen letters sent to Congress and federal agencies.

The group's letters to policymakers often seek more money for research and vaccines. She signed the letters as the group's strategic director, in addition to listing her full-time paid job as director of the Center for Biosecurity, which is affiliated with the University of Pittsburgh.

The letters, including one that Dr. O'Toole sent to House Speaker Nancy Pelosi, California Democrat, last fall, describe the Alliance for Biosecurity as a ''collaboration'' among the Center for Biosecurity of the University of Pittsburgh Medical Center, pharmaceutical companies and biotechnology companies ''working to develop vaccines, medicines and other medical countermeasures for the nation's Strategic National Stockpile.''

Members include companies such as Pfizer Inc., Sig Technologies and PharmAthene Inc. The group discloses the letters and list of members on a Web site.

But for all its lobbying and letters to Congress, the alliance isn't incorporated, it doesn't have a bank account and its day-to-day operations are overseen by the K Street lobbying arm of Drinker Biddle & Reath LLP, which also lobbies on behalf of the alliance, according to records and interviews.

The alliance's legal counsel, Anita Cicero, is also a Drinker Biddle lawyer who serves as a lobbyist for the group. In an e-mail response to questions about the alliance, Ms. Cicero said the group was formed to work ''in the public interest to improve prevention and treatment of severe infectious diseases—particularly those diseases that present global security challenges in the 21st century.''

Ms. Cicero described the lobbying activities as focusing on broad issues. ''The overarching advocacy issues we address run across the industry, and we do not conduct lobbying activities to advance the commercial interests of any individual member company,'' she said.

Still, a review of the group's correspondence to federal lawmakers along with member companies' public disclosures to investors show that the lines between advocacy and commercial interests aren't always clear.

In an Oct. 31 letter to Mrs. Pelosi signed by Dr. O'Toole and two other alliance officials, the group called on Congress to include more than $900 million for the ''advanced development of medical countermeasures'' to be administered by the Biomedical Advanced Research and Development Authority.

The letter also was signed by the chief executive officer of member company PharmAthene, David Wright, who was one of the two first co-chairmen for the alliance after its creation in 2005.

Mr. Wright's company has a big financial interest in securing work from the authority, according to investor filings. A Securities and Exchange Commission filing last summer disclosed that PharmAthene has been trying to win a contract administered by the authority to supply 25 million doses of an anthrax vaccine to the national stockpile, which is overseen by the Department of Health and Human Services.

As undersecretary, Dr. O'Toole wouldn't be directly responsible for decisions on which vaccines to develop or buy. Still, she would oversee the government's threat assessments on the risks of bioagents.

Dr. O'Toole has told the Senate in written testimony that she would adhere to all ethics rule on conflicts of interests, but that because she has no financial interest in PharmAthene, she's not aware of any recusal requirements if she were to become involved in decisions concerning government funding for anthrax vaccine development.

Ethics groups say the alliance's setup is an example of what critics call ''stealth lobbying,'' in which like-minded companies form a loosely knit compact and spend lots of money lobbying the government. The arrangement is legal, but it exposes loopholes that prevent the public from finding out how much money each company pays and whether one business exerts more control over the others.

Ms. Cicero said the group is complying with all applicable federal laws and that the alliance discloses on a Web site its membership list and correspondence to the White House, Congress and federal agencies. She said the companies pay a ''pro rata'' share to the Drinker Biddle & Reath firm.

''The alliance does not generate income, does not have a bank account and does not owe taxes,'' she said.

Ms. Cicero said the law firm ''regularly convenes consortia of biopharma companies that share common goals or interests and provides secretarial and legal support for the groups.'' She said the alliance was formed so companies, academic institutions and the government could work together to ''accelerate the development of therapeutic and vaccine countermeasures.''

Ms. Cicero said Dr. O'Toole no longer has an active role as the strategic director for the alliance.

Another lobbying client of the firm, the International Pharmaceutical Aerosol Consortium, appears structured similarly. There are no records of any incorporation papers for that group, either. The group has a Web site listing several pharmaceutical companies as members, and Senate records show it has paid more than $250,000 to Drinker, Biddle & Reath since 2007.

Government watchdog groups acknowledge that the arrangement is legal but say it seems at odds with lobbying reform laws that were intended to shed more light on who bankrolls and controls special interest groups.

''At the end of the day, companies that form coalitions like this are being able to get around having to disclose the full breadth of who they are and what they're doing,'' said Dave Levinthal, a spokesman for the nonpartisan Center for Responsive Politics. ''Does that cut against an open and transparent government? It appears that it does.

''Stealth lobbying has been taking place for years and despite the focus on the influence of lobbying, what's happening is that organizations are finding, if not loopholes, then ways around the spirit of the law,'' he said. ''Companies that are lobbying Congress are not necessarily disclosing the full strength of their lobbying.''

Mr. LEVIN. Mr. President, I cannot support the nomination of Dr. Tara O'Toole to be the Under Secretary for Science and Technology at the Department of Homeland Security.

By its nature, this position requires a disinterested scientific approach to issues affecting homeland security. It is a position which the Department of Homeland Security and its policymakers must rely on for objective advice and counsel.

Dr. O'Toole fell short of the strict adherence to scientific principles when she was the director of the Johns Hopkins Center for Civilian Biodefense Strategies. Dr. O'Toole was one of the principal designers and authors of the June 2001 Dark Winter exercise that simulated a covert attack on the United States by bioterrorists.

The Dark Winter exercise had a deadly serious purpose: to assess the vulnerability of the United States to a biological weapons attack and our ability to deal with such an attack.

But many top scientists have said that the Dark Winter exercise was based on faulty and exaggerated assumptions about the transmission rate of smallpox.

Dr. James Koopman of the Department of Epidemiology at the University of Michigan, an expert at modeling the transmission rates of infectious diseases who participated in the smallpox eradication program, has said that Dr. O'Toole ''has not sought balanced scientific input in her thinking, that she shows a lack of analytic orientation to scientific issues, and that she has generated hype about bioterrorism that she will feel obligated to defend rather than pursue a balanced approach.''

Dr. Anthony Fauci, the Director of the National Institute of Allergy and Infectious Diseases, told me that the conclusions of the Dark Winter exercise were ''dramatically affected'' by the assumptions that were used, and that these assumptions were ''much, much worse than would have been the case'' in real life.

Dr. Michael Lane, the former Director of the Centers For Disease Control Smallpox Eradication Program—who has had extensive and first-hand experience with the disease—found the assumptions about smallpox transmission rates in the Dark Winter exercise ''improbable'' and even ''absurd.''

The transmission rate of smallpox was not the only area where Dr. O'Toole exaggerated the facts. On February 19, 2002, she wrote that ''Many experts believe that the smallpox virus is not confined to these 2 official repositories [1 in the United States and 1 in Russia] and may be in the possession of states or subnational groups pursuing active biological weapons programs.'' This statement referenced a New York Times article of June 13, 1999, for support of that very startling statement about ''subnational groups.'' But the article she cited made no reference to any subnational or terrorist or nonstate group possessing active biological weapons programs.

Bioterrorism poses a serious threat to our national security. But it is one of many threats we face. All threats to our security must be addressed objectively and scientifically so that we spend our resources in the most effective way possible to address the most likely and most dangerous threats. Exaggerations for the purpose of influencing policy makers do a disservice and result in the misallocation of limited resources that must be utilized wisely and objectively in order to enhance our security.

Mr. LIEBERMAN. Mr. President, I rise today to urge my colleagues to take up and approve the nomination of Dr. Tara O'Toole to be Under Secretary of Science and Technology at the Department of Homeland Security.

When the Homeland Security and Governmental Affairs Committee held its confirmation hearing on Dr. O'Toole's nomination I said I believed it was an ''inspired choice.''

My judgment remains unchanged and I would note that her nomination was reported out of committee favorably on a bipartisan basis with just one dissenting Democratic vote.

I would also note that DHS Secretary Janet Napolitano has been pleading with the Senate to confirm Dr. O'Toole. Secretary Napolitano has said that Dr. O'Toole's biosecurity and epidemiology expertise are critical to DHS and to her, personally. The Secretary's urgency is heightened because of the critical roles Dr. O'Toole will play in both defending our Nation against bioterrorism and in the continuing preparations for the H1N1 flu pandemic.

Let's consider the tough job Dr. O'Toole has been asked to take on and then consider the qualifications she brings to it.

The Science and Technology Directorate is charged with managing our Nation's investments in homeland security research and development projects with the goal of providing its customers within and without the DHS the kinds of state-of-the-art technologies they need to achieve their missions.

The S&T Directorate got off to a rocky start and struggled in its early years to clarify and execute its primary mission. Former Under Secretary Jay M. Cohen resolved to build a leaner and more tightly managed organization that focused on better serving its customers and being transparent with Congress. He implemented internal controls to monitor S&T finances and track the progress of S&T investments. He established a structured strategic planning process that is designed to produce specific objectives and annual performance measures.

But despite this progress, big challenges await the new undersecretary, including expanding investments in innovative R&D for homeland security—like the advanced spectroscopic portal, ASP, and the secure border initiative—and insuring the reliability of the a testing and evaluation that DHS relies on for large acquisition programs.

Programs like these can be force multipliers for DHS's customers within and without the department.

Now let's consider the resume Dr. O'Toole brings to the job—both as a medical professional and as a manager.

Let's start with Dr. O'Toole's solid and impressive educational background: a bachelor's degree from Vassar College, a medical degree from George Washington University, and a master of public health degree from Johns Hopkins University.

Now let's consider her management skills: From 1989 to 1993 she served as a senior analyst and project director with the Congressional Office of Technology Assessment; from 1993 to 1997, she served as the Assistant Secretary for Environment, Safety and Health at the Department of Energy.

From 1999 to 2003, she managed the Johns Hopkins Center for Civilian Biodefense Strategies. For the last 6 years, she has served as the Director and Chief Executive Officer of the Center for Biosecurity at the University of Pittsburgh.

On top of all this, Dr. O'Toole is also an accomplished author.

She has published her research on anthrax, smallpox, the plague, biological attacks, containment of contagious disease epidemics, biodefense, and hospital preparedness. She is coeditor in chief of the Journal of Biosecurity and Bioterrorism.

And she took all this knowledge she has gained over these many years and used it to help create the 2001 bio-terror attack simulation known as ''Operation Dark Winter'' that helped open our eyes to our many vulnerabilities.

Dr. O'Toole is also a former chair of the board of the Federation of American Scientists and she has participated in major studies or advisory panels at the request of the National Science Foundation, the Department of Defense, the Department of Health and Human Services and the Department of Homeland Security.

Besides these many qualifications, another important measure of her fitness for this post is the bipartisan respect she has earned across the government and scientific communities that monitor homeland security and bioterrorism challenges.

Among her many supporters are: Former Senators Bob Graham and Jim Talent, Chairman and Cochairman of the Commission on the Prevention of WMD Proliferation and Terrorism; former DHS Secretary Tom Ridge; former Senator and defense expert Sam Nunn; former National Security Adviser to Presidents Gerald Ford and George H.W. Bush, Brent Scowcroft, as well as Dr. Robert P. Kadlec, former Special Assistant for Biodefense Policy at the Homeland Security Council under President Bush; Dr. D.A. Henderson, who led the World Health Organization's efforts to rid the world of smallpox, and the Federation of American Scientists.

Dr. O'Toole brings a remarkable breadth of experience to this job that is so crucial to our nation's security and I say again she is an inspired choice and I urge my 3 colleagues to take up her nomination and confirm her to this position where our nation so desperately needs her talents.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Tara Jeanne O'Toole, of Maryland, to be Under Secretary for Science and Technology, Department of Homeland Security?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. WHITEHOUSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business.

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

ORDER OF PROCEDURE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the next hour be controlled by the Democratic side; that colloquies be allowed among the speakers; and that the speakers be recognized, first, the Senator from New Jersey, Mr. LAUTENBERG, then the Senator from Oregon, Mr. MERKLEY, and then as recognition may be sought on the Democratic side after that.

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

Mr. WHITEHOUSE. One further unanimous consent request, Mr. President. I ask unanimous consent that Senator STABENOW follow Senator MERKLEY after Senator LAUTENBERG has spoken.

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

The Senator from New Jersey is recognized.

HEALTH CARE REFORM

Mr. LAUTENBERG. Mr. President, I thank my colleagues for giving me an opportunity to talk for a few minutes about health care as we try to understand what brings us to this point with a shred of rage, trying to maintain the dignity of our society.

We are on the verge of fixing our health care system once and for all, but there is one major obstacle in our way. The obstacle I talk about is the health insurance companies, their lobbyists, CEOs, and their friends on the other side of the aisle. We can call this group the status quo caucus. They are spending unlimited funds on TV commercials and bogus studies to kill health reform. That is their mission. Think about it. They define their goal, their objective, as articulated by our colleague from South Carolina, as saying: If we can stop this health care reform from continuing, it can be the end of the Obama Presidency, it can be his Waterloo.

What kind of an objective is that, that we put politics at the top end as we ignore millions of people, over 40 million people who do not have any insurance, and many of the others who do

have insurance do not have a complete picture about what their policies permit or what they might lose by way of restrictions.

This is an outrage. The public is manifesting their concern. They are not sure about what they hear, the derogatory material they see—don't do this, don't do that, no public option, and let's take our country back. I don't know whom they are talking about. Whose country? It is our country. It is everybody's country. There is no monopoly here for participation in American society.

We hear the worst kinds of assertions about what we are trying to do—turning this country into a Socialist country. What has happened would be almost humorous if it were not so tragic; that is, for people who are on Medicare to be concerned about government interfering with their lives. Medicare is a government program, one of the most successful ever put into the structure of our country.

While this group of obstructionists goes about their business, ''don't let it happen'' is their mission. I just told you how it is demonstrated in the words of the Senator from South Carolina.

The insurance companies are spending millions on TV commercials and bogus studies to kill health care reform. Quenching their thirst for profits has led to some of the worst predatory practices imaginable. This is an industry that will knowingly strip children of their health care coverage when a parent loses a job. This is an industry that demeans women by treating pregnancy and domestic violence as preexisting conditions—anything to escape their obligations under their insurance policies, for which they charge a lot of money. This is an industry that squeezes small businesses by charging them 18 percent more than they do large firms for the same health insurance policies.

The priority of the health industry is not patients, it is profits. In the richest Nation in the world, decent health care should be a basic tenet of life for everyone in our society. But that is not the way it is going and that is not the way the health insurance companies look at it. Their single-minded drive for profits is at the expense of their policyholders—policyholders who depend on them for care when they are sick or injured and when they need medical or health professional assistance.

We have a chart that demonstrates the massive profit increases at some of our largest health insurance companies for the years 2000 to 2008. These are the profit increases at health insurance companies. This is 2000 and this is 2008. How can we forget 2008, when our country was coming apart at the seams, deep in recession and terrible expectations in front of us, with people losing their jobs and losing their homes by the millions. Yes, 2008 was that kind of a year. It was a disaster year, except for the guys who were in the health insurance business.

In 2000, the profit for WellPoint, one of the best-known companies, was $226 million. Eight years later, their profit was $2.5 billion. Note this: $226 million and $2.5 billion, for a 1000-percent increase. For Aetna, $127 million in 2000; in 2008, $1.4 billion. Think about it—$127 million to $1.4 billion, for a 990-percent increase. Humana, in 2000, had a $90 million profit year, but by 2008 they were up to $647 million, for a 619-percent increase. United Health had $736 million worth of profit in the year 2000, and in 2008 these guys made $3 billion, for a 340-percent increase. That is $736 million compared to $3 billion, for a 304-percent increase.

I can assure you working people were not looking at these kinds of increased percentages in their incomes. As a matter of fact, their purchasing power declined. Even though salaries may have stayed the same or have been increased by some factor, their purchasing power decreased.

Humana, we recently learned, achieved these profits largely by cheating taxpayers, by taking funds that were supposed to be subsidies for lower rates for their policyholders but, in fact, they went into the company's profits.

Just like the industry's profits have risen, so has CEO compensation. Over the last 20 years, compensation for health insurance company CEOs has grown steadily while workers' pay has barely moved. The average compensation package for each of the top five health insurance company executives between 2006 and 2008 was almost $15 million a year.

I ran a fairly large company before I came to the Senate, and I think earning a profit is good. I think it is appropriate to keep your books honestly, tell the company to be transparent, tell the country exactly what your profits are, how it was earned, what your expenses were, what your revenues were. The company I ran is a company called ADP. I started it with two other fellows. They, like I, came from poor, working-class families who worked in the mills in Paterson, NJ. We worked very hard. That company today has 46,000 employees in 26 countries across the world. We started in Paterson, NJ, in a dumpy hotel building where we could rent space. So I know something about balance sheets, financial statements, and profitability. I think that profit is a good thing.

But it is one thing if you are manufacturing lawnmowers and another thing if you are providing health care and the squeeze on the profit side comes out of people's lives; comes out of creating suffering and fear of loss of coverage.

The average salary for these insurance company executives was almost $15 million each year—each CEO—while a year's pay for the average worker during that same time was about $44,000. Imagine, these people are working in the shops, moving things along, doing their clerical work, doing what they have to do, and the top guy is earning $15 million a year, while the average person working there is earning $44,000, and $44,000 today doesn't carry a family very far.

A single health insurance CEO earns approximately 335 times the average worker. It is scandalous. But it doesn't end there. At the same time health insurers and CEOs have made out like bandits, the industry has increased its premiums relentlessly. According to a new report from the Kaiser Family Foundation, insurance premiums for families more than doubled since 1999. Ten years ago, premiums averaged less than $6,000 a year. Today, they have grown to an average of more than $13,000 a year—the highest amount on record. These are for middle-class people earning very modest incomes trying to get along and watch their health insurance.

I have had people walk up to me, people I see in positions of labor, saying: Mr. Senator, please, my rent is going up, my taxes for real estate are going up, I can't afford more. My health care is the one thing that worries me so much. I can't afford to pay the premium, Mr. Senator. Please, help us.

As the following chart shows, over the past 10 years, insurance premiums have gone up three times faster than wage increases—in a period of just 10 years. So we see what is happening to a family's ability to afford to cover their needs. If today's CEOs cared as much about the public health as their financial wealth, our system wouldn't look this way. What happens is we are trading the well-being of the needy for unconscionable gains by the greedy.

It is so funny, the times we live in. I read there was a boat show that just took place in Miami, FL, and the most active part of the sales of boats was for boats that were 100 feet or longer. We are talking about millions of dollars for these boats. I don't begrudge those people. I don't, really. But look at basic America and see what it is that keeps our country going.

The health care field is one of the great abominations. We have to end this poisonous prescription for management of health care companies and change the way these health insurance companies operate. There is one way to do it and that is to make sure there is competition within the industry that is serious. The legislation we are putting forward will reshape health insurance and end the industry's choke hold on ordinary Americans.

Under our proposal, it will be against the law for insurance companies to discriminate against women. It will be against the law for them to deny coverage because of a preexisting condition. It will be against the law for them to end insurance coverage just because policyholders become sick. That is what they are supposed to take care of. On top of that, we are going to stop insurance companies from charging immense amounts of out-of-pocket expenses.

We will also make it so insurance providers have to cover routine checkups and preventive care, so lifesaving mammograms will no longer be out of reach for millions of women. I know a world-renowned research clinician in New York who says mammograms are the gold standard for dealing with anticipation of breast cancer.

These changes will make health insurance companies more honest, more transparent and more accountable and they will still make enough money to take care of the wages and the profits they seek. They may not be as great as they are, but they shouldn't be as great as they are.

Our Republican colleagues are chasing a different goal. They are looking for political victories on the backs of the working people of our country. They are fixated on stopping the Congress and President Obama no matter what the consequences are for our country and for the people who work hard to keep their families together. But I want to remind these obstructionists that health insurance companies have shown their utter disregard for the well-being of all Americans from all walks of life. They do not care if the policyholder is a Democrat, a Republican or an Independent. I remind anybody who hears what we are saying or looks at what we are doing that fixing health care is not a choice; it is a necessity.

I know this on a personal basis, though I am fortunate. I have a grandson who is 16 years old. He has asthma. When my daughter takes him to play sports—he is a good athlete—she first checks to see where the nearest emergency clinic is in case he starts to wheeze. I have a granddaughter, 11 years old, and she has diabetes. When she was here in Washington on a visit, I looked at her, and I didn't like the way she looked. I said to my daughter—they live in Florida—you have to find out what is wrong with Maddie. There is something there. It worried me. She was pale, she didn't have any energy, and she looked terribly slim. When I went down to Florida 3 days later, after they left Washington, I went to the hospital where she had entered and I saw her. She looked like a new person because the diabetes was treated and she had insulin. She looked like a new person.

Those things mean so much. There is nothing more important to any of us—and I say this about my Republican friends as well—nothing more important than our children, our grandchildren. That is what we all live for. They have a right to live and be healthy. For the future of our children and grandchildren, every American—we have to meet our obligations. I plead with my friends on the other side, get out of the way. Don't stand there unless you are willing to come in here and say: I don't want people to have health insurance. I don't care whether a child has health insurance. Say it out loud instead of skulking behind the walls and hiding the truth about what your mission is.

It is my hope that history will record a moment of success, success for the people of our country. We have never quite been this close to achieving fundamental health care reform. We may never have this opportunity again.

Once more, step forward, colleagues, Senators, sent here by people who trust you, who have confidence in you. Take care of them. Be honest with them. If you don't want to give them health care insurance, say so. Say: I don't want to give you health insurance. Or say: We don't want your condition to determine whether we cover you, we want to decide. This is an opportunity we have to seize.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. LEVIN. Will the Senator yield for a unanimous consent request?

Mr. MERKLEY. I will.

Mr. LEVIN. I ask unanimous consent that after the Senator from Oregon is recognized and the Senator from Michigan is recognized, under the existing unanimous consent agreement I then be recognized.

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

Mr. MERKLEY. Mr. President, I thank the senior Senator from New Jersey for his remarks, for his reminder that health care is not about profits, it is not about salaries of the CEOs, it is about health care for Americans so that all citizens have access to affordable and quality health care. That is what this debate is about.

One component of that debate is extending the opportunity for health care to those who do not have that opportunity right now. Another part of this debate is about improving the way insurance works for those who already have insurance. That is what I want to address tonight.

There are common practices in our insurance industry, our health care system, and that includes exclusion of preexisting conditions, gender discrimination, arbitrary annual spending limits or lifetime spending limits, and dumping—the practice of kicking people off policies when they get sick. They go against the very idea of insurance. What people expect is that their health insurance will be there if they need it. What they often find is it is not there.

For example, many people do not realize their insurer has placed an arbitrary limit on how much care they can get in a single year or over the course of their lifetime. A person may be paying monthly premiums, perhaps $500 a month in premiums, every month for years, adding up to tens of thousands of dollars. That person may be going forth in that fashion, needing not so much as a checkup, but then they are struck by a serious illness or a serious accident and they need regular and sometimes expensive care. Suddenly they find out that the thousands of dollars in premiums they have paid do not actually guarantee they will get the care they need.

I will give an example from my home State of Oregon. Alaya Wyndham-Price is a healthy 27-year-old from Lake Oswego, OR. She had insurance but had no reason to think she would actually need it, given that she was healthy and she was young. Imagine her surprise when she was diagnosed with a tumor the size of a golf ball just below her brain. Then imagine her further shock when she found out that her insurance policy caps treatment at $20,000 a year.

It took $30,000 of tests—and it doesn't take a whole lot of testing to run up that kind of bill—to determine the best treatment for her tumor. The surgery to remove that tumor is going to cost $50,000, but because of Alaya's limit, she has to put off the surgery until next year. That means further hardship on her, for her family—emotionally, physically, and financially.

As she told me this story a couple of weeks ago, I kept pondering, what will that delay do to her ultimate health outcome? How much opportunity is that delay affording to a tumor that doesn't have her health in mind as it grows?

These caps are not right. It is not right to tell someone who is gravely ill that they can only have so much health care in a given year. It is not right to ration treatments on the ability to pay. It is not right to collect premiums year after year and then in the fine print put in an annual cap that denies care when it is desperately needed. Alaya has insurance but she has already amassed a massive amount of debt. Hopefully, she will be able to continue paying her bills and not have this critical health care issue also drive her into a critical financial situation, into bankruptcy. Indeed, that is what happens to many Americans who have health insurance. Half the people who declare bankruptcy do so because of medical bills, and three-fourths of those who declare bankruptcy because of medical bills had insurance.

Insurance at the least is supposed to be the way to keep yourself financially solvent in the case of a disaster, but that is not what is happening for millions of Americans. It is not working for many Americans.

Insurance failed Kathryn Peper of Tigard, OR. Katherine had trouble getting any insurance because she had high cholesterol, a common condition but enough to allow the insurers to deny her application because of this preexisting condition. She did finally find a policy—$550 a month. She paid that premium and one would think insurance at that price would pay some of her medical expenses, but she found out it did not. Her insurer routinely refused to pay for even simple doctor appointments. So she was paying a huge amount for insurance and getting no coverage as a result, when she needed it to go to the doctor. She finally canceled her policy, and she now pays out

of pocket for each visit, and she hopes she does not have a debilitating condition come up or an accident.

There are other practices. I mentioned dumping. This is egregious. Imagine you pay your premium year after year, month after month, stretching over 10, 15 years, and then you have that accident or that disease that lands you in the hospital and you need a lot of care. You get a letter from your insurance company saying: We don't think you are a good insurance risk anymore so we are canceling your insurance.

At the end of that year you are suddenly stuck with massive bills and no insurance coverage to pay for the ongoing treatments you need. That is not right.

We have built our health care system around private insurance and private insurance remains an integral part of health care reform. But things have to change. We can't continue to have our citizens pay millions to insurers and see so little in return. It is not good for the health of the American people or our Nation. We need an insurance policyholder bill of rights. It needs to have guaranteed issue, no blocks as a result of preexisting conditions, no rejection because of preexisting conditions. It needs to have no arbitrary annual or lifetime limits. It needs to say no dumping, and it needs to say no gender discrimination.

Each and every one of these concepts was debated in the Health, Education, Labor and Pensions Committee and incorporated into the bill that came out of that committee. These are principles I want to see carried straight through until we put this health care reform on the President's desk.

It is time to act for the citizens of this Nation. It is time to have a health care system that works for working Americans.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, first I thank my friend and colleague from Oregon, Senator MERKLEY, for those wonderful comments and his passion and commitment on this issue; also, Senator LAUTENBERG from New Jersey and my friend and partner from Michigan, Senator LEVIN, who will be speaking, and the great Senator from Rhode Island, as well, who has been a wonderful leader on this issue and so many other issues as well. We all come today because we are committed. We are absolutely committed to seeing reforms in our insurance system so families get what they are paying for and we can bring costs down and we can save lives.

We are here because we want to share the voices and stories from people in our States who have paid into a system and too often not gotten what they have paid for, not been able to benefit from the health care system that we have in this country.

It is important that insurance industry reforms be a part of health care reform. We know we are still in the process of bringing a bill to the floor. At this point we are talking about our goals and our commitment to the common shared values and goals that we have going forward because we know we need to make sure this is addressed.

When we started this debate earlier this year, I set up an online health care people's lobby for the people of Michigan to be able to share with me their thoughts, concerns, and stories as they relate to health care, not having health insurance, what is happening to their families. My sense was we can step outside this Chamber and meet at any moment with insurance company lobbyists and prescription drug lobbyists and others who are here representing special interests. It is very important that voices be heard from people who just want health care for their families and either cannot find it, cannot afford it, or they have it and the costs are going through the roof and then they find that what they have paid for or what they thought they were paying for is not what they are actually getting for their families.

That is specifically what we want to talk about today, the fact that there are abuses, bad practices occurring right now. People who have insurance have a stake in health care reform. We are not changing their ability to have insurance. Everyone can keep what they have. But we want to make sure they are getting what they are paying for.

That is a very important part of health care reform. It is important as we look at the fact that since 2000, insurance company profits have gone up 428 percent. People in my State would take a quarter of that. We are seeing insurance premiums during that same period go up 120 percent. Even though profits have gone up 428 percent, we still have seen premiums going up 120 percent, and now even higher. We are seeing more and more announcements of premiums going up despite the high profits in the industry.

What is most concerning is, for average people wages are either going down, they are losing their job, or if they have a job their wages certainly are growing much more slowly. In fact, over the 8-year period we have seen wages going up about 29 percent at best, if you are fortunate enough to have a job in this bad economy. That means every day insurance companies are taking a bigger chunk out of budgets of our families and businesses, and it is not fair.

The status quo is not working anymore for anybody other than those who are making profits off the system. It is hurting families, it is hurting businesses, and it is costing us jobs. In fact, health care reform is about jobs. It is about saving jobs, it is about making sure if you lose your job you do not loose your health care. It is about making sure that small businesses that want to provide insurance for employees can do that or not have to lay off people because premiums are going up. So it is very much about jobs.

It is very much about jobs, and that is why we need a health care reform bill now. It is time to put an end to the insurance company abuses. The goals we share in this process are to stop the process of denying coverage because of preexisting conditions; to stop the process of annual and lifetime caps on benefits; to stop the process where someone can get charged more or dropped from coverage if they get sick.

I have seen too many situations where somebody pays in, pays in, and pays the higher premiums and so on, and then somebody in the family gets sick and, based on technicalities, they are dropped or they are not covered. That is wrong. We are committed to fixing that.

We also want to make sure on the positive end that we are focusing on prevention and on checkups and making sure you can do that without the cost of copays and deductibles. We are encouraging people to get healthy, to get those early checkups, to be able to get the care on the front end that they need.

It is also extremely important as we move forward we crack down on discrimination by insurance companies. Right now women can pay twice as much for insurance as men and, in fact, get less coverage. In eight States and the District of Columbia, being a victim of domestic violence can count as a preexisting condition. I was stunned when I first heard that, and then said, well, that cannot be. We doubled back and, yes, in fact, that is true for men and women who need help for getting the insurance care they need right when they need it.

In many places, being pregnant, having ever been pregnant, even wanting to be pregnant, can be qualified as a preexisting condition. We had a report in the Washington Post about insurance companies that even denied coverage to men who were expectant fathers. I am not sure what kind of family values those are. But we need insurance reform that addresses some pretty basic things.

Right now 60 percent of the plans in the individual and small business markets do not cover vital maternity and prenatal care for pregnant women. That needs to change with health care reform. It is not an accident that we have an infant mortality rate of 29th in the world, below some Third World countries, children and babies who do not make it through their first year of life.

We look at the fact that too many insurance plans do not cover prenatal care and care for mom and baby during the first year of the baby's life. We are committed to changing that.

I wish to share a story I received that goes right to the heart of why insurance reform is so important to families in Michigan and all across the country. It comes from a constituent of mine in Michigan, Lynn, from Marshall, MI.

A few years ago she got the kind of news that every parent fears. Her son

Justin was diagnosed with leukemia. To date, his medical bills have totalled over $450,000. Thankfully they have insurance and his leukemia has a very high cure rate.

Justin is 21 now and a senior in college. He is doing fine, thankfully, but Lynn worries about what is going to happen when he graduates from college and can no longer stay on her insurance. With leukemia as a preexisting condition, his insurance premiums will go through the roof. And for a young man who is just starting his career, those kinds of costs would simply be unaffordable.

If Justin wants to start his own business, which is so central to the American dream, he would never be able to afford to pay for his own insurance with that kind of preexisting condition. How many other Justins are out there, who would be the innovators and the entrepreneurs we need to revitalize our economy in America? Who would make the difference if only they could afford to go out on their own and start their own company and know they could get affordable insurance without preexisting conditions and other barriers that have been in their way from insurance companies?

That is why we need health care reform. We need health insurance reform as a part of health care reform. We are committed to that. We are committed to stop abuses in the health insurance industry. Those who have insurance now who will be able to keep their insurance need to know they are getting what they are paying for in the health care system today for their families. That is why we need reform now, and we are committed to getting it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, it should be crystal clear to all of us why the health insurance industry opposes reform so strenuously: because the status quo is so profitable.

As my colleagues have pointed out, the massive profit announced this week by Humana, Inc. illustrates this vividly. Humana's third-quarter profit of $301 million was a 65-percent increase over the same period a year ago. And Humana executives made no secret of the reason for this ballooning profit. The company's president and CEO said, ''Our government segment continued to perform well in the third quarter particularly in our Medicare business.''

It is no coincidence that Humana is one of the biggest providers of Medicare Advantage plans. These plans, in which private insurers contract with the government to provide coverage to Medicare beneficiaries, were supposed to unleash the power of private-sector competition, lowering costs, improving service, and increasing benefits to our seniors.

It has not often worked out that way. While some Medicare Advantage plans have performed well, Medicare pays, on average, 14 percent more for Medicare Advantage beneficiaries than for those in traditional Medicare, and despite this increase in payments to Medicare Advantage plans, the Government Accountability Office has found that seniors often face higher out-of-pocket costs in Medicare Advantage plans.

In fact, when the GAO studied the costs and performance of these plans, it found that in 2005, those plans spent significantly less for health care for seniors than they projected to pay. That lower spending on medical care for seniors led directly to windfall profits, $1.1 billion more in profits than the insurance companies had told the government they expected to earn. That $1.1 billion is taxpayer money that should be providing treatment to our seniors, and instead is boosting insurance company profits.

Indeed, health insurance companies need no taxpayer help in reaping big profits. From 2002 to 2006, profits at publicly traded insurance providers increased more than tenfold. At the same time these companies are making massive profits, working Americans and their employers have endured year after year of much higher premiums, reduced benefits, and denials of treatment.

Our citizens need a sensible health care system. We can not afford a system in which our people are denied treatment because their benefits are capped. We can not afford a system in which they are denied coverage because they have a preexisting condition. Our Nation can not afford a system in which the loss of a job means the loss of coverage and debilitating health costs. Our Nation can not afford a system in which even those with jobs and insurance face rapidly increasing premiums and out-of-pocket costs. Our nation certainly can not afford a system in which our tax dollars boost the ever-higher profits at insurance companies, or in which premiums and out-of-pocket costs constantly go up, while coverage constantly shrinks or disappears entirely.

The Senate needs to put the interests of the American people ahead of the interests of insurers. We need to take up a health reform plan that makes comprehensive, affordable health coverage available to every American, and helps keep insurance companies honest.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. I ask unanimous consent that the period for speakers be extended for an additional 20 minutes.

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

Mr. WHITEHOUSE. Mr. President, I have joined my colleagues on the floor this evening to discuss the need for health insurance reform, which is a critical component of the health care reform package that the Senate will soon consider.

Our colleagues on the other side of the aisle are fond of suggesting to the American people that our current health care system is fundamentally fine, fundamentally sound, and all it needs is some minor tweaks. But Rhode Islanders who have faced down their insurance companies over the denial of benefits they paid for will tell you that idea is dead wrong. As they and many other Americans have found to be painfully true, our current system of health care is all too often a mirage concocted by health insurance companies to extract premiums from consumers while denying coverage when it is actually needed.

Reform of this system of delusion is needed and it is needed now. As someone said the other day: Americans have all the health care they need until they need it. Then the insurance company comes and interferes.

Those profit-driven companies focus on share price and quarterly earnings and other telltales of the business world and are only too happy to diligently mail those premium notices and collect those payments when you are feeling well. But when illness strikes, they vanish, they disappear, hiding behind stacks of forms, automated 800 numbers, with no human to be found, and weeks and weeks of delay and denial.

The insurance company Humana pulled just such a stunt a few years ago. In May of 2006, a Humana policyholder was diagnosed with a rare and advanced form of liver cancer. Without treatment, he was not expected to live more than 4 years. But in September of that year, his doctor, a board-certified interventional radiologist, recommended a course of treatment for the cancer involving a new technology, expensive but proven to be effective.

The insurance company policy explicitly covered such radiological treatment. At this point, it is an inspirational story, a terminally ill patient whose persistent and caring doctor found a technological advance that could extend his life. But when the insurer Humana became involved, this patient's bureaucratic nightmare began. The treatment recommended by the doctor is widely accepted. It is FDA approved. It is reimbursed by Medicare and Medicaid, and it is covered by several large insurance plans. But Humana's medical director denied coverage. He denied it on the basis that it was ''experimental/investigational, not identified as widely used or generally accepted.''

Humana decided to deny this life-saving treatment in spite of the fact that the insurance company medical director, the same fellow who made that determination, later admitted in court that:

He has never performed [the] treatment, consulted with another physician about the treatment, or even read any literature on the topic.

Without ever having performed this treatment, without ever having consulted with another physician about this treatment, without ever having read any literature on the topic, he reached the decision that this treatment was ''experimental/investigational . . . not identified as widely used [or] generally accepted,'' leaving this man with liver cancer and a doctor telling him how to cure it hanging in bureaucratic limbo.

Since this policyholder could not pay out of pocket—it was an expensive treatment—the hospital treating him said it could not proceed with the treatment. With time running out and nowhere to turn, he hired an attorney to force Humana to stick to the terms of its health insurance policy. Thank goodness, he won.

In a blistering opinion, the trial judge found that the company could not have possibly made a well-informed decision under the provisions of the plan. Rather, the judge found, the company relied on the flimsy pretext of an internal company guideline deeming the treatment ''experimental.'' How good is that? You are the insurance company that has the decision on whether to pay. You have a rule that says you don't pay if it is experimental, and you create your own internal, independent guideline that decides, contrary to all the rest of the evidence, that it is experimental. It is like being able to grade your own exams, except that lives hang in the balance.

The basis for that conclusion was two written summaries of medical articles by a private health insurance industry consultant. That is what they based that internal guideline on. They said it was based on written summaries of medical articles by a private health insurance industry consultant. It makes you feel pretty good as a customer of the insurance company to think that they are getting recommendations from their own private health insurance industry consultants, right? The real problem was this: The summaries were wrong. Neither of the articles actually concluded that the treatment was experimental. The whole thing was a big, complex, bureaucratic chase founded in falsehood.

The court found that Humana inappropriately denied the treatment and ordered that it immediately pay for this patient's cancer treatment. What a waste—a waste of money, a waste of time, and a waste of resources. Worse than all of that, what a thing for this man to have to go through. Not enough that he has been diagnosed with a rare and fatal form of liver cancer, not enough that a doctor has told him that with the right treatment, he could extend his life, maybe long enough to see a daughter graduate, maybe long enough to see a son get married, maybe long enough to arrange his affairs for his family to do well after he has left them, on top of all that, he now had two battles to fight—one with his illness, one with his insurance company.

We have heard a lot of hysterical propaganda lately about how health reform will put the government between you and your doctor. Indeed, the recent GOP health care bill on the House side has in its opening passages that it will not intervene in the doctor-patient relationship, suggesting that other proposals would intervene in the doctor-patient relationship.

I submit that our colleagues on the other side are a lot less concerned about intervening in the doctor-patient relationship than they are about the Congress of the United States intervening in the insurer-to-insured relationship. I submit they are more concerned about leaving American insureds at the mercy of these insurance companies—the place where they actually intervene between the patient and the doctor. The worry for the real American isn't that the government is interfering between them and their doctor; the worry is that when they get sick, that insurance company intervenes between them and their doctor.

We hear it in Rhode Island, in Colorado, the State of the Presiding Officer. We hear it over and over. Indeed, one of the things they do is called rescission. Rescission is when you have paid your premiums, you have been a good customer, you think you are a customer in good standing, and something awful happens—an unexpected diagnosis, a terrible accident. Suddenly, you need to call on that insurance policy that you have paid for month after month, year after year, to see you through your time of illness or injury. Then what do they do? The first thing they do is send somebody in their administrative offices squirreling off through your file to look for something you did wrong when you filled out your form. If they can find a mistake, they yank the coverage you paid for all those years.

During a recent study by House colleagues, committee investigators found a total of 19,776 rescissions from just three large insurance companies over 5 years; 19,776 families who thought they had coverage, who paid for coverage, who were good customers, but when they got sick, the insurance company turned on them, and, once again, they had to fight two battles—one against the illness or injury and one against the insurance company. The rescissions saved those three insurance companies $300 million, a third of a billion dollars. As a prosecutor would say, there is motive.

When you look for real examples of bureaucratic interference, when you look for real examples that resemble death panels, you need look no further than the kind of story about this gentleman Humana turned on when he got his diagnosis. We are here not to encourage that, not to have the government do it, but to stop it, to put an end to it.

In stark contrast to this patient's humiliation, having to pay attorney's fees out of pocket to fight the insurance company, having to try to cope with all this nonsense while suffering from a terminal illness, Humana executives and shareholders have done quite well. The company reported this week that its third-quarter profits are up 65 percent. Its CEO, Michael McCallister, was paid $5.2 million in 2008. Nice pay. Too bad the work is so mean-spirited.

You might think the Humana story is extreme, an outlier, a rare, tragic case, but you would be wrong. The private health insurance industry torments Americans like that patient day-in and day-out, 17,000 of them just with the rescissions.

Another example: In 2005, BlueCross of California denied a patient's claim for bone marrow treatment, writing only that its decision was ''based upon the member's specific circumstances and upon peer reviewed criteria including Medical Policy.'' What is that? What does that mean? ''Based upon the member's specific circumstances and upon peer reviewed criteria including Medical Policy''—what a lot of rigmarole. The State insurance commissioner stepped in and penalized the company because it didn't describe any reasons for its denial, nor did it cite provisions of the insurance policy upon which it relied, just ''based upon the member's specific circumstances and upon peer reviewed criteria including Medical Policy.'' You could make that up about anything. In essence, the insurance company denied that claim for no reason.

That same year, the company denied another patient's claim for nutritional counseling to treat anorexia. In its notice of cancellation, the company wrote to its insured that ''nutritional counseling is only covered when the diagnosis is diabetes. Since the claim was not submitted with a diabetes diagnosis, the claim was denied.'' California's insurance regulator found that the company's reasoning directly contradicted the benefits listed under the policy which said that dietary counseling ''is covered if it is for the treatment of anorexia.'' Why do you make somebody who needs this health care go chasing through the policy to find the place where it actually says it is covered? Why make up a lie that it is not covered? There is an obvious reason: If you do that to enough people, some won't take the trouble. Some will fight back. Some will figure out that it is inaccurate. Some will go to the regulators. But some will give up. Of those who give up, you make money.

BlueCross of California is owned by WellPoint, whose CEO, Angela Braly, made $9.8 million last year.

Many years ago, Charles Dickens wrote a book called ''Bleak House.'' In ''Bleak House,'' there are a lot of story lines, but one of them is about two young people who are pursuing a case in the British courts. Jarndyce v. Jarndyce was the name of the litigation. It is described in ''Bleak House''

as a monster extending through the courts, through writs and clerks and judges. And the storyline through ''Bleak House'' is that eventually, through all this bureaucracy, through all this static, through all this nightmare, through all this hassle, the couple finally gets to the point where they achieve the inheritance that was theirs, and that was the subject of the litigation they needed to claim through this arduous ordeal. The problem: By the time they got the inheritance, it had all been eaten up, every penny and farthing, by all that process and all that delay.

Our current system of private health insurance too often leaves policyholders feeling like that poor young couple in ''Bleak House,'' surrounded by bureaucracy; surrounded by people who are out to gouge you, not to help you; surrounded by people who turn their backs on you in your hour of need; surrounded by people who sold you all the health coverage you need until you really need it. Then they are looking for loopholes and trying to deny you coverage.

We owe Americans better than that. We can build a system of health insurance about which Dickens would not be tempted to write or Franz Kafka for that matter. Let's build a system that prevents insurers from evading their promises—in which people can't be denied coverage for a preexisting condition; in which surprise annual or lifetime caps don't pitch you into bankruptcy; in which insurers compete on customer service, not on how to figure out ways to deny you coverage. That is the system we in Congress are striving to enact into law this year.

One of the ways we will do this is by adding to the bill a public option. You can chase these insurance companies around until you are blue in the face. You can sic the regulators on them all day long. But they have been doing this for years. It is a habit. It is a pattern and practice. It is a business model. It is not going to change without competition forcing it. That is yet another one of the reasons a public option is so important in this debate.

One of my fellow Rhode Islanders, Karen Ignagni, is actually the chief lobbyist for the health insurance industry. She said something the other day about the public option. She said that it would reduce payments ''to doctors and hospitals rather than driving real reforms that bring down costs and improve quality.'' I submit she has it exactly wrong, exactly backward.

First, as we have crafted a public option, it would have to compete and negotiate for price, just like the private insurance industry does, no different than the insurance companies Ms. Ignagni represents.

But more to the point, this idea that it will compete by reducing payments to doctors and not drive real reforms, I submit the exact opposite is true. It is the public option that will drive the real reforms. It is the public option that will pursue cost-effective quality improvements; that will pursue wellness and prevention for customers; that will find better ways to pay doctors for value, not for volume; that will take advantage of President Obama's investment in health information technology to transform American health care for the better.

So I will close with that observation, and I will add one more thing. I have used examples from public records, but many of us here have had this experience personally.

Someone in my family, whom I love very much—I would describe him as my best friend—got a terrible diagnosis some time ago, and his family and everybody who loves him gathered around to help him. One of the things that was recommended was that he go to the National Institutes of Health, where the best specialists for this terrible diagnosis he had can be found.

So he went to the National Institutes of Health. Actually, I went with him because it is just up the road in Maryland—he had to come down from New York—and I wanted to be a good friend and a good family member and show support and be there with him. So I know firsthand he went up to NIH, and I know he spoke to that doctor, that world's best expert on this terrible diagnosis, and I know firsthand what he was told. I know exactly what he was told to do by that doctor.

He went back home to New York with this course of treatment for his condition that had been given to him by the top specialist in the field in the country, the man recognized by the National Institutes of Health, and when he began that course of treatment, guess what his insurance company told him. ''I'm sorry, that's not the indicated treatment.'' Oh, really? Not indicated? By whom? By some person on the other end of the phone who has never even examined him? By some person on the other end of the phone who might not even have a medical degree?

Why is it that every single time the insurance companies get involved and say something is not the ''indicated treatment,'' the indicated treatment is less expensive, the treatment they want is less expensive than what the doctor wants? You would think that maybe once in a while, just to throw us off, they might say: No, no, no, wait a minute, the indicated treatment is actually more expensive and better than what your doctor said, and we want you to have that. Has that ever happened? I do not think so. Every time the private health insurance industry steps in between you and your doctor and says: No, we are not covering that treatment, we don't care that your doctor has prescribed it—in this case, we don't even care that the top specialist in the country prescribed it—it is always to push you to a cheaper treatment.

The terrible thing is that for every American like the man I love, for every American like him who fought back, who said: Nuts to that, I have been to the NIH, this is what they told me to do, this is what I am doing, some number will give up, some number will be defeated, already scared by a terrible diagnosis, already bombarded at home with forms and bills and things they do not know how to cope with, already trying to cope with issues like preparing their family for horrible news. Dealing with the difficulties of treatment, some number of them will give up, and they will let the insurance companies get away with it. For every one of them who dies a little earlier because they did not get the treatment they should have—for every one of them—we in this Congress need to get to work to make sure this kind of behavior is never permitted again.

This is not a small matter. This hits home in every one of our States every day. So I am proud to support our health care reform. I think we are going to see this legislation through to the end, and we are going to get it right, and after all the scare mongering and all the stories about death panels and all the phony defense about the government getting between you and your doctor—when what they are really protecting is the right of the insurance company to step in and get between you and your doctor; that is what they are about—after all of that, what people are going to find, coming out, when they actually see the real results, is that, in fact, the world has changed for them. What Americans will see is that we will have changed the world for the better for people who are now in the grip of these greed-driven insurance companies.

Mr. President, I thank the distinguished Presiding Officer very much, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CASEY. Mr. President, I also ask unanimous consent that after the next, I believe, 10 minutes expires on our time, that I be permitted to speak in morning business beyond that time by, oh, say 10 minutes at the most.

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

Mr. CASEY. Mr. President, I rise tonight to also speak about health care, as we have heard from some of my colleagues. I was coming in as Senator WHITEHOUSE was concluding his remarks on the floor and am grateful for his leadership and the leadership demonstrated by so many of our colleagues here on this critically important issue.

We have heard a great deal in the last couple of weeks about some of the fundamentals of health care reform. I was speaking last week about children

and some of the progress we need to make in the final bill to protect our children, to make sure that especially poor children are not only not worse off at the end of this debate but also that they are, in fact, better off because of the reforms we make. We have great programs to work with. The Children's Health Insurance Program, for example, has been tremendously successful in insuring the children of working parents. We know the kinds of early, periodic screening and diagnostic testing done in Medicaid is very important to poor children and their families. So there is much we have to do just with regard to children.

Our older citizens, of course, are a huge focus of this health care reform. We want to control costs. We want to provide better quality, ensure prevention strategies that will not only save lives but also save us a lot of money. We want to wrestle, as we have been trying to do, with the cost issue, and we will continue to do that, and I think successfully.

But one area I think we often, unfortunately, overlook is what happens to our small businesses. We know that most of the jobs in America—the foundation of our economy—are created by small businesses. These are the very businesses in States such as Pennsylvania and the Presiding Officer's home State of Illinois and States across the country—big States and small State—where businesses have been devastated by health care costs. Over and over again, we hear it.

Just in the last couple of days, we saw this headline in the New York Times: ''Small Business Faces Sharp Rise in Health Costs.'' And the subheadline or the reference to the story says: ''Up 15%, On the Average.'' ''Insurers Increase Rates as Congress Weighs Major Overhaul.'' So there are a lot of small businesses in Pennsylvania and across America that are waiting to see what the House and the Senate will do. What kind of bill will we send to President Obama for his signature?

If we do nothing, there is one thing we are sure of. If we do nothing, if we do not pass legislation this year—as I think we will—but if the Congress did nothing, we know those costs are going up all the time. The New York Times reminds us of that: ''Up 15 percent, On the Average.'' There is an increase in costs, if we do nothing, that has been escalating for years now. We have had people in the Congress, here in this Chamber, and other places saying: We have to help small businesses. We have to be conscious of what their needs are, the difficulties they have had in this recession.

Families have had a lot of difficulties, obviously. In addition to that, small businesses have. But we cannot say we really are concerned about what happens to small businesses—small business owners—in America if we do not help them on health care, if we allow this to persist, this spiraling, ever-increasing cost of health care for small businesses.

If you look at it just in terms of Pennsylvania—one way to look at this is just in terms of State numbers. These numbers, we will not have to go through. I know some of them are small. But here is the basic point: cost of health benefits to small businesses per year if there is no reform. This is just for Pennsylvania, as shown on this chart. If you look at the year 2009: 7.43—the annual spending in billions of dollars in the State of Pennsylvania. Almost $7.5 billion spent by small businesses on health care. You do not need to read every number here because a lot of them are small, but you can see the trajectory of that graph, that blue line going up and up and up. So by the time 2018 rolls around, not even a decade away—9 years away—if we do nothing, Pennsylvania's small businesses will pay more than $16 billion for health care—just in less than a decade, more than a doubling of health care costs for small businesses in one State. One can just imagine. One doesn't have to be an expert with numbers to extrapolate from that what that means for the United States of America. Small businesses already crushed in many instances by health care costs, being crushed even further. That is the cost of doing nothing. There are a lot of ways to measure that, but the cost to small business is one of them.

According to an August 2009 Small Business Majority survey of 200 Pennsylvania small businesses, the top three concerns for small businesses in Pennsylvania—and I have no doubt this is similar to the rest of the country—here are the three top concerns: No. 1, controlling costs; No. 2, having insurance that covers everyone; and, No. 3, ensuring at least high-quality standard benefits. So small businesses have the same concerns that many people here have: controlling costs, enhancing quality, and making sure we have broad coverage.

Ninety percent of small businesses in Pennsylvania want to eliminate preexisting condition rules, and 75 percent see these rules as a barrier to starting a business. So someone is making a decision, making a determination about whether they will start a small business, and they think to themselves: I may not be able to get this business off the ground because of health care costs or because of preexisting conditions.

Why have we allowed this problem—not just the cost problem but the problem that we point to all the time of preexisting conditions—why have we allowed insurance companies to do that? Well, we have allowed it over many years because we haven't taken them on and defeated them when it comes to passing legislation.

This is the year when at long last we are going to say to insurance companies: You cannot have this kind of power over people's lives, over people's business decisions by, for example—one of many examples, but the most prominent, the most egregious example—denying someone coverage because of a preexisting condition.

I know this summer, way back in the middle of July, as a member of the Health, Education, Labor and Pensions Committee, we passed our bill out of that committee and the first section of that bill dealt with the preexisting condition problem. In one sentence in that bill we set forth a determined effort to make it illegal to prevent someone from coverage because of a preexisting condition. So this is about individuals and families, as well as about small businesses. They, too, suffer from the preexisting condition problem in our health care system.

There are a lot of other numbers I could point to in a survey. I will not go through all of those, but I do wish to highlight tonight as well what we heard just yesterday, or part of what we heard yesterday in the Health, Education, Labor and Pensions Committee where we had a number of witnesses. One of those witnesses was Jonathan Gruber who is an MIT economist. He testified that small businesses—and I am paraphrasing his testimony; it is all in the record—small businesses are disproportionately hurt by the health care status quo and that health insurance reform will lower—lower—premiums and save jobs in the small business sector.

I am quoting from Dr. Gruber from MIT:

> Small business has little to fear and much to gain from health reform.

Not my words, the words of an MIT economist who has spent time not just analyzing health care reform over many years, he played a role in helping Massachusetts develop their strategy. But he is talking about reform generally on health care as it relates to small businesses.

Professor Gruber also talked about health insurance reform breaking down many of the barriers that currently are faced by small business owners or prospective small businesses. For example, unpredictable premium jumps, as we see on the chart. Whether they are predictable or not, they occur all the time. But they are especially problematic when a small business owner doesn't have any warning. Fear of starting new businesses for lack of affordable health insurance options is an impediment to starting a small business. An impediment to creating jobs is another way of saying it, in my judgment.

Professor Gruber talks about other barriers to small businesses under our current system: higher costs and limited choices due to administrative expenses and lack of bargaining power. Just imagine what it is like for a small business owner in a huge environment where they don't have the kind of bargaining power a big company has or they don't have the kind of bargaining power the Federal Government has to go into the marketplace to keep costs down. So they go in virtually unarmed

or alone into that marketplace, a small business owner, who might have 4 or 5 or 7 or 8 or 10 or 20 employees.

Tax credits would help small businesses who need it the most to help them pay for insurance. Dr. Gruber unveiled a new analysis in his testimony showing that health insurance reform will save small businesses 25 percent over the next decade. One thinks: Well, 25 percent, what does that mean? By his estimate, this 25 percent savings to small business as a result of health care reform, in his judgment, would be a $65 billion-per-year savings for small business. That is Dr. Gruber at MIT, not my words, not the words or the analysis of some Senator or House Member on one side of the debate or the other.

So the consequences of those savings would be enormous to small businesses in America. I know we need this kind of reform in Pennsylvania.

Workers in small businesses would see an increase in their take-home pay, according to Dr. Gruber, of almost $30 billion a year. That affects all of our lives in a very positive way. If a small business in our community can hire more people, can make an investment in the development of that small business because of health care savings as a result of a health care reform bill, our communities will be stronger. We will have more people working. We will have a much stronger economy right at the community level, not just in a macro or larger scale way.

Finally, on this analysis of what health care reform could mean to small businesses in terms of savings, that reform could save almost 80,000 jobs, according to Dr. Gruber—80,000 jobs in the small business sector by 2019. Dr. Gruber also dispelled the myth that health insurance reform will raise costs for small businesses. He said:

> Objective CBO analysis shows that these claims are clearly wrong. Reform will lower, not increase, nongroup insurance costs.

So says MIT economist Dr. Gruber, who has lots of experience in this area and is lending the benefit of his experience and his insight into these analyses on health insurance reform, but in particular as it relates to small businesses.

So what we want to try to do with health care reform when it comes to a State such as Pennsylvania is take this blue line of an exponential increase in health care costs for small businesses in one State—and I think this is true of the country as well, in my judgment—we want to make sure this line and this exponential increase is turned the other way or at least begin to flatten out so that the $7 billion that small businesses are paying in Pennsylvania for health insurance reform by the year 2018 might be only something a little less or a little more than $7 billion.

We cannot say with a straight face or with any degree of integrity, in my judgment, that we want to lower costs for small businesses, that we want small businesses to hire more people, and then in the next breath say: But I don't think we should pass any health care reform. It is too complicated or it is too something to get it done this year. We cannot do that.

We cannot continue to say: Oh, isn't it too bad that health care costs are so high? Isn't it too bad we couldn't do something about the health care costs of small businesses? This, in the end, is not simply about the small business owner, it is not simply about what we are going to do for small businesses to help them get through this recession. This, in the end, is about our economy. We are either going to change course, get control of costs, reform health care and be able to move our economy forward or we won't meet that challenge.

We are going to make the changes and institute reforms that will lead to lower costs, better health care outcomes, and a better bottom line for small businesses and, therefore, control long-term health care costs and long-term national debt. All of that comes from a good health care bill in the end.

We cannot fail. We cannot at long last say we didn't get the job done. We have to for our families, for children, for older citizens, as well as for small business owners. I think we can. I think we have the strategy that the American people understand fundamentally, and I think we can do it this year.

Mr. President, with that I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

COLD WAR PATRIOTS NATIONAL DAY OF REMEMBRANCE

Mr. BROWN. Mr. President, October 30, 2009, has been designated a national day of remembrance for hundreds of thousands of Americans who served their nation with distinction. Cold War Patriots National Day of Remembrance recognizes and commemorates former nuclear workers who built and operated our Nation's nuclear infrastructure during World War II and the Cold War.

It is an honor to recognize the thousands of Ohioans—from towns and cities across the State—whose work helped protect our Nation during five decades of ideological battles against totalitarianism. With a job to be done and a war to win, every day for more than 50 years laborers, millers, and haulers exemplified Ohio's Midwestern values of hard work and patriotism. Factory workers, metallurgists, and scientists risked exposure to hazards that are unique to the production of nuclear weapons in order to preserve our Nation's freedom and ideals to create a better world for all of us.

From the Mound laboratory in Miamisburg to the Fernald foundry near Cincinnati to the enrichment plant in Piketon to the more than 20 other sites across the State, the people of Ohio served their Nation with distinction, confronting threats that today we still don't completely understand and that their children and grandchildren continue to face. Many of the hardworking men and women of that generation sacrificed their health some lost their lives while protecting our country and our freedom.

The Cold War Patriots National Day of Remembrance recognizes these men and women for their contribution, service, and sacrifice towards the defense of our great Nation.

NATIONAL BIBLE WEEK 2009

Mr. VOINOVICH. Mr. President, I am honored to serve as the congressional cochairman of National Bible Week 2009. National Bible Week, which will be held from November 22 to 29, was created to underscore the importance of regular Bible study and scripture reading. The Bible is the word of God. I know that many of us could not face the challenges, stress, and heavy burden of serving during this critical time for our country, if it were not for the daily guidance God provides us through scripture—and for those of us in the Catholic faith, reception of the Blessed Sacrament. I believe that my colleagues and I need to pay special attention to the lessons the Bible teaches us, as we work together to make a difference for our country.

The enormity of what confronts us makes it is easy to become frustrated, discouraged and tired. Thankfully, the Bible provides us with inspiration, strength, and wisdom to motivate us. Prominently displayed in my office is a picture showing an eagle soaring high in the sky. One of my favorite Bible verses, Isaiah 40:31 adorns the frame, it reads:

> Those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint.

As I read those words so often, I am reminded that the Holy Spirit is always present and willing to inspire and help us. Isaiah reminds us that we can certainly try to tackle the big issues on our own, but that without the Holy Spirit by our side, the road will be long and arduous.

My colleagues have often heard me express my desire to address the ballooning Federal deficit, to create an economic climate that is conducive to

higher job-growth, and to improve the standard of living and quality of life of our children and grandchildren—undertakings that take much time and effort. Isaiah's message makes the importance and urgency of these undertakings no less daunting, but does reassure us that if we trust in the Holy Spirit, he will allow us to persevere.

I urge all Americans to celebrate National Bible Week to discover the lessons, inspiration and guidance that God's scripture provides for each of us.

ADDITIONAL STATEMENTS

RECOGNIZING SIXTEENTH STREET COMMUNITY HEALTH CENTER

• Mr. KOHL. Mr. President, I would like to take this time to recognize and congratulate the Sixteenth Street Community Health Center on its 40th anniversary.

Located in the heart of Milwaukee's diverse south side, the Sixteenth Street Community Health Center provides high quality health care services to low income and non-English speaking residents in its surrounding neighborhoods. Providing more than just basic health care, the center offers a full range of social services, health education, and important mental health services.

The Sixteenth Street Community Health Center began in 1969 when a small group of residents opened the Health Contact Center with the goal of providing care to central city residents who may not otherwise have access to medical services. Residents throughout the neighborhood came together to ensure that the health center had the resources and support it needed to thrive.

Just 10 years after it opened, the health center doubled in size. Throughout its history, it has partnered with the city of Milwaukee, local hospitals and clinics, and charitable organizations to continue its growth and expand the services it provides to patients. Today, the Sixteenth Street Community Health Center offers prenatal care, social services, environmental health education, HIV treatment and prevention education, physical therapy, nutrition and wellness education, and much more. In 2006, it opened its second clinic and last year it served more than 27,000 patients.

I have a long and proud history of working with the Sixteenth Street Community Health Center. The center, widely recognized as an exemplary health organization, is a treasured vital community asset. For 40 years, the staff of the center has worked diligently to fulfill its mission of providing care to as many people as possible regardless of income or insurance status. In Milwaukee, the Sixteenth Street Community Health Center is synonymous with quality health care, community service, and passion for all.

On behalf of our State and Nation, I applaud the Sixteenth Street Community Health Center on 40 years of outstanding service and wish them continued success and a strong future.•

REMEMBERING RICHARD NEAL FOSTER

• Ms. MURKOWSKI. Mr. President, I rise today to acknowledge the life of one of Alaska's most dedicated public servants. Representative Richard Neal Foster served as a member of the Alaska House of Representatives for nearly 21 years. Since his election in 1988 he represented the residents of Nome and 28 villages with great love and dedication. Alaska will remember him this Friday at a memorial service in Anchorage.

A lifelong Alaskan, Representative Foster was born and raised in Nome. He received a business administration degree from the University of Alaska. He managed Foster Aviation, a family-run air service started by his father in 1946. He was a civic leader in the community of Nome serving on the boards of the Bering Straits Native Corporation, the Sitnasuak Native Corporation, Nome Eskimo Community, and the Northwest Campus of the University of Alaska.

Representative Foster will be remembered for a lifetime of public service. After serving two tours in Vietnam as a captain in military intelligence he was awarded the Bronze Star. He received a commission as a second lieutenant in the Army through the University of Alaska, Army ROTC program. As a man with passion for Alaska, he later served with the Alaska Army National Guard in Nome.

During his tenure in the Alaska State legislature, he served as majority whip from 1993 to 2007. Showing his commitment to address the challenges of rural Alaska, he was a member of the Bush Caucus as well as the Alcohol and Substance Abuse Task Force Committee. And, in 2009, he was honored as a University of Alaska Distinguished Alumni because of his dedication to public service.

As one of the longest serving members in the Alaska legislature, it saddens me to acknowledge that Alaska has lost one of our truly great leaders. I had the honor of serving in the legislature with Representative Foster. He was a man with an infectious laugh and he had a great love for the Seward Peninsula and the State of Alaska. Never letting divisive politics come between friendships, he was known for his humility and friendliness to both Republicans and Democrats. His ''Friday at Fosters'' events, where he hosted legislators, staff, administration officials, friends, and visitors for a Friday evening jam sessions for over 17 years, will be sorely missed.

Foster loved the outdoors of the Seward Peninsula, a region with a rich mining history. He spent his summers at Hannum Creek, working on his family's mining claims. One time, he and his sister Iris and son Neal walked 80 miles of the historic mining trail from Quartz Creek to Hannum Creek to experience the journey of ''Old Timers.'' In addition, Foster was known for his love of military history including the Civil War and World War II and was a collector of military weapons.

He is survived by his wife Cathryn of Eatonville, WA; seven sons, Neal Foster of Nome, AK; James Foster of Anchorage, AK; Nathan Foster of Ellendale, ND; 1st Lt. Jason Weber, LCpl Richard Foster, Ramsey Foster, and Chandler Foster, all of Eatonville, WA; and two daughters, Maria Stevens of Tacoma, WA, Tiffany Sanchez of Miami, OK; and sister Margaret ''Iris'' Magnell of Laguna Hills, CA.

Foster's public service to the State of Alaska will continue to positively impact the lives of Alaskans for decades to come.•

RECOGNIZING THE NATIONAL ASSOCIATION OF BLACK MEN UNITED

• Mr. PRYOR. Mr. President, today I wish to recognize the National Association of Black Men United, NABMU, and congratulate them for 10 years of dedication to advancing education.

The National Association of Black Men United has been instrumental in increasing college students' graduation rates in my home State of Arkansas. Their focus on graduating students at the University of Central Arkansas has sparked expansion to Howard University in the District of Columbia.

Furthermore, the National Association of Black Men United was founded on the principle that everyone who attends college should reach the goal of graduation, regardless of race. The purpose is to assist black men in obtaining a bachelor's degree from an accredited college or university. The organization provides men with the tools needed to increase graduation rates and improve economic advancements within the African-American community. These tools include educational forums, workshops, mentorship programs, and financial plans to guide students to graduation. NABMU's vision is to expand across the country, helping individuals in all corners of the United States.

NABMU teaches a set of 10 primary responsibilities that encourage students to earn their degree. These responsibilities range from sitting in the front of the classroom, being diligent with their finances, and being responsible for their own actions. Another vital function of the organization is to assist young men in finding careers in the field of their choice.

I ask my colleagues to join me in recognizing the National Association of Black Men United and especially their chapter at the University of Central Arkansas for their outstanding work.•

TRIBUTE TO CHARLES EARLE CRAFTS

• Ms. SNOWE. Mr. President, today I pay tribute to Charles Earle Crafts of

Livermore, ME, who is to be awarded three exceptional valor awards on November 9, 2009, for his extraordinary service to this Nation. Charles will be presented with the prestigious Silver Star Medal for his heroic role in combat against an overwhelming Viet Cong force at the Battle of Binh Gia, South Vietnam, on December 29, 1964. In addition, he will be awarded the Bronze Star Medal in honor of the 2 years, 1 month, and 24 days he spent in brutal jungle captivity as a prisoner of war—and the Bronze Star Medal with a ''V'' (valor) device for his outstanding achievement in smuggling out critical information for the United States—risking further retribution—I might add. Indeed, all Americans owe a tremendous debt of gratitude to Charles for his inexhaustible service to this country contributions that we will never forget and that truly epitomize the valor of every man and woman courageous enough to wear our Nation's uniform.

In fact, a year before most Americans became aware that there was a violent war being fought against the democratic government of South Vietnam, Charles was drafted into the U.S. Army and trained as a radio operator. Then, in November of 1964, he was sent to Saigon and became a military advisor to the Army of South Vietnam, ARVN, which was engaged in a bloody struggle against the Viet Cong insurgents.

That December, as Viet Cong forces attacked and held the village of Binh Gia which is located about 50 miles east of Saigon, Private Crafts, in his capacity as the radio operator for Sergeant Harold George Bennett, accompanied the 33rd ARVN Ranger Battalion in an attempt to retake Binh Gia. As they approached the village, their much smaller force of approximately 350 men came under heavy fire from an enemy force that was later estimated to be near 5,000 strong.

The majority of the ARVN Rangers were killed, wounded, or captured during the horrific battle that followed, but despite all of the challenges, Crafts successfully rebuffed attempts by the Viet Cong to jam radio transmissions during the deadly carnage around them. And due to his deft and flawless operation of their portable radio, they were able to warn approaching American helicopter pilots not to attempt a rescue of them in the Viet Cong killing zone.

Shortly thereafter, Sergeant Bennett and Private Crafts were captured as prisoners of war—forced to survive disease including several bouts of malaria, as well as malnutrition and even terrible retribution for attempting to escape—being told, on myriad occasions, that, ''dying is easy; surviving is much more difficult.''

Both Crafts and Bennett would later be joined by CPT Donald G. Cook, a U.S. Marine Corps officer who was severely wounded at Binh Gia 2 days after their capture. And under the steadfast leadership of Captain Cook, all upheld the military Code of Conduct to the utmost of their individual ability while resisting frequent Viet Cong interrogation and indoctrination sessions—facing untold hardships on behalf of each and every American. These brave men, in the face of such profound adversity, sustained themselves by their faith, trust in their country, and above all, each other.

And through all of the trials and tribulations, in light of the countless reasons to give up hope, Charles remained resolute—and that unwavering determination to survive and to return home came to fruition as the Viet Cong political leadership decided to release two American POWs, choosing Charles and Sgt Sammie Womack. A brief ceremony was held on February 16, 1967, in the midst of the jungle, but it was after they boarded a Vietnamese bus, stopping at a U.S. military checkpoint, that they again tasted freedom on February 23 that our Nation holds so dear. And as if all that Crafts had endured and accomplished had not been enough, he smuggled documents out of the jungle, providing even further intelligence for our country.

Following several months of hospitalization—growing stronger with each passing day—Charles was honorably discharged on May 17, 1967, with the rank of specialist four class, E–4. Throughout the entire ordeal, his parents, the late Leroy Bradford Crafts and Virginia (Voter) Crafts, never gave up hope for the return of their only son. And return to Maine he did to a welcoming and loving family, to a most grateful community and State, and, although he didn't know it at the time, his future wife Juanita during a ceremony where his high school alma mater dedicated their yearbook to him. Now that is fate!

Throughout his entire life—from his time at International Paper Company to his role as a national service officer for the Disabled American Veterans and, of course, his tireless service to this country while serving in the Army—Charles has exemplified the very best that this Nation has to offer, and he is a shining example for why we celebrate Veterans Day every year.

It goes without saying that Charles Crafts is a true American hero who risked his life, time and again, so that our lives could be better. There are no words to adequately thank or appropriately honor Charles for all that he has done, but it gives me, and surely everyone in Maine, immeasurable pride that the Department of the Army has now approved three awards for Charles Earle Crafts: the Silver Star Medal for gallantry in action during the Battle of Binh Gia, on December 29, 1964, the Bronze Star Medal with ''V'' device for valorous achievement in smuggling out several documents—hiding those documents among his few possessions and memorizing those which he was unable to sneak past the guards—and finally, the Bronze Star Medal for meritorious service while caring for his fellow prisoners under extreme duress by his captors.

These awards reflect Charles' unending patriotism and boundless spirit that, quite literally, saved lives and made this country stronger. And as we laud Charles for his limitless contributions to our Nation, I cannot help but also thank Retired Colonel Doug Moore, whose sterling efforts over the past decade were critical to collecting and providing the necessary information to ensure this fitting recognition for Charles' heroic service in Vietnam.

I could not be more pleased to join with Charles' friends and family in celebrating these phenomenal accolades and his remarkable service with his wife of 15 years, Juanita; his son, Jason, and wife, Julie, of Jay, ME; his two stepsons, Alan Levesque of Lewiston, ME, and Andy Levesque and fiancée Tara Averill of Poland, ME; his two sisters, Patricia Ridley of Wilton, ME, and Ann Crafts of North Jay, ME; as well as his four grandchildren, soon to be five—Sarah, Emma, Whitney and Bailey. It goes without saying that families and loved ones are undeniable pillars of strength for their tireless support and indispensable devotion to our veterans and to our country.

The enduring truth is that neither a single day nor single ceremony is enough to honor America's veterans. We owe them and we owe Charles Crafts our praise and thanks on every day that we enjoy the blessings of liberty and benefits of security. These medals presented to Charles will be a lasting testament, commemorating his unflagging spirit of placing love of homeland above all else which has been the string upon which our pearls of freedom, liberty, and democracy have always been strung.●

RECOGNIZING MORRIS YACHTS

● Ms. SNOWE. Mr. President, four centuries ago, in my home State of Maine, a group of colonists settled on the mouth of the Kennebec River. There, they built the Virginia, a 30-ton pinnace that voyaged across the Atlantic Ocean at least twice. By constructing the first English-built ship in North America, these early Mainers engendered a rich tradition of shipbuilding that continues still today. In this time of economic volatility, Maine shipbuilders who carry on this lofty practice are some of the many small businesses that are piloting our Nation out of this recession. I rise today to note the achievements of one of these remarkable companies, Morris Yachts, which is headquartered in the picturesque Maine village of Bass Harbor.

Since his business first set sail in 1972, Tom Morris has added immensely to the abundant history of Down-east shipbuilding. Mr. Morris's passion for sailing spawned from summer vacations in Maine with his family. Similarly, he instilled his zeal into his son, Cuyler, who joined him at the wheel of Morris Yachts in 1995. With father and

son at the helm, the company outgrew its home of 27 years in Southwest Harbor a decade ago and now operates a complete yacht service company just down the road at its present facility.

During the company's near three decades in the Maine boatbuilding arena, Morris Yachts has become a trusted and dependable name for hundreds of clients. Its yachts generally range from 29 to 62 feet in length, and provide customers with semicustom boats of superb quality and beautiful woodworking. A testament to the Morris's remarkable craftsmanship, there are presently over 269 Morris Yachts sailing all over the world. Morris Yachts also has a connection to Hollywood, as its Pemaquid Friendship sloop was utilized as a prop in the popular film ''The Truman Show.''

Most recently, Morris Yachts has been asked to build four 44-foot sailing vessels for the U.S. Coast Guard Academy for use in training programs. With this new contract, Morris Yachts will be able to hire up to 20 employees, including mechanics, electricians, carpenters, and composite craftspeople this fall to work on the Coast Guard project, bringing the total number of Morris employees close to 100. While the initial contract asks for four boats, the Coast Guard Academy hopes to potentially double its order.

Not only does the company provide a valuable service to its local community, but with this contract, Morris Yachts will be able to serve the entire Nation. Providing ships to the U.S. Coast Guard is a true honor, and the firm's critical work will better equip our Nation's bravest men and women to protect our shores.

Despite the difficulty facing countless yacht manufacturers over the past year and a half, Morris Yachts has continued to produce sturdy and reliable boats. As a result, the company has been nominated for the 2010 Boat of the Year Award by Cruising World and Sailing World magazines. I congratulate everyone at Morris Yachts for this honor and look forward to the announcement of the award in January.

The Morris family story serves as an inspiration to all who pursue the American dream. I commend the Morris family for being chosen by our Nation's military to build these watercraft and congratulate them for their well-deserved accolades. Just as the colonists on the Kennebec River did centuries ago, I am certain the Morris family will continue the great tradition of Maine shipbuilding as they have for the past 37 years. Their success is proof that commitment, resolve, and hard work still lead to great things.●

RECOGNIZING NEW URBAN ARTS

● Mr. WHITEHOUSE. Mr. President, today I honor New Urban Arts of Providence, RI, which has been honored by the White House with the 2009 Coming Up Taller Award, the Nation's highest honor for out-of-school arts and humanities programs. New Urban Arts is a model for what the arts can do in the lives of our urban youth, giving them the opportunity to explore the limitless possibilities of their own imaginations and helping them apply what they discover to goals they set for their futures.

New Urban Arts was founded in 1997 as a collaboration between local high school and college students, with the support of the Swearer Center for Public Service at Brown University. It has grown from those 14 students in a loft at Grace Church in downtown Providence into an organization that serves over 300 high school students every year.

The New Urban Arts afterschool and summer programs provide these students with the opportunity to work with established local artists who act as both mentors and peers, with the young people creating new works of art that reflect their experiences. We know that for youth who are on their own after school, the hours between 3 p.m. and 6 p.m. are a danger zone, a peak time for juvenile crime and experimentation with drugs and alcohol. Not only does New Urban Arts give youth in Providence a place to go, it provides them with a safe space where they can express themselves through many different art mediums and with people who can nurture their talent. This includes members from Rhode Island's acclaimed arts community, which has long understood the need to invest in our state's youth and arts education. And luckily for the people of Rhode Island, the New Urban Arts gallery and exhibition spaces allow all of us to share in the joy of that new talent.

Our investment in the youth of Providence has paid dividends. Three-quarters of the students who participate in the New Urban Arts program are low-income and over half live in neighborhoods where the poverty rate is four times the national rate. Despite these challenges, over 90 percent of the seniors in this group graduate high school and attend college. When I was attorney general of Rhode Island, I saw what too often happened to students who did not know how to set goals for themselves or understand the importance of education—they ended up in the juvenile justice system. New Urban Arts helps students chart a course toward the future by inspiring them to create and introducing them to adults who are invested in them and treat them as equals.

This wonderful model has attracted national attention, including this most recent honor, the 2009 Coming Up Taller Award. This award recognizes afterschool and out-of-school arts and humanities programs for youth in traditionally underserved communities. It honors programs that foster the creative and intellectual development of our Nation's children. The ideals set out by the Coming Up Taller Award are certainly met by New Urban Arts, and I know that they will build on this honor by helping more students.

I would like congratulate all of the students and mentors who make New Urban Arts such a dynamic and innovative program, as well as its executive director, Jason Yoon, and the chairwoman of the New Urban Arts Board of Directors, Myrth York. Their hard work and dedication to the youth of Providence and to the arts will ensure that New Urban Arts continues to help our young people realize their potential into the future, and to serve as model for the rest of the Nation.●

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.)

MESSAGE FROM THE HOUSE

At 11:28 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3157. An act to name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic''.

H.R. 3949. An act to amend title 38, United States Code, and the Servicemember Civil Relief Act, to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore (Mr. BYRD) reported that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 475. An act to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 509. A bill to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3157. An act to name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient

Clinic''; to the Committee on Veterans' Affairs.

H.R. 3949. An act to amend title 38, United States Code, and the Servicemember Civil Relief Act, to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Commerce, Science, and Transportation by unanimous consent, and referred as indicated:

S. 1506. A bill to authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 4, 2009, she had presented to the President of the United States the following enrolled bills:

S. 475. An act to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 509. An act to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, 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–3557. 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 ''Pesticide Inert Ingredients; Revocation of Tolerance Exemption for Sperm Oil'' (FRL No. 8350–6) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3558. 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 ''Ulocladium oudemansii (U3 Strain); Exemption from the Requirement of a Tolerance'' (FRL No. 8436–6) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3559. 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 ''Methamidophos; Tolerance Actions'' (FRL No. 8796–1) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3560. 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 ''Certain Polyurethane Polymer; Tolerance Exemption'' (FRL No. 8796–3) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3561. A communication from the Deputy Secretary of Defense, transmitting the report of (19) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–3562. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–3563. 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 ''Revisions to the California State Implementation Plan, Northern Sierra Air Quality Management District and San Joaquin Valley Unified Air Pollution Control District'' (FRL No. 8970–6) received in the Office of the President of the Senate on October 29, 2009; to the Committee on Environment and Public Works.

EC–3564. 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; Maryland; Clean Air Interstate Rule'' (FRL No. 8975–2) received in the Office of the President of the Senate on October 29, 2009; to the Committee on Environment and Public Works.

EC–3565. 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; Corrections to the Arizona and Nevada State Implementation Plans'' (FRL No. 8976–3) received in the Office of the President of the Senate on October 29, 2009; to the Committee on Environment and Public Works.

EC–3566. 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 Priorities List, Final Rule No. 48'' (FRL No. 8977–5) received in the Office of the President of the Senate on October 29, 2009; to the Committee on Environment and Public Works.

EC–3567. 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 ''Revisions to the California State Implementation Plan, California Air Resources Board Consumer Products Regulations'' (FRL No. 8979–9) received in the Office of the President of the Senate on October 29, 2009; to the Committee on Environment and Public Works.

EC–3568. A communication from the Acting Assistant Administrator for Fisheries, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic'' (RIN0648–AY21) received in the Office of the President of the Senate on November 3, 2009; to the Committee on Environment and Public Works.

EC–3569. 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 ''Industry Director's Directive No. 1—United States Outer Continental Shelf Activity'' (LMSB–4–0909–037) received in the Office of the President of the Senate on November 3, 2009; to the Committee on Finance.

EC–3570. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's FY 2009 fourth quarter report; to the Committee on Foreign Relations.

EC–3571. A communication from the Assistant General Counsel of the Division of Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''General and Non-Loan Programmatic Issues'' (RIN1840–AC99) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–3572. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Adjustments to Statutory Caps on State Administration—Final Notice'' (RIN1810–AB05) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–3573. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the Food and Drug Administration's Report on Communicating to the Public on the Risks and Benefits of New Drugs; to the Committee on Health, Education, Labor, and Pensions.

EC–3574. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cut Bank, Montana)'' (MB Docket No. 09–50) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3575. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (McNary, Arizona)'' (MB Docket No. 09–7) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3576. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Crandon, Wisconsin)'' (MB Docket No. 08–62) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3577. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Lexington, Kentucky'' (MB Docket No. 09–163) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3578. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Opelika, Alabama'' (MB Docket No. 09–162) received in the Office

of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3579. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Promoting Diversification of Ownership in the Broadcasting Services'' (MB Docket No. 07–294) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3580. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Delegations of Authority to Secretary'' (RIN2140–AA96) received in the Office of the President of the Senate on November 2, 2009; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 955. A bill 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. A bill 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. A bill 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. A bill 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. 2215. A bill 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''.

H.R. 2760. A bill 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. A bill 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. A bill 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. A bill 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. A bill 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''.

S. 1825. A bill to extend the authority for relocation expenses test programs for Federal employees, and for other purposes.

S. 1860. A bill to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON:

S. 2726. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LUGAR:

S. 2727. A bill to provide for continued application of arrangements under the Protocol on Inspections and Continuous Monitoring Activities Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms in the period following the Protocol's termination on December 5, 2009; to the Committee on Foreign Relations.

By Mr. BURR (for himself, Mrs. HAGAN, and Mr. WICKER):

S. 2728. A bill to amend the Internal Revenue Code of 1986 to provide that the value of certain historic property shall be determined using an income approach in determining the taxable estate of a decedent; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. BAUCUS, Ms. KLOBUCHAR, Mr. BROWN, Mr. BEGICH, Mr. HARKIN, and Mrs. SHAHEEN):

S. 2729. A bill to reduce greenhouse gas emissions from uncapped domestic sources, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself and Mr. CASEY):

S. 2730. A bill to extend and enhance the COBRA subsidy program under the American Recovery and Reinvestment Act of 2009; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON:

S. Res. 333. A resolution designating each of Saturday, November 7, 2009, and Saturday, November 6, 2010, as ''National Wounded Warrior Day''; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. UDALL of New Mexico, Mr. REID, Mr. BENNETT, Mr. CRAPO, and Mr. LUGAR):

S. Res. 334. A resolution designating Thursday, November 19, 2009, as ''Feed America Day''; to the Committee on the Judiciary.

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. Res. 335. A resolution designating November 29, 2009, as ''Drive Safer Sunday''; to the Committee on the Judiciary.

By Mr. INOUYE (for himself, Mr. LEAHY, Mr. COCHRAN, and Mr. INHOFE):

S. Res. 336. A resolution expressing the sense of the Senate regarding designation of the month of November 2009 as ''National Military Family Month''; considered and agreed to.

By Mr. REID (for Mr. BYRD (for himself and Mr. ROCKEFELLER)):

S. Res. 337. A resolution designating December 6, 2009, as ''National Miners Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 229

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 428

At the request of Mr. DORGAN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 471

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 471, a bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 557

At the request of Mr. KOHL, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 571

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 571, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, and study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 619

At the request of Mr. KERRY, his name was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 621

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 621, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from

Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 706

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 706, a bill to increase housing, awareness, and navigation demonstration services (HANDS) for individuals with autism spectrum disorders.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 841

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 1056

At the request of Mr. VOINOVICH, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1056, a bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and ensure a sound fiscal future for the United States, and for other purposes.

S. 1147

At the request of Mr. KOHL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1147, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1237

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1237, a bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

S. 1478

At the request of Mrs. GILLIBRAND, the names of the Senator from Utah (Mr. HATCH) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1478, a bill to strengthen communities through English literacy and civics education for new Americans, and for other purposes.

S. 1547

At the request of Mr. REED, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1547, a bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

S. 1584

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Mr. KIRK) was added as a cosponsor of S. 1584, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1646

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1646, a bill to keep Americans working by strengthening and expanding short-time compensation programs that provide employers with an alternative to layoffs.

S. 1780

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1780, a bill to amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs.

S. 1823

At the request of Mr. BAUCUS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1823, a bill to renew the temporary suspension of duty on certain footwear.

S. 1833

At the request of Mr. UDALL of Colorado, the name of the Senator from Vermont (Mr. LEAHY) 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. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1927

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1927, a bill to establish a moratorium on credit card interest rate increases, and for other purposes.

S. 2128

At the request of Mr. LEMIEUX, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2336

At the request of Mr. SESSIONS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2336, a bill to safeguard intelligence collection and enact a fair and responsible reauthorization of the 3 expiring provisions of the USA PATRIOT Improvements and Reauthorization Act.

S. RES. 316

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JOHNSON:

S. 2726. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. JOHNSON. Mr. President, today I introduced legislation that will allow the Minuteman Missile National Historic Site to move forward with development of a visitor center. Specifically, my legislation will allow 25 acres of national Forest Service land to be transferred to the National Park Service where the visitor center and administrative facility will be constructed.

The launch control facility and missile silo that make up the Minuteman Missile National Historic Site were preserved to illustrate the history of the cold war and the role the Air Force's Minuteman II missile defense system played in efforts to preserve world peace. Construction of a visitor center will help tell this story and allow many more to learn about this historic site. I was pleased to help establish Minuteman Missile as part of the national park system in 1999, and I am now glad to be able to follow through on fully developing resources for visitors.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 333—DESIGNATING EACH OF SATURDAY, NOVEMBER 7, 2009, AND SATURDAY, NOVEMBER 6, 2010, AS ''NATIONAL WOUNDED WARRIOR DAY''

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 333

Whereas recognizing ''National Wounded Warrior Day'' would embrace an already existing ''mindset of remembrance'' for men and women alike that have served our Nation;

Whereas the current conflicts in Iraq and Afghanistan have seen many wounded warriors whose injuries grow more serious as the enemy increases the use of improvised explosive devices;

Whereas those disabled veterans who have served in previous conflicts without any recognition and those disabled veterans who are currently recovering remind us that we, as people and as a Nation, need to thank and care for our disabled veterans; and

Whereas the number of casualties after 8 years of the current conflicts in Iraq and Afghanistan is over 4,000 and recognizing ''National Wounded Warrior Day'' would ensure that the sacrifice of wounded warriors would not be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates each of Saturday, November 7, 2009, and Saturday, November 6, 2010, as ''National Wounded Warrior Day''; and

(2) encourages the United States to honor our wounded warriors who have sacrificed their safety in order to preserve our freedom.

SENATE RESOLUTION 334—DESIGNATING THURSDAY, NOVEMBER 19, 2009, AS ''FEED AMERICA DAY''

Mr. HATCH (for himself, Mr. UDALL of New Mexico, Mr. REID, Mr. BENNETT, Mr. CRAPO, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 334

Whereas Thanksgiving Day celebrates the spirit of selfless giving and an appreciation for family and friends;

Whereas the spirit of Thanksgiving Day is a virtue upon which the Nation was founded;

Whereas according to the Department of Agriculture, roughly 35,000,000 people in the United States, including 12,000,000 children, continue to live in households that do not have an adequate supply of food; and

Whereas selfless sacrifice breeds a genuine spirit of thanksgiving, both affirming and restoring fundamental principles in our society: Now, therefore, be it

Resolved, That the Senate—

(1) designates Thursday, November 19, 2009, as ''Feed America Day''; and

(2) encourages the people of the United States to sacrifice 2 meals on Thursday, November 19, 2009, and to donate the money that they would have spent on such food to a religious or charitable organization of their choice for the purpose of feeding the hungry.

Mr. HATCH. Mr. President, I rise today to speak regarding an effort that I have supported for a number of years and something I am very proud to have championed in the Senate for over 4 years. I speak, of Feed America Day. More than just the recognition of a single day, the Feed America campaign is a nationwide effort promoted by a number of charitable organizations and supported by numerous communities throughout the country. It is aimed at encouraging our Nation's spirit of selflessness and sacrifice in order to help those in need.

Those who participate in Feed America Day encourage all Americans to sacrifice two meals on the Thursday before Thanksgiving Day and to donate the money they would have used for food to a charity or religious organization in their community for the purpose of feeding the Hungry. In a simple and practical way, this is an effort to harness the generosity of the American people in the spirit of the Thanksgiving season.

We live in the most prosperous nation on the planet. Even in the face of our current difficulties, that remains true. Yet, according to the Department of Agriculture's most recent numbers, roughly 35 million Americans, including 12 million children, live in households that do not have an adequate supply of food. I think we can all agree that it is a good idea to encourage the American people to do more for the hungry in their communities, even if we don't always agree as to what Congress should do on such matters.

Today, I have submitted a resolution that would designate Thursday, November 19, 2009, as Feed America Day. Once passed, this will be the fifth consecutive year that this day has been recognized by the Senate. I want to personally thank Senator TOM UDALL from New Mexico for all his efforts in supporting and promoting this resolution and we are joined by Senators BENNETT, CRAPO, LUGAR, and REED. I urge my Senate colleagues and every American to join me in helping to assist those in need and affirming the long-standing values that have made our Nation great.

SENATE RESOLUTION 335—DESIGNATING NOVEMBER 29, 2009, AS ''DRIVE SAFER SUNDAY''

Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 335

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on the roads and highways needs to drive in a safer manner in order to reduce deaths and injuries that result from motor vehicle accidents;

Whereas according to the National Highway Traffic Safety Administration, wearing a seat belt saves more than 15,000 lives each year;

Whereas the Senate wants all people of the United States to understand the life-saving importance of wearing a seat belt and encourages motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be focused on safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely on the Sunday after Thanksgiving, and to publicize the importance of the day through use of Citizen's Band (''CB'') radios and truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving; and

(E) all people of the United States to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 29, 2009, as ''Drive Safer Sunday''.

SENATE RESOLUTION 336—EXPRESSING THE SENSE OF THE SENATE REGARDING DESIGNATION OF THE MONTH OF NOVEMBER 2009 AS ''NATIONAL MILITARY FAMILY MONTH''

Mr. INOUYE (for himself, Mr. LEAHY, Mr. COCHRAN, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 336

Whereas military families, through their sacrifices and their dedication to the United States and its values, represent the bedrock upon which the United States was founded and upon which the country continues to rely in these perilous and challenging times: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that the month of November 2009 should be designated as ''National Military Family Month''; and

(2) the Senate encourages the people of the United States to observe ''National Military Family Month'' with appropriate ceremonies and activities.

SENATE RESOLUTION 337—DESIGNATING DECEMBER 6, 2009, AS ''NATIONAL MINERS DAY''

Mr. REID (for Mr. BYRD (for himself and Mr. ROCKEFELLER)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 337

Whereas the foundations of civilization are constructed from, advanced by, and sustained with, the materials procured with the sweat and blood of miners;

Whereas the miners of the United States have labored long and hard over our nation's existence to make it the economically strong, militarily secure Nation that it is today;

Whereas miners and their families have achieved, provided, and sacrificed so much for the betterment of their fellow Americans;

Whereas miners have struggled, in their lives and in their work, to obtain health and safety protections;

Whereas the terrible mining tragedy at Monongah, West Virginia, that occurred on December 6, 1907, is recognized for causing the greatest loss of lives in American industrial history, and this tragedy helped to launch the national effort to secure the safety and health of our miners that continues to this day; and

Whereas miners still today risk life and limb in their labors: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 6, 2009, as ''National Miners Day'', in appreciation, honor, and remembrance of the accomplishments and sacrifices of the miners of the Nation; and

(2) encourages the people of the United States to participate in local and national activities celebrating and honoring the contributions of miners.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2725. Mr. WEBB submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2725. Mr. WEBB submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 19 and 20, insert the following:

SEC. 220. USE OF FUNDS FOR TECHNOLOGY UPGRADES.

At the discretion of the Attorney General, amounts appropriated under the heading ''COMMUNITY ORIENTED POLICING SERVICES'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under title II of division B of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 583) for law enforcement technologies and interoperable communications for Southside Virginia law enforcement for technology upgrades may be available to the sheriffs' offices of Pittsylvania, Cumberland, Bedford, Henry, Brunswick, Campbell, and Greene counties in Virginia and the Sheriff's Office of the City of Martinsville, Virginia for law enforcement technology.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, November 19, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on environmental stewardship policies related to offshore energy production.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Abigail_Campbell @energy.senate.gov.

For further information, please contact Linda Lance at (202) 224–7556 or Abby Campbell at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 4, 2009, at 10:15 a.m. in room 406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on November 4, 2009, at 10 a.m. in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 4, 2009, at 2:30 p.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 4, 2009, at 10 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 4, 2009, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 4, 2009, at 2 p.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON NATIONAL PARKS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate to conduct a hearing on November 4, 2009, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 4, 2009, at 10 a.m., in room 253 of the Russell Senate Office Building.

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

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Elizabeth Croker:									
Switzerland	Franc		1,178.30						1,178.30

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				6,649.60				6,649.60
Total			1,178.30		6,649.60				7,827.90

SENATOR BLANCHE L. LINCOLN,
Chairman, Committee on Agriculture, Oct. 7, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Arthur Cameron:									
Poland	Zloty		548.96						548.96
United States	Dollar				6,085.52				6,085.52
Paul Grove:									
Pakistan	Rupee		120.00						120.00
Afghanistan	Afghani		80.00						80.00
Kyrgyzstan	Som		100.00						100.00
Turkmenistan	Manat		130.00						130.00
United States	Dollar				12,573.00				12,573.00
Senator Kay Bailey Hutchison:									
Kuwait	Dinar		414.79						414.79
United States	Dollar				10,678.43				10,678.43
Dennis A. Balkham:									
Kuwait	Dinar		414.79						414.79
United States	Dollar				11,288.03				11,288.03
David W. Davis:									
Kuwait	Dinar		414.79						414.79
United States	Dollar				8,068.59				8,068.59
Paul Grove:									
Kuwait	Dinar		218.00						218.00
Lebanon	Pound		132.00						132.00
United States	Dollar				3,687.02				3,687.02
Arthur Cameron:									
France	Euro		600.00						600.00
United States	Dollar				7,823.72				7,823.72
Howard Sutton:									
France	Euro		778.00						778.00
United States	Dollar				7,823.73				7,823.73
Senator George V. Voinovich:									
Bosnia-Herzegovina	Convertible Marka		141.00						141.00
Lithuania	Lita		800.00						800.00
Joseph Lai:									
Bosnia-Herzegovina	Convertible Marka		141.00						141.00
Lithuania	Lita		800.00						800.00
Andrew Vanlandingham:									
Japan	Yen		266.00						266.00
United States	Dollar				11,410.25				11,410.25
Senator Richard J. Durbin:									
Bosnia-Herzegovina	Convertible Marka		235.03		111.75				346.78
Lithuania	Lita		1,181.76		1,355.00				2,536.76
Senator Christopher S. Bond:									
Denmark	Kroner		330.00						330.00
Greece	Euro		334.00						
United States	Dollar				9,314.86				9,314.86
Charles M. DuBois:									
Denmark	Kroner		330.00						330.00
Greece	Euro		334.00						334.00
United States	Dollar				9,314.86				9,314.86
Nikole Manatt:									
Switzerland	Franc		290.98						290.98
United States	Dollar				9,089.85				9,089.85
Total			9,135.10		108,624.61				117,759.71

SENATOR DANIEL K. INOUYE,
Chairman, Committee on Appropriations, Oct. 2, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Erskine W. Wells III:									
Bosnia & Herzegovina	Konvertibilna Mark		251.40				11.90		263.30
Lithuania	Lita		807.43				23.98		831.41
Richard Fontaine:									
Libya	Dollar		155.00						155.00
Kuwait	Dollar		59.00						59.00
Yemen	Dollar		129.00						129.00
Afghanistan	Dollar		26.00						26.00
Greece	Dollar		190.00						190.00
Terence K. Laughlin:									
United States	Dollar				11,270.10				11,270.10
Japan	Yen		192.50						192.50
Senator John McCain:									
Libya	Dollar		71.70						71.70
Kuwait	Dollar		11.70						11.70
Yemen	Dollar		62.60						62.60
Afghanistan	Dollar		31.40						31.40
Greece	Dollar		186.26				40.00		226.26

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Susan M. Collins:									
Libya	Dollar		155.00						155.00
Yemen	Dollar		129.00						129.00
Afghanistan	Dollar		76.00						76.00
Greece	Dollar		190.00						190.00
Senator Jack Reed:									
United States	Dollar				8,140.60				8,140.60
Afghanistan	Dollar						8.00		8.00
Carolyn Chuhta:									
United States	Dollar				8,135.60				8,135.60
Pakistan	Dollar						10.00		10.00
Afghanistan	Dollar						8.00		8.00
Senator Joseph I. Lieberman:									
Libya	Dollar		155.00						155.00
Kuwait	Dollar		159.00						159.00
Yemen	Dollar		129.00						129.00
Afghanistan	Dollar		76.00						76.00
Greece	Dollar		190.00						190.00
Vance F. Serchuk:									
Libya	Dollar		155.00						155.00
Kuwait	Dollar		159.00						159.00
Yemen	Dollar		129.00						129.00
Afghanistan	Dollar		76.00						76.00
Greece	Dollar		190.00						190.00
Brooke Buchanan:									
Libya	Dollar		155.00						155.00
Kuwait	Dollar		159.00						159.00
Yemen	Dollar		129.00						129.00
Afghanistan	Dollar		76.00						76.00
Greece	Dollar		190.00						190.00
Senator Lindsey Graham:									
Libya	Dollar		71.70						71.70
Kuwait	Dollar		23.40						23.40
Yemen	Dollar		59.20						59.20
Afghanistan	Dollar		19.70						19.70
Adam Brake:									
Libya	Dollar		60.00						60.00
Yemen	Dollar		81.50						81.50
Afghanistan	Dollar		66.50						66.50
Michael J. Kuiken:									
United States	Dollar				10,754.00				10,754.00
Mali	Dollar		246.00						246.00
Senegal	Dollar		443.00						443.00
Liberia	Dollar		244.00						244.00
Bayard Winslow Kennett II:									
Libya	Dollar		155.00						155.00
Kuwait	Dollar		159.00						159.00
Yemen	Dollar		129.00						129.00
Afghanistan	Dollar		76.00						76.00
Greece	Dollar		190.00						190.00
Dana W. White:									
United States	Dollar				10,754.00				10,754.00
Mali	Dollar		234.00						234.00
Senegal	Dollar		402.00						402.00
Liberia	Dollar		221.00						221.00
Senator Carl Levin:									
United States	Dollar				4,750.00				4,750.00
Afghanistan	Dollar		8.00						8.00
Richard D. DeBobes:									
United States	Dollar				8,140.00		25.00		8,165.00
Afghanistan	Dollar		8.00						8.00
United Arab Emirates	Dollar		254.00						254.00
William G.P. Monahan:									
United States	Dollar				8,140.00		25.00		8,165.00
Afghanistan	Dollar		8.00						8.00
United Arab Emirates	Dollar		254.00						254.00
Total			8,263.99		70,084.30		151.88		78,500.17

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Oct. 21, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Shelby:									
Germany	Euro		986.00		252.68				1,238.68
Netherlands	Euro		458.00		223.72				681.72
Belgium	Euro		446.00		120.45				566.45
France	Euro		708.00		174.11				882.11
England	Pound		792.00		493.58				1,285.58
United States	Dollar				8,028.09				8,028.09
Anne Caldwell:									
Germany	Euro		986.00		252.68				1,238.68
Netherlands	Euro		458.00		223.72				681.72
Belgium	Euro		446.00		120.45				566.45
France	Euro		708.00		174.11				882.11
England	Pound		198.00		493.58				691.58
United States	Dollar				8,028.09				8,028.09
William D. Duhnke III:									
Germany	Euro		986.00		253.00				1,239.00
Netherlands	Euro		458.00		224.00				682.00
Belgium	Euro		446.00		120.00				566.00
France	Euro		708.00		174.00				882.00
United States	Dollar				8,028.00				8,028.00
Senator Mark Warner:									
France	Euro		708.00						708.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				7,840.50				7,840.50
Nathan Steinwald:									
France	Euro		372.24						372.24
United States	Dollar				7,840.50				7,840.50
Jennifer Gallagher:									
Ghana	Cedi		294.00						294.00
Liberia	Dollar		180.00						180.00
United States	Dollar				7,653.20				7,653.20
Total			10,338.24		50,718.46				61,056.70

SENATOR CHRISTOPHER J. DODD,
Chairman, Committee on Banking, Housing, and Urban Affairs,
Oct. 15, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Melissa Porter:									
United States	Dollar				7,375.20				7,375.20
Spain	Euro		1,332.29						1,332.29
Italy	Euro		1,655.18						1,655.18
John Drake:									
United States	Dollar				7,375.20				7,375.20
Spain	Euro		1,332.29						1,332.29
Italy	Euro		1,655.18						1,655.18
Douglas Mehan:									
United States	Dollar				2,254.80				2,254.80
Spain	Euro		1,332.29						1,332.29
Italy	Euro		1,655.18						1,655.18
Kristen Sairi:									
United States	Dollar				6,584.00				6,584.00
Switzerland	Franc		2,446.00						2,446.00
Total			11,408.41		23,589.20				34,997.61

SENATOR JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation,
Oct. 30, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Allen Stayman:									
Palau	Dollar		664.75						664.75
United States	Dollar				10,730.56				10,730.56
Isaac Edwards:									
Palau	Dollar		1,141.50						1,141.50
United States	Dollar				10,730.56				10,730.56
Allyson Anderson:									
Iceland	Dollar		1,715.00						1,715.00
United States	Dollar				3,334.70				3,334.70
Total			3,521.25		24,795.82				28,317.07

SENATOR JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, Sept. 30, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Maria Cantwell:									
China	RMB		513.00						513.00
United States	Dollar				12,247.00				12,247.00
Senator John Cornyn:									
Germany	Euro		1,423.17		252.68				1,675.85
Netherlands	Euro		1,704.92		223.72				1,928.64
Belgium	Euro		960.04		120.45				1,080.49
France	Euro		2,928.67		174.11				3,102.78
United Kingdom	Pound		1,728.26		493.58				2,221.84
United States	Dollar				8,418.30				8,418.30
Staci Lancaster:									
India	Rupee		312.12						312.12
Ethiopia	Birr		145.39						145.39
United States	Dollar				9,051.82				9,051.82
Chelsea Thomas:									
Kenya	Shilling		127.14						127.14
India	Rupee		443.45						443.45
Ethiopia	Birr		225.48						225.48
United States	Dollar				11,494.31				11,494.31

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jeffrey Phan:									
India	Rupee		174.12						174.12
Ethiopia	Birr		159.30						159.30
United States	Dollar				10,023.82				10,023.82
Claudia Poteet:									
Kenya	Shilling		163.94						163.94
United States	Dollar				9,887.00				9,887.00
Christopher Campbell:									
India	Rupee		455.26						455.26
Ethiopia	Birr		241.41						241.41
United States	Dollar				9,938.83				9,938.83
Amber Cottle:									
India	Rupee		336.44						366.44
Ethiopia	Birr		223.03						223.03
United States	Dollar				9,051.82				9,051.82
Travis Steven Jordan:									
India	Rupee		290.09						290.09
Ethiopia	Birr		195.12						195.12
United States	Dollar				4,068.82				4,068.82
Karin Hope:									
India	Rupee		253.92						253.92
Ethiopia	Birr		229.11						229.11
United States	Dollar				10,023.82				10,023.82
David Kavanaugh:									
India	Rupee		559.53						559.53
Ethiopia	Birr		209.43						209.43
United States	Dollar				8,930.32				8,930.32
Ayesha Khanna:									
India	Rupee		445.38						445.38
Ethiopia	Birr		207.79						207.79
United States	Dollar				8,837.31				8,837.31
Elizabeth Quint:									
India	Rupee		246.00						246.00
Ethiopia	Birr		157.66						157.66
United States	Dollar				10,023.82				10,023.82
Russell Thomasson:									
India	Rupee		382.52						382.52
Ethiopia	Birr		301.72						301.72
United States	Dollar				10,023.82				10,023.82
John Christopher Phillips:									
India	Rupee		240.95						240.95
Ethiopia	Birr		194.39						194.39
United States	Dollar				9,051.82				9,051.82
Jonathan Hale:									
China	RMB		635.74						635.74
United States	Dollar				10,199.20				10,199.20
Katharine Lister:									
China	RMB		334.53						334.53
United States	Dollar				10,789.20				10,789.20
Total			17,149.02		163,325.57				180,474.59

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, Oct. 30, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
United States	Dollar				8,113.59				8,113.59
Senator Robert Casey, Jr.:									
United Arab Emirates	Dollar		402.71						402.71
Afghanistan	Dollar		60.00						60.00
Pakistan	Dollar		100.00						100.00
United States	Dollar				13,029.54				13,029.54
Senator Bob Corker:									
Israel	Shekel		615.00						615.00
United States	Dollar				10,078.51				10,078.51
Senator Bob Corker:									
United Arab Emirates	Dirham		210.00						210.00
Afghanistan	Afghani		176.00						176.00
Pakistan	Rupee		230.00						230.00
United States	Dollar				9,685.71				9,685.71
Senator Kirsten Gillibrand:									
United States	Dollar				399.60				399.60
Senator Kirsten Gillibrand:									
Israel	Shekel		120.00						120.00
United States	Dollar				5,393.21				5,393.21
Senator Edward E. Kaufman:									
Afghanistan	Dollar		8.00						8.00
United States	Dollar				8,210.91				8,210.91
Senator Richard Lugar:									
United Kingdom	Pound		446.00						446.00
Turkey	Lira		197.00						197.00
United States	Dollar				8,369.54				8,369.54
Senator Jim Webb:									
Thailand	Baht		1,189.70						1,189.70
Laos	Kip		502.84						502.84
Burma	Kyat		277.00						277.00
Vietnam	Dong		1,440.00						1,440.00
United States	Dollar				11,633.00				11,633.00
Fulton Armstrong:									
Belgium	Euro		528.77						528.77
United States	Dollar				6,862.60				6,862.60
Daniel Benaim:									
Israel	Shekel		652.00						652.00
United States	Dollar				9,134.40				9,134.40

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Daniel Benaim:									
Egypt	Pound		343.00						343.00
Jordan	Dinar		607.00						607.00
United States	Dollar				7,298.51				7,298.51
Jonah Blank:									
India	Dollar		2,402.00						2,402.00
Thailand	Dollar		284.75						284.75
United States	Dollar				11,466.32				11,466.32
David Bonine:									
Thailand	Baht		639.00						639.00
Vietnam	Dong		940.00						940.00
United States	Dollar				9,739.70				9,739.70
Jay Branegan:									
Russia	Ruble		794.00						794.00
Ukraine	Hryvnia		242.00						242.00
United Kingdom	Pound		165.00						165.00
United States	Dollar				9,481.83				9,481.83
Elana Broitman:									
Dominican Republic	Peso		155.00						155.00
United States	Dollar				1,399.80				1,399.80
Elana Broitman:									
Israel	Shekel		429.31						429.31
United States	Dollar				5,518.60				5,518.60
Neil Brown:									
United Kingdom	Pound		446.00						446.00
Turkey	Lira		197.00						197.00
United States	Dollar				8,369.54				8,369.54
Jason Bruder:									
Moldova	Leu		509.00						509.00
Georgia	Lari		1,404.00						1,404.00
Russia	Ruble		2,285.19						2,285.19
United States	Dollar				9,664.00				9,664.00
Heidi Crebo-Rediker:									
Philippines	Peso		452.75						452.75
Singapore	Dollar		436.42						436.42
China	RMB		1,657.06						1,657.06
United States	Dollar				12,795.00				12,795.00
Steven Feldstein:									
Uganda	Shilling		1,333.00						1,333.00
Moldova	Leu		145.00						145.00
Georgia	Lari		1,016.00						1,016.00
United States	Dollar				13,600.54				13,600.54
Andy Fisher:									
United Kingdom	Pound		446.00						446.00
Turkey	Lira		197.00						197.00
United States	Dollar				8,369.54				8,369.54
Doug Frantz:									
Belgium	Euro		582.80						582.80
United States	Dollar				6,862.60				6,862.60
Patrick Garvey:									
Kuwait	Dollar		159.00						159.00
United States	Dollar				8,393.30				8,393.30
Dillon Guthrie:									
Moldova	Leu		551.00						551.00
Georgia	Lari		1,404.00						1,404.00
United States	Dollar				9,437.67				9,437.67
Frank Jannuzi:									
China	RMB		978.00						978.00
Republic of Korea	Won		1,200.00						1,200.00
United States	Dollar				7,771.41				7,771.41
Andrew Keller:									
Germany	Euro		520.00						520.00
United States	Dollar				7,606.01				7,606.01
Rori Kramer:									
Uganda	Shilling		218.00						218.00
United States	Dollar				10,227.56				10,227.56
Chad Kreikemeier:									
Russia	Ruble		1,589.90						1,589.90
United States	Dollar				7,453.80				7,453.80
Robin Lerner:									
Malaysia	Ringgit		345.46						345.46
Cambodia	Riel		168.00						168.00
Thailand	Baht		687.74						687.74
United States	Dollar				10,290.18				10,290.18
Mark Lopes:									
Colombia	Dollar		1,782.00						1,782.00
United States	Dollar				2,143.70				2,143.70
Nicholas Ma:									
Philippines	Peso		540.00						540.00
Singapore	Dollar		631.00						631.00
China	RMB		931.00						931.00
United States	Dollar				12,825.58				12,825.58
Marta McLellan Ross:									
Thailand	Baht		592.50						592.50
Laos	Kip		478.00						478.00
Burma	Kyat		277.00						277.00
United States	Dollar				12,290.00				12,290.00
Kenneth Myers, Jr.:									
United Kingdom	Pound		446.00						446.00
Turkey	Lira		197.00						197.00
United States	Dollar				8,369.54				8,369.54
Melanie Nakagawa:									
Germany	Euro		839.58						839.58
United States	Dollar				7,606.01				7,606.01
Ann Norris:									
Cambodia	Dollar		230.00						230.00
Thailand	Baht		660.00						660.00
United States	Dollar				4,393.20				4,393.20
Stacie Oliver:									
United Arab Emirates	Dirham		210.00						210.00
Afghanistan	Afghani		176.00						176.00
Pakistan	Rupee		345.00						345.00
United States	Dollar				4,089.10				4,089.10
Michael Phelan:									
Pakistan	Rupee		360.00						360.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kenya	Shilling		838.83						838.83
United States	Dollar				10,965.00				10,965.00
Peter Quaranto:									
South Africa	Rand		890.00						890.00
Zimbabwe	Dollar		885.00						885.00
Angola	Dollar		1,166.00						1,166.00
United States	Dollar				9,787.19				9,787.19
Nilmini Rubin:									
Ghana	Cedi		830.14						830.14
United States	Dollar				4,726.60				4,726.60
Shannon Smith:									
Senegal	CFA		425.00						425.00
Chad	CFA		1,365.00						1,365.00
United States	Dollar				9,713.57				9,713.57
Halie Soifer:									
Afghanistan	Dollar		21.00						21.00
United States	Dollar				8,140.59				8,140.59
Atman Trivedi:									
Japan	Yen		1,807.88						1,807.88
United States	Dollar				12,827.50				12,827.50
Atman Trivedi:									
China	RMB		1,344.00						1,344.00
Republic of Korea	Won		1,200.00						1,200.00
Vietnam	Dong		1,396.00						1,396.00
United States	Dollar				11,261.59				11,261.59
Laura Winthrop:									
Uganda	Shilling		1,479.00						1,479.00
Chad	CFA		693.00						693.00
United States	Dollar				10,979.04				10,979.04
Todd Womack:									
Israel	Shekel		615.00						615.00
United States	Dollar				10,078.51				10,078.51
Debbie Yamada:									
Bosnia-Herzegovina	Marka		198.00						198.00
Lithuania	Lita		800.00						800.00
Charles Ziegler:									
United States	Dollar				8,113.59				8,113.59
Total			57,733.33		404,966.83				462,700.16

SENATOR JOHN F. KERRY,
Chairman, Committee on Foreign Relations, Oct. 22, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Amy Carroll:									
United States	Dollar				1,163.45				1,163.45
Germany	Euro		30.00						30.00
Norway	Kroner		975.00						975.00
Denmark	Kroner		30.00						30.00
Carol Woodcock:									
United States	Dollar				845.12				845.12
Norway	Kroner		1,150.00						1,150.00
Jennifer Hemingway:									
United States	Dollar				6,299.66				6,299.66
Tunisia	Dinar		75.68		21.00		46.00		142.68
Turkey	Lira		131.66		33.00		46.00		210.66
Israel	Shekel		201.94		88.37		32.00		322.31
Tajikistan	Somoni		25.50				20.00		45.50
Thomas Bishop:									
United States	Dollar				6,299.66				6,299.66
Tunisia	Dinar		57.30				35.00		92.30
Turkey	Lira		129.85		10.00		10.00		149.85
Israel	Shekel		255.35		30.00		121.00		406.35
Tajikistan	Somoni		20.00				5.00		25.00
Joel Spangenberg:									
United States	Dollar				6,299.66				6,299.66
Tunisia	Dinar		60.61				35.61		96.22
Turkey	Lira		142.74		6.69		8.94		158.37
Israel	Shekel		175.16				13.19		188.35
Tajikistan	Somoni		6.83				5.00		11.83
Jessica Nagasako:									
United States	Dollar				6,299.66				6,299.66
Tunisia	Dinar		56.82						56.82
Turkey	Lira		127.84		8.03				135.87
Israel	Shekel		178.73						178.73
Tajikistan	Somoni		6.83				4.56		11.39
Bradford Belzak:									
United States	Dollar				1,287.58				1,287.58
Austria	Euro		396.84						396.84
Tara Shaw:									
United States	Dollar				4,939.94				4,939.94
Slovakia	Euro		21.35						21.35
Austria	Euro		345.30		14.27		1.43		361.00
Germany	Euro		271.65		15.08		7.90		294.63
Poland	Zloty		109.08						109.08
France	Euro		41.31		54.09				95.40
Blas Nunez-Neto:									
United States	Dollar		0.00		4,939.94				4,939.94
Austria	Euro		402.00						402.00
Germany	Euro		408.00						408.00
Poland	Zloty		97.00						97.00
France	Euro		81.00						81.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			6,011.37		38,655.20		391.63		45,058.20

SENATOR JOSEPH F. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs,
Oct. 16, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754, COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Sherrod Brown:									
United Arab Emirates	Dirham		95.00						95.00
Afghanistan	Afghani		16.00						16.00
United States	Dollar				10,717.89				10,717.89
Mark Powden:									
United Arab Emirates	Dirham		91.61						91.61
Afghanistan	Afghani		16.00						16.00
United States	Dollar				10,424.89				10,424.89
Janice Kaguyutan:									
Malaysia	Ringgit		193.64		29.49		23.33		246.46
Cambodia	Dollar		214.66		25.00		23.33		262.99
Thailand	Baht		652.75						652.75
United States	Dollar				10,320.18				10,320.18
Total			1,279.66		31,517.45		46.66		32,843.77

SENATOR TOM HARKIN,
Chairman, Committee on Health, Education, Labor, and Pensions,
Oct. 22, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Andrew Kerr			3,326.00						3,326.00
	Dollar				12,511.66				12,511.66
Randall Bookout			1,609.00						1,609.00
	Dollar				9,767.87				9,767.87
Gordon Matlock			3,326.00						3,326.00
	Dollar				12,511.66				12,511.66
Bryan Smith			546.00						546.00
	Dollar				1,546.73				1,546.73
Michael Pevzner			2,245.50						2,245.50
	Dollar				11,192.37				11,192.37
John Maguire			2,362.40						2,362.40
	Dollar				10,252.35				10,252.35
Dafna Hochman			282.70						282.70
	Dollar				11,237.98				11,237.98
David Koger			1,744.00						1,744.00
	Dollar				7,375.39				7,375.39
Andrew Kerr			1,676.49						1,676.49
	Dollar				7,425.39				7,425.39
Richard Girven			1,644.00						1,644.00
	Dollar				7,425.39				7,425.39
Michael Bichwald			1,643.49						1,643.49
	Dollar				7,427.60				7,427.60
Randall Bookout			1,818.00						1,818.00
	Dollar				12,323.42				12,323.42
John Dickas			1,571.00						1,571.00
	Dollar				12,323.00				12,323.00
Paul Matulic			1,818.00						1,818.00
	Dollar				12,122.00				12,122.00
Jennifer Wagner			192.00						192.00
	Dollar				9,766.70				9,766.70
James Smythers			1,609.00						1,609.00
	Dollar				8,795.87				8,795.87
Senator Bill Nelson			2,129.00						2,129.00
	Dollar				8,505.91				8,505.91
Caroline Tess			2,552.00						2,552.00
	Dollar				10,139.41				10,139.41
Greta Lundeberg			2,664.30						2,664.30
	Dollar				10,875.31				10,875.31
Total			34,758.88		183,526.01				218,284.89

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Oct. 27, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), JOINT ECONOMIC COMMITTEE, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Chair Carolyn B. Maloney:									
United States	Dollar				11,605.50				11,605.50
China	Renminbi		1,885.29						1,885.29
Gail Elaine Cohen:									
United States	Dollar				11,605.50				11,605.50
China	Renminbi		1,744.29						1,744.29
Barry Nolan:									
United States	Dollar				11,605.50				11,605.50
China	Renminbi		1,885.29						1,885.29
Total			5,514.87		34,816.50				40,331.37

REPRESENTATIVE CAROLYN B. MALONEY,
Chairman, Joint Economic Committee, Oct. 26, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Andrea Worden:									
China	Yuan		4,401.00				2,216.00		6,617.00
United States	Dollar				5,297.83				5,297.83
Lawrence Liu:									
China	Yuan		4,401.00				2,216.00		6,617.00
United States	Dollar				5,297.83				5,297.83
Douglas Grob:									
China	Yuan		4,401.00				2,216.00		6,617.00
United States	Dollar				5,297.83				5,297.83
Total			13,203.00		15,893.49		6,648.00		35,744.49

SENATOR BYRON L. DORGAN,
Chairman, Congressional-Executive Commission on China, Oct. 23, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Erika Schlager:									
Slovakia	Euro		424.50						424.50
Austria	Euro		996.21						996.21
United States	Dollar				6,166.81				6,166.81
Janice Helwig:									
Kyrgyzstan	Som		1,476.50						1,476.50
United States	Dollar				7,216.52				7,216.52
Orest Deychakiwsky:									
Kyrgyzstan	Som		1,476.50						1,476.50
United States	Dollar				7,216.52				7,216.52
Shelly Han:									
Ghana	Cedi		505.00						505.00
Liberia	Dollar		500.00						500.00
United States	Dollar				7,593.20				7,593.20
Alex Johnson:									
Austria	Euro		1,122.00						1,122.00
United States	Dollar				7,239.80				7,239.80
Winsome Packer:									
Austria	Euro		32,416.02						32,416.02
United States	Dollar				6,106.60				6,106.60
Total			38,916.73		41,539.45				80,456.18

SENATOR BENJAMIN L. CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Oct. 21, 2009.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM AUG. 9 TO AUG. 16, 2009

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tom Hawkins:									
United States	Dollar				8,106.00				8,106.00
Saudi Arabia	Saudi Riyal		1,293.00						1,293.00
Yemen	Dollar		167.00						167.00
Total			1,460.00		8,106.00				9,566.00

SENATOR MITCH McCONNELL,
Republican Leader, Sept. 18, 2009.

NATIONAL MILITARY FAMILY MONTH

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 336, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 336) expressing the sense of the Senate regarding designation of the month of November 2009 as ''National Military Family Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 336) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 336

Whereas military families, through their sacrifices and their dedication to the United States and its values, represent the bedrock upon which the United States was founded and upon which the country continues to rely in these perilous and challenging times: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that the month of November 2009 should be designated as ''National Military Family Month''; and

(2) the Senate encourages the people of the United States to observe ''National Military Family Month'' with appropriate ceremonies and activities.

JOINT REFERRAL—EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, as in executive session, I ask unanimous consent that the nomination of Suresh Kumar, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received in the Senate on October 29, 2009, and referred to the Banking Committee on November 2, now be jointly referred to the Commerce Committee.

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

DISCHARGE AND REFERRAL—S. 1506

Mr. CASEY. Mr. President, I ask unanimous consent that S. 1506 be discharged from the Committee on Commerce, Science, and Transportation and be referred to the Committee on Banking, Housing, and Urban Affairs.

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

ORDERS FOR THURSDAY, NOVEMBER 5, 2009

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, November 5; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period for the transaction of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate execute the order with respect to H.R. 2847, the Commerce, Justice, Science appropriations bill, as provided for under the previous order.

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

PROGRAM

Mr. CASEY. Mr. President, following morning business, there will be 40 minutes for debate prior to a cloture vote on the committee-reported substitute amendment to H.R. 2847. Therefore, Senators should expect the first vote of the day to begin around 12:15 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. CASEY. Mr. 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 7:32 p.m., adjourned until Thursday, November 5, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ALBERT DIAZ, OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE WILLIAM W. WILKINS, JR., RETIRED.

JAMES A. WYNN, JR., OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE JAMES DICKSON PHILLIPS, JR., RETIRED .

DEPARTMENT OF HOMELAND SECURITY

GRAYLING GRANT WILLIAMS, OF MARYLAND, TO BE DIRECTOR OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT, DEPARTMENT OF HOMELAND SECURITY, VICE UTTAM DHILLON, RESIGNED.

DEPARTMENT OF JUSTICE

JOHN GIBBONS, OF MASSACHUSETTS, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MASSACHUSETTS FOR THE TERM OF FOUR YEARS, VICE ANTHONY DICHIO.

ROBERT WILLIAM HEUN, OF ALASKA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF ALASKA FOR THE TERM OF FOUR YEARS, VICE RANDY MERLIN JOHNSON.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD P. FORMICA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL L. OATES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. CHARLES J. BARR

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHAEL A. LEFEVER

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

EDWIN S. FULLER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

ROBERT J. SCHULTZ

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

CLEMENT D. KETCHUM

To be major

JOHN LOPEZ

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CAREY L. MITCHELL
JOHN J. OTTEN

To be major

CHU N. LEE
MELISSA F. TUCKER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

CRAIG R. BOTTONI

To be lieutenant colonel

VITTORIO G. GUERRIERO
ROBERT L. HASH
KATHY B. PORTER

To be major

CHUNHUAI CHAO
PATRICK J. FULLERTON
ANDREW GAGE
MATTHEW B. HARRISON
JAMES B. LINDBERG
AKASH S. TAGGARSE

CONFIRMATION

Executive nomination confirmed by the Senate, November 4, 2009:

DEPARTMENT OF HOMELAND SECURITY

TARA JEANNE O'TOOLE, OF MARYLAND, TO BE UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY, DEPARTMENT OF HOMELAND SECURITY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. MELISSA BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Ms. BEAN. Madam Speaker, due to an illness in my immediate family, I was unable to cast votes October 20 thru 23, 2009. If I had been present I would have cast the following votes:

Rollcall 790—On Motion to Suspend the Rules and Pass H.R. 3763: ''Yes.''

Rollcall 791—On Motion to Suspend the Rules and Pass H.R. 3319: ''Yes.''

Rollcall 792—On Motion to Suspend the Rules and agree to H. Res. 558: ''Yes.''

Rollcall 793—On Motion to Suspend the Rules and agree to S. 1793: ''Yes.''

Rollcall 794—On Motion to Suspend the Rules and agree to H. Res. 811: ''Yes.''

Rollcall 795—On Motion to Suspend the Rules and agree to H. Res. 837: ''Yes.''

Rollcall 796—On Motion to Suspend the Rules and agree to H. Res. 660: ''Yes.''

Rollcall 797—On Motion to Suspend the Rules and agree to S. Con. Res 43: ''Yes.''

Rollcall 798—H. Res. 846: On ordering the previous question Agreed to: ''Yes.''

Rollcall 799—H. Res. 846: Providing for consideration of H.R. 3585: On agreeing to the resolution: ''Yes.''

Rollcall 800—On Motion to Suspend the Rules and agree to H. Res. 797: ''Yes.''

Rollcall 801—On Broun Amendment to H.R. 3585: ''No.''

Rollcall 802—On Kaptur Amendment to H.R. 3585: ''Yes.''

Rollcall 803—On Klein Amendment to H.R. 3585: ''Yes.''

Rollcall 804—On Titus-Teague-Cohen Amendment to H.R. 3585: ''Yes.''

Rollcall 805—On Heinrich Amendment to H.R. 3585: ''Yes.''

Rollcall 806—On Himes Amendment to H.R. 3585: ''Yes.''

Rollcall 807—On Passage of H.R. 3585: ''Yes.''

Rollcall 808—On Motion to Suspend the Rules and agree to H. Res. 175: ''Yes.''

Rollcall 809—H. Res. 853: On ordering the previous question: ''Yes.''

Rollcall 810—H. Res. 853: Providing Consideration for H.R. 3619: ''Yes.''

Rollcall 811—On Motion to Suspend the Rules and agree to H. Res. 836: ''Yes.''

Rollcall 812—On Kratovil Amendment to H.R. 3619: ''Yes.''

Rollcall 813—On Passage of H.R. 3619: ''Yes.''

CONGRESSMAN BROWN RECOGNIZES THE EFFORTS OF MR. RONNIE SANTOS, THE EAST COOPER PILOTS ASSOCIATION AND THE SOUTH CAROLINA AQUARIUM SEA TURTLE HOSPITAL

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. BROWN of South Carolina. Madam Speaker, I rise today to highlight the efforts of one of my constituents. After hearing the story of three endangered sea turtles struck by the sudden freezing coastal waters in New England, Mr. Ronnie Santos, who is proud member of the East Cooper Pilots Association, volunteered his time and resources to conduct an Angel Flight in his own personal aircraft to rescue the sea turtles and bring them back to the South Carolina Aquarium Sea Turtle Hospital in Charleston where they will be cared for.

I would like to commend Mr. Santos for leading by example and I thank him and all the hardworking staff and volunteers at the South Carolina Aquarium Sea Turtle Hospital in Charleston for putting in the long hours and doing the sometimes thankless work. Thank you for all that you do, you are all truly a symbol of what makes coastal South Carolina such a special place.

UNITED STATES SUBMARINE FORCE

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. KINGSTON. Mr. Speaker, I rise to support H. Res. 773 that expresses respect for the United States Submarine Force. I rise to commemorate the service of the USS NARWHAL (SS 167) for her outstanding service. USS NARWHAL served our country for nearly fifteen years.

NARWHAL was one of five submarines docked for overhaul at Pearl Harbor on December 7, 1941. Gunners from the NARWHAL were in action that resulted in the destruction of two torpedo planes. NARWHAL suffered no damage.

Due to the size and unique design of the NARWHAL she was selected to carry out unconventional missions that led to the defeat of Imperial Japan. NARWHAL served in humanitarian and special operations roles in the campaign against Imperial Japan.

On May 11th, 1943 NARWHAL and NAUTILUS launched Army Scouts to regain control of the Aleutian Islands in Alaska. On July 15th, 1943 NARWHAL shelled the airfield on Matsuwa Island in northern Japan allowing LAPON, PERMIT and PLUNGER to escape from the waters of the Japanese Home Islands. NARWHAL played a vital role in assisting the Filipino resistance to the Imperial Japanese Army. In 1943 NARWHAL transported hundreds of tons of ammunition and stores. On one voyage NARWHAL evacuated eight women, two children and a baby from the Philippines to Darwin, Australia. In 1944 NARWHAL continued to provide vital supplies in support of the liberation of the Philippines.

Submarine Sailors such as my childhood mentor, Coburn Kelley, served valiantly on boats like the NARWHAL. Coburn Kelley enlisted on December 23, 1941. He served 22 months on NARWHAL where he was qualified in submarine warfare and served on five war patrols.

I rise today to recognize the courage and sacrifice of our nation's Submarine Sailors who protected the liberties and freedoms of the United States during World War II. I am honored to keep alive their memory on this day November 4, 2009.

THE OVER-THE-COUNTER DERIVATIVES MARKETS ACT OF 2009

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. SHERMAN. Madam Speaker, I have cosponsored H.R. 3795, the Over-the-Counter Derivatives Market Act of 2009. I believe the bill is a step in the right direction, but I would prefer even greater restrictions on over-the-counter derivatives.

CONGRATULATING DON BRANDT ON BEING NAMED THE SOLAR ELECTRIC POWER ASSOCIATION'S UTILITY CEO OF THE YEAR

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Don Brandt, who was recently named Utility CEO of the Year by the Solar Electric Power Association. This award honors Don's exemplary leadership and the outstanding progress the Arizona Public Service Company has made under his guidance.

Don has spent more than 25 years in the electric power industry, most recently as the Chairman and CEO of APS's parent company, Pinnacle West Capital Corporation. Under his leadership, APS has undertaken significant solar initiatives including the construction of Solana, which will be the world's largest solar plant near Gila Bend, Arizona. At the same, APS has committed to invest $500 million to develop 100 megawatts of utility-owned solar generation, and created the Community Power Project, a pilot program to install solar panels on customer homes with no upfront cost. Don

also partnered with the National Park Service to power the Grand Canyon Visitors Center with solar panels.

According to Solar Electric Power Association Executive Director Julia Hamm, ''Don Brandt has positioned APS to take full advantage of Arizona's most abundant natural resource, the sun. APS is creating viable business models around solar energy that not only push the envelope but also push our industry forward.''

Madam Speaker, please join me in recognizing Don Brandt's contributions to making Arizona the solar capital of the world, and congratulating him on this prestigious award.

HONORING CHEYENNE TITUS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Cheyenne Titus, a very special young lady who has earned a spot on the National USA Karate Team. I join with Cheyenne's family and friends in expressing best wishes on her significant achievement. I commend Cheyenne on attaining such a high honor and wish her the best of luck as she competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Cheyenne's hard work and dedication. As a member of the stand-alone Missouri team, as well as the team with the largest number of students to be selected from a single school, Cheyenne should be proud of her accomplishments. She is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Cheyenne will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Cheyenne Titus for her success with Sensei Mark Long's Shotokan Karate team and for her effort put forth in achieving this prestigious goal.

PROVIDING FOR CONSIDERATION OF H.R. 3854, SMALL BUSINESS FINANCING AND INVESTMENT ACT OF 2009

SPEECH OF

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2009

Mr. POLIS. Madam Speaker, I rise in support of this rule and the underlying bill H.R. 3854, the Small Business Financing and Investment Act. I would like to thank Chairwoman VELÁZQUEZ and my colleagues on the Small Business Committee for bringing us a comprehensive well thought-out bill. I would also like to acknowledge and thank my friend from Oregon, Representative SCHRADER for introducing this legislation and working hard on such an important issue.

Madam Speaker, while there are positive economic indicators and reasons to believe that we are on a path of recovery, this fragile, budding recovery could be stalled if we do not provide our small businesses with the tools to maintain their operations, begin to expand and create new jobs, and restore consumer confidence.

H.R. 3854 will significantly improve access to credit and capital for small businesses at each stage of growth and in any economic climate. An update of the SBA's portfolio of lending and investment programs is 10 years overdue, and the current recession makes the task of helping more small firms, grow, prosper, and save and create jobs even more vital.

As we speak, once frozen credit markets are beginning to thaw, and the Small Business Financing and Investment Act will prove to be a welcome heat gun. This bill will improve credit conditions for small businesses and stabilize small business lending markets, improving the availability of capital for small firms. This includes increasing the guaranty on 7(a) loans to 90 percent, waiving fees on 7(a) and CDC loans, and improving the Business Stabilization Loans by increasing the loan amounts to $50,000.

By raising SBA loan guarantees and reducing risk for lenders, this bill allows banks to make lending more accessible to small firms early next year. By helping small firms purchase new equipment and inventory, the bill will help stimulate the economy and help reduce overall unemployment. As an added benefit, an increase in lending activity will also improve the health of our banking industry.

Through this bill, bankers will be able to recapitalize—through their efforts of supporting business—instead of seeking Federal bailouts. Recognizing the benefit to their industry, H.R. 3854 has received the endorsement of American Bankers Association.

This bill will benefit businesses nationwide. It makes permanent the Rural Lender Outreach Program, Community Express, and Veteran Participation Loan Program. Each of these programs share a common goal of assisting borrowers who have not accessed SBA programs or who have traditionally had limited access to capital.

On behalf of my constituents in Colorado, I would like to particularly thank the Chairwoman and Committee for their work on drafting Subtitle B—expanded investment in small business renewable energy, and title VII (seven)—the small business early-stage investment program. The spirit of entrepreneurship in my district is only matched by our commitment and talent to lead in the renewable energy economy. These programs encourage new businesses to start; encourage all businesses to recognize cost saving through energy conservation; and promote new firms to develop and market renewable energy resources. And they are all strongly supported by the people of Colorado's second Congressional district.

Without discounting the struggles of those who have lost their jobs, it should be noted that Colorado enjoys one of the lowest unemployment rates in the nation at seven percent. This, in part, is due to the diversity of my state's economy, the predominance of small businesses, and the efforts by state and local governments to foster entrepreneurship across all industries.

Nationwide, small businesses create 64 percent of new jobs. This bill is expected to support $44 billion in small business lending every year, and will help save or create 1.3 million jobs each year. Small firms comprise 99.7 percent of all employer companies; this bill is more than an investment in small businesses, it is an investment in American job growth.

Madam Speaker, oftentimes, the psychology of recovery is as important as the funds spent to drive it. By passing this legislation, this Congress makes a plain statement that we have great confidence in our fellow Americans to help each other get back to work.

We state that with a little help local bankers and local merchants can come together to stock shelves and pay salaries. We tell our businesses that we will provide the tools to weather the remainder of the storm; we use traditional market mechanisms to do it; and we back our confidence with the full faith and credit of the United States government. This is a powerful message and I am proud to lend my voice to this cause.

Once again I recognize the efforts of Chairwoman VELÁZQUEZ and the Small Business Committee on job growth and I thank Representative SCHRADER introducing this legislation that we will have the opportunity to vote on today. I strongly support this rule and ask my colleagues to join me in supporting this rule and the underlying bill.

EARMARK DECLARATION

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. LoBIONDO. Madam Speaker, as per the requirements of the Republican Conference rules on earmarks, I secured the following earmarks included in the conference report accompanying H.R. 3183, the Energy and Water Development Appropriations Act:

Requesting Member: Rep. FRANK LoBIONDO (NJ–02)

Bill Number: HR 3183

Account: Army Corps Investigations

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 100 Penn Square East, Philadelphia, PA 19107

Description of Request: Request an earmark of $90,000 to continue a Congressionally authorized study and design of a shore protection project for the Wildwoods. The project's formal name is N.J. Shore Protection, Hereford Inlet to Cape May Inlet, N.J.

Requesting Member: Rep. FRANK LoBIONDO (NJ–02)

Bill Number: HR 3183

Account: Army Corps Investigations

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 100 Penn Square East, Philadelphia, PA 19107

Description of Request: Request an earmark of $90,000 to continue a Congressionally authorized study and design of methods to provide long term renourishment of the N.J. shoreline. The project's formal name is N.J. Shoreline Alternative Long Term Nourishment, N.J.

INTRODUCTION OF NATIONAL MINER'S DAY RESOLUTION

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. RAHALL. Madam Speaker, as we, in the Congress, continue to debate the course of energy in America; as we consider the science of efficiency, the effects of power generation on the environment, and the impact of energy supply on the economy and on national security, I believe we also need to remember some very fundamental things.

We need, for example, to pay acute attention to the effects that the decisions we make in Washington will have on the men and women, the families, and the communities back home who have, for generations, provided the natural energy resources that fuel America.

Today I am proud to introduce—along with my colleagues from West Virginia, Representatives ALAN B. MOLLOHAN and SHELLEY MOORE CAPITO—a resolution honoring America's miners.

The government has long recognized that it has an obligation to do all that it can to ensure that our coal miners have safe, healthy workplaces. But I contend that we also have an obligation to do all we can to ensure that our miners simply have work.

America has grown strong through the labor of coal miners. Their work has provided, light, warmth, and economic security for generations of growing American families. it has fueled the steel furnaces that built our great cities and our military might And the labor of miners has made reality of the creative imaginings of America's most inventive minds.

These hard-working, selfless, earnest men and women, their livelihoods, their way of life, and the future of their families and their communities are at stake. Mining can be difficult, dangerous work, but mining is also a noble, honest profession, and miners and their families are proud of the work they do for America, as well they should be.

We can mine and use coal more safely, more cleanly, and more efficiently. And we will. Our future depends upon it.

So, Madam Speaker, I introduce this resolution to support the goals and ideals of a National Miner's Day that will commemorate the work and the sacrifice of miners past and present. But I do so, as well, as a demonstration of support for the jobs of miners future.

HONORING ZACK GRAHAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Zack Graham, a very special young man who has earned a spot on the National USA Karate Team. I join with Zack's family and friends in expressing best wishes on his significant achievement. I commend Zack on attaining such a high honor and wish him the best of luck as he competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Zack's hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Zack should be proud of his accomplishments. He is a member of a celebrated team and has represented the State of Missouri well. With such drive and determination I am certain Zack will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Zack Graham for his success with Sensei Mark Long's Shotokan Karate team and for his effort put forth in achieving this prestigious goal.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. PASCRELL. Madam Speaker, I want to state for the record that yesterday I missed the six rollcall votes of the day. Unfortunately I missed these votes because I was detained in my district.

Had I been present I would have voted "yea" on rollcall vote No. 835, On Motion to Suspend the Rules and Pass, as Amended—H.R. 3949—Veterans' Small Business Assistance and Servicemembers Protection Act of 2009.

Had I been present I would have voted "yea" on rollcall vote No. 836, On Motion to Suspend the Rules and Pass—H. Res. 398—Recognizing the 60th anniversary of the Berlin Airlift's success.

Had I been present I would have voted "yea" on rollcall vote No. 837, On Motion to Suspend the Rules and Pass—H. Res. 866—Expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict.

Had I been present I would have voted "yea" on rollcall vote No. 838, On Motion to Suspend the Rules and Agree, as Amended—H. Res. 867—Calling on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the "Report of the United Nations Fact Finding Mission on the Gaza Conflict" in multilateral fora.

Had I been present I would have voted "yea" on rollcall vote No. 839, On Motion to Suspend the Rules and Pass—H.R. 3157—To name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the "Max J. Beilke Department of Veterans Affairs Outpatient Clinic."

Lastly, had I been present I would have voted "yea" on rollcall vote No. 840, On Motion to Suspend the Rules and Agree—H. Res. 736—Honoring President Lincoln's Gettysburg Address on "Dedication Day", November 19, 2009.

THE INTRODUCTION OF THE NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT REAUTHORIZATION ACT OF 2009

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Ms. HIRONO. Madam Speaker, I rise today to introduce the Native Hawaiian Health Care Improvement Reauthorization Act of 2009. This legislation is a companion to S. 76, which was introduced earlier this year by Senator DANIEL K. INOUYE.

Native Hawaiians, like American Indians and Alaska Natives, are an indigenous, native people. The Native Hawaiian Health Care Act of 1988, 42 U.S.C. 11701 et seq., provided the authority for the establishment of a range of programs and services designed to improve the health care status of the native people of Hawaii. While Native Hawaiian health care programs have been continuously funded since 1988, they have not been reauthorized since 1992. The bill I introduce today will reauthorize the Native Hawaiian Health Care Act through 2014.

Native Hawaiians have the highest cancer mortality rates in the State of Hawaii—216.8 out of every 100,000 male residents and 191.6 out of every 100,000 female residents. These cancer rates are 21 percent higher than for the total state male population—179.0 out of every 100,000 residents—and 64 percent higher than that for the total state female population—117.0 per 100,000. With respect to breast cancer, Native Hawaiians have the highest mortality rates in the State of Hawaii and nationally Native Hawaiians have the third highest mortality rates.

The death rate from heart disease for Native Hawaiians is 68 percent higher than that for the entire population of the State of Hawaii. The death rate from hypertension is 84 percent higher and the death rate from stroke is 20 percent higher for Native Hawaiians than for the general population of the State of Hawaii.

Congress has previously recognized the unique and historical relationship between the United States and the indigenous people of Hawaii. I urge my colleagues continued support for the health and well-being of Native Hawaiians.

Mahalo (thank you).

PERSONAL EXPLANATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. NUNES. Madam Speaker, on the legislative day of Tuesday, November 3, 2009, I was unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 835—"yea"; rollcall 836—"yea"; rollcall 837—"yea"; rollcall 838—"yea"; rollcall 839—"yea"; rollcall 840—"yea."

HONORING JESSICA GRAHAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jessica Graham, a very special young lady who has earned a spot on the National USA Karate Team. I join with Jessica's family and friends in expressing best wishes on her significant achievement. I commend Jessica on attaining such a high honor and wish her the best of luck as she competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Jessica's hard work and dedication. As a member of the stand-alone Missouri team, as well as the team with the largest number of students to be selected from a single school, Jessica should be proud of her accomplishments. She is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Jessica will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Jessica Graham for her success with Sensei Mark Long's Shotokan Karate team and for her effort put forth in achieving this prestigious goal.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately Monday night, November 2, 2009, and the morning of November 3, 2009 I was unable to cast my votes on H.R. 1168, H. Res. 291, S. 509, H.R. 3949, H. Res. 398, and H. Res. 866 due to a scheduled town hall meeting in Cerro Gordo, Illinois.

Had I been present for Rollcall No. 832, on suspending the Rules and passing H.R. 1168, the Veterans Retraining Act of 2009, I would have voted "aye."

Had I been present for Rollcall No. 833, on suspending the Rules and passing H. Res. 291, Recognizing the crucial role of assistance dogs in helping wounded veterans live more independent lives, expressing gratitude to The Tower of Hope, and supporting the goals and ideals of creating a Tower of Hope Day, I would have voted "aye."

Had I been present for Rollcall No. 834, on suspending the Rules and passing S. 509, to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, and for other purposes, I would have voted "aye."

Had I been present for Rollcall No. 835, on suspending the Rules and passing H.R. 3949, Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, I would have voted "aye."

Had I been present for Rollcall No. 836, on suspending the Rules and passing H. Res. 398, Recognizing the 60th anniversary of the Berlin Airlift's success, I would have voted "aye."

Had I been present for Rollcall No. 837, on suspending the Rules and passing H. Res. 866, Expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our Nation in times of war and conflict, I would have voted "aye."

It is my fervent hope that my absence in no way be interpreted as a lack of support and enthusiasm for these important issues and undertakings. Congress' schedule in recent days has been subject to sometimes unpredictable additions and subtractions of days. As the original schedule had established an adjournment date of Oct. 30, 2009, I felt safe in scheduling a town hall meeting the evening of Monday, Nov. 2, for the purpose of meeting with and hearing from my constituents—the voters and citizens who are critical in guiding my votes and my conscience on the important issues we all face.

CELEBRATING THE LIFE OF LABOR PIONEER AND CIVIL RIGHTS LEADER WILLIE JAMES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. RANGEL. Madam Speaker, I rise today in memoriam of my dear friend, Labor Pioneer and Civil Rights Leader Willie James, who departed this life peacefully on Friday, October 30th, 2009. This strong spirited and God-fearing man dedicated his entire life to uplifting the hopes and dreams of African Americans and people in the Labor Movement and we are all consumed by his passing. In February of 1996, Willie James made labor history, when he became the first African American elected to serve as President of the Transport Workers Union, Local 100.

A native New Yorker, Willie James was born in Harlem Hospital on April 28, 1936 to the late Charles James and Geneva Nelson Surrency. From 1954 through 1957, Willie served his country in the United States Air Force as a proud member of the 80th Supply Squadron, Depot Special, and received the Good Conduct Medal for his demonstration of honor, efficiency and fidelity with great distinction. While in the service, he and a few other airmen formed a doo-wop vocal group that covered songs by the Platters and other groups. Willie was an accomplished Baritone and often told how the group was so good that people in Morocco thought they were the real Platters. After serving in the Air Force he returned to Harlem finding work as a shipping clerk.

Later in life he developed an attraction for exotic plants and beautiful flowers and in 1964, God blessed him with his own beautiful rose when he met and married Rosabelle. Their marriage lasted 41 years when she departed this life in 2005. Shortly after marriage he became a New York City Police Officer and in 1967 he began his career with the Transport Workers Union, TWU, Local 100 under the Manhattan and Bronx Surface Transit Operating Authority, MABSTOA.

He started with a metal-plating company where he was assigned to a unit with workers who were perceived as derelict workers beset by alcohol and laziness. Not looking down upon anyone but seeing the opportunity to help others; he discovered his masterful skill of organizing workers. He told the workers that if they worked with him he would make a case to the management to get them higher wages. After a series of meetings and negotiations with the bosses he won them a raise, and developed a promotional ladder for himself.

He rose through the ranks of TWU Local 100 and held a series of positions: MABSTOA DIVISION II Bus Operator; Division II Recording Secretary; Vice Chairman and Chairman at Amsterdam Garage; the Executive Board's Director of Education and Training; and Financial Secretary Treasurer. As he continued climbing the ladder of TWU he recalled how he continuously endured blatant racism.

Defying the odds in 1996, as the first African American elected to serve as President of the Transport Workers Union Local 100 Willie set the mark that raised the bar for all of us. Willie continued to climb the ranks in the TWU and in the labor movement. Serving as Vice President of the New York AFL–CIO; Vice President of the New York City Central Labor Council and Vice President of the International Transport Workers Union.

In addition to his sufficient contributions to the labor movement Willie James was a senior executive for The Municipal Credit Union serving in a variety of roles. From 1983–1992, he served as Upgrade Training Director; from 1992–1994, he served as Treasurer; from 1994–2000, he served as President; from 2007–2009, he served as Acting Chairman; and in May 2009, Willie served as the Chairman. The Municipal Credit Union is one of the oldest and largest Credit Unions in the State of New York with more than 300,000 members and $1.3 Billion dollars in assets.

In the struggle for Civil and Human Rights, Willie James, a Prince Hall Master Mason of Joppa 55 and founding Member of the Society of Afro-American Transit Employees, SAATE, furthered his accomplishments and dedication to helping others by serving on the Executive Board Committee of the New York Branch of the NAACP; Executive Board Member of the Black Trade Union Leadership Committee; Executive Board of the Coalition of Black Trade Unionist; Member of the 100 Black Men of America, Incorporated; and Member of the Board of 500 MEN Empowerment.

Willie was also deeply involved in many civic and community organizations. He was an ordained Deacon at Mount Hermon Baptist Church in the Bronx, New York; and a very active Member of Mount Calvary Baptist Church in Harlem, New York. He served as a Deacon at Rockland Baptist Church in Pomona, New York until his death.

Willie James firmly believed that when the opportunity presents itself, one should selflessly help somebody without expecting something in return. He often quoted. "Just ask the person who you are helping to pass the baton of love and concern to others in this race of life." Willie loved to sing and at every labor march and rally he used his mighty baritone voice to sing out against injustices and inequality; for fair wages and jobs; and Human Rights for all. I will always remember the songs of freedom and struggle that bellowed from the heart of this moral man.

Willie and his late wife Rosabelle leaves to cherish their memory: His sister, Janet Surrency Monroe; two children, Charles James and Daisy Moyd; three grandsons,

Everett, Damon and Kiel; eleven great-grandchildren; three great-great grandchildren; and a host of nieces, nephews, cousins and friends.

Madam Speaker, As a result of Willie James service to our Nation, he leaves a multitude of colleagues, constituents, benefactors, and laborers to continue the work he had manifested in his life for their prosperity and for future generations to come. Though Willie is no longer with us, we will continue to keep his memory alive in our hearts and minds, and continue to honor his legacy with our advocacy for the issues he cared about the most.

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, unfortunately, I was unable to be present in the Capitol for one vote on Thursday, October 29, 2009.

However, had I been present, I would have voted ''yea'' on H. Res. 729, designating a ''National Firefighters Memorial Day'' to honor and celebrate the firefighters of the United States.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. SMITH of Washington. Madam Speaker, on Monday, November 2, 2009, I was unable to be present for the last two series of recorded votes. Had I been present, I would have voted ''yea'' on rollcall vote No. 832 (on passage of the bill H.R. 1168, as amended), ''yea'' on rollcall vote No. 833 (on agreeing to the resolution H. Res. 291), and ''yea'' on rollcall vote No. 834 (on passage of the bill S. 509).

HONORING KYLE TODD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle Todd, a very special young man who has earned a spot on the National USA Karate Team. I join with Kyle's family and friends in expressing best wishes on his significant achievement. I commend Kyle on attaining such a high honor and wish him the best of luck as he competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Kyle's hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Kyle should be proud of his accomplishments. He is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Kyle will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Kyle Todd for his success with Sensei Mark Long's Shotokan Karate team and for his effort put forth in achieving this prestigious goal.

OPPOSING ANY ENDORSEMENT OR FURTHER CONSIDERATION OF REPORT OF THE UNITED NATIONS FACT FINDING MISSION ON THE GAZA CONFLICT

SPEECH OF

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2009

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in strong support of H. Res. 867, which calls on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the Report of the United Nations Fact Finding Mission on the Gaza Conflict, commonly referred to as the Goldstone Report.

President of the Human Rights Council established the United Nations Fact Finding Mission on the Gaza Conflict with the mandate ''to investigate all violations of international human rights law and international humanitarian law that might have been committed during military operations that were conducted in the Gaza Strip.''

The report accused Israel of ''war crimes'' and ''crimes against humanity'', while downplaying evidence of Hamas' real war crimes and largely dismissing Israel's extraordinary efforts to minimize civilian casualties.

In a turbulent part of the world, we can count on the friendship of Israel because we share the important values of freedom of religion, speech and thought—values that aren't universally shared across the Middle East.

And yet when Israel responds to defend itself, it is singled out unfairly at the United Nations and elsewhere for special condemnation and criticism. It is our responsibility, as a friend and ally to Israel, to stand up for their rights and denounce those that unreasonably target Israel for reproach. While Israel is not perfect, we must be ever watchful and steadfast because there is an unfortunate double standard.

Israel showed extraordinary restraint in response to terrorism and daily rocket attacks emanating from fanatical Hamas militants in the Gaza Strip, and yet until Israel responded militarily, the UN and the world looked away. I can think of no country in the world that would have shown such restraint in the face of direct attacks on their civilians.

Hamas launched 7,000 rocket and mortar attacks on Israeli cities between the pullout from Gaza in 2005 and 2009—Hamas' military doctrine makes no distinction between noncombatants and military targets.

During the ground fighting in Gaza, Hamas used mosques, schools and hospitals as military sites and employed civilians as human shields—clear violations of the law of war.

Unintentional civilian deaths Israel caused during the Gaza conflict are condemned as war crimes; the intentional Hamas attacks on Israeli civilians are swept under the rug.

There can be no moral equivalency made between Hamas and Israel, and this report's biased conclusion makes it clear, once again, that the United Nations Human Rights Council is a farce.

FORMER EGYPTIAN PRESIDENTIAL CANDIDATE DR. AYMAN NOUR DENIED TRAVEL TO U.S.

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. WOLF. Madam Speaker, I would like to bring to the attention of my colleagues the following statement released by former Egyptian presidential candidate and political prisoner Dr. Ayman Nour who was restricted from traveling to the United States by Egyptian authorities.

On November 3, 2009, the Egyptian public prosecutor issued an administrative decision preventing me from traveling to the U.S. and to other countries in the Middle East and Europe. My visit to the U.S. was scheduled for November 6, 2009.

The decision by the public prosecutor came as a shock, and is unjustified, especially in light of the recent permit I was granted for a visit to the European Parliament in April 2009. During that visit, I met with various European leaders and underwent substantial medical examinations. I was forced to postpone other necessary physical examinations because I could not obtain a visa for the UK from Belgium.

The public prosecutor's decision conflicts with Egyptian Constitution, Article 52, which stipulates that, ''it is not acceptable to prohibit a citizen from staying somewhere or to be forced to stay somewhere.'' Article 52 states that ''citizens have the right to permanent or temporary immigration abroad.'' Adding to this is the absence of objective reasons given by the authorities that would have prevented me from practicing my right. In other words, there is no probability that I will escape while I am abroad, and I do not owe money to any entity, which means that restricting is uncalled for and unnecessary. The double standard in my case is evident in the fact that the public prosecutor permitted others with real legal obstacles, similar to those described above to travel abroad in the past.

The public prosecutor justified his politically motivated restriction by referring to the fact that I was released from prison on February 18, 2009 for medical reasons, while my official release date had been set for July 22, 2009. This decision was based on claim 12886/63Q dated April 21, 2009, which allowed me to obtain an automatic curtailment of my sentence according to Article 86 of Prisons Bylaw 79/1961. The fact that I was granted an exit permit on March 15, 2009 for my Europe visit mentioned above, is further indication that the current travel restriction is unwarranted.

I would like to present the following facts:

(1) The public prosecutor's decision is only one example in a series of aggression, abuses, and insistence of the political regime to deprive me of my basic human rights, including the following:

a. The right to work and earn a living as an attorney. The temporary governmental committee which ran the Association Bar canceled my membership in April 2009. I was the only individual to receive this cancellation despite the fact that there were dozen of similar cases.

b. The right to sell my assets. The notary public offices were instructed to prevent me from registering any contracts unless I provide documents proving my release. To date I have been unsuccessful in obtaining a legal declaration of my release from any governmental authority. Likewise, they subsequently prevented me from opening a bank account. These restrictions not only affect my professional life, but intrude upon my personal life, including the ability to sustain my family and to seek the necessary medical attention I require after incurring serious injuries during my four years in prison.

c. The right to healthcare coverage. As a registered journalist, I should enjoy the benefit of health insurance coverage through the Supreme Council of Journalism and Press Syndicate. This has also been restricted to me, as the syndicate was instructed to freeze my salary and prevent me from my legal right to receive medical treatment.

d. The right to appear in court to claim my civil rights. I have been prevented from appearing before several courts to make any claims for my basic civil rights.

e. The right to file claims of defamation. The public prosecutor prevented me from filing the claims of defamation to the criminal court. I subsequently published these claims in the media. More than two thousand of these claims have been frozen, which encourages more illegal moral attacks against me.

f. The right to re-open my case in light of new evidence proving my innocence. The public prosecutor has failed to grant my request to review my claim in light of the newly acquired evidence of my innocence. This evidence would serve to acquit me from the original verdict by the Court of Administrative Justice, which took criminal proceedings against me on January 29, 2005.

g. The right to speak to the state-owned media. I am currently restricted from responding to claims broadcast against me in the state-owned media. The public prosecutor did not consider my claims to respond to the claims against me in the state-owned media.

h. The right to establish an NGO or join any social organization or group. At the instruction of the State Security forces, I have been deprived from establishing any nongovernmental organization or from joining any social or sport clubs. They threatened one of the clubs that granted me an honorary membership and forced them to remove me.

i. The right to privacy. I am monitored at all hours of the day by government security forces. Recently, I have embarked on a ''knock-on-the-door'' campaign to meet citizens throughout Egypt. During these events, government security personnel followed me continuously. In addition, my phone calls remain illegally tapped.

j. The right to actively participate in politics. I have been restricted from practicing my political and partisan rights. This decision is being held up by an outdated 1937 Supreme Constitutional Court ruling, which subsequently has been discontinued by newer rulings from the same court which provides persons in my similar situation to receive the right to participate in politics, even after serving prison time.

It is evident to the public that such abuses arose in response to my political stances in an attempt to control my political and personal life. The authorities claim they are doing right by me in releasing me for health reasons on February 18, 2009, only very few months before the legal release. It is plain to see that this early release is in line with their goal of suffocating me politically and depriving me of my basic human rights.

(2) Regarding my trip to the U.S. and other countries, the following facts should be stated:

a. I received an invitation from the Coalition of Egyptian Organizations in the U.S. to speak to Egyptians and Egyptian Americans living in various states. The same coalition invited Gamal Mubarak, Omar Suliman, Amr Mousa, Ahmed Zweil, Mohamed Elbaradie, and a number of other public figures.

b. The aforementioned invitation met my earnest desire to meet with Egyptian communities abroad and to discuss their problems and issues of interest. I also received some other invitations from other organizations and entities including the following:

Council on Foreign Relations, National Endowment for Democracy, various think tanks, American universities, U.S. congressmen and political figures, Egyptian communities in three major states, U.S. media representatives.

c. The invitations do not include any meetings with representatives of the U.S. Administration. I have already announced that the main purpose of my visit is not to conduct high-profile meetings. I plan to focus solely on meetings with the Egyptian and American citizens and U.S. public representatives. This visit was motivated by my belief in communicating with the global community to advocate our political and partisan views. Other political figures from Egypt made similar visits recently, including Gamal Mubarak, who visited the U.S. several times, and Chief of Parliament, Fathi Sorour, who is set to meet today with Egyptians in the U.S.; the same day I received the government decision preventing my travel plans.

d. My request for travel was submitted to the public prosecutor three months ago, to which I received no response. I subsequently re-submitted the same request several times until he finally got back to me with demands for more details about the invitations I received from the U.S., as well as information about the medical examinations I plan on undergoing. After several back-and-forth messages dealing with requests for translation of documents' authenticity and such, it was clear that the public prosecutor was insisting on delaying procedures. This situation concluded with a negative response today in answer to my 3-month long request for travel permission.

In conclusion, we would like to thank the various organizations and groups which invited me to visit the U.S. Because of the unfortunate decision by the Egyptian public prosecutor, I am forced to remain in the country at this time. I will continue with my plan to address the Egyptian and American community via video conference. I would like to thank in particular the Coalition of Egyptian Organizations in the U.S. and its leaders, among which include: Cameel Halim, Saad Eddin Ibrahim, Dina Guirgus, and Omar Afifi, all who exerted tremendous effort to organize the proposed events in the U.S. and worked closely with colleagues here in Cairo to make the necessary arrangements for my potential visit to the U.S.

The Egyptian public prosecutor's decision to prevent me from traveling abroad compels us to work even more fervently overcoming the legal obstacles we face. We are not canceling the visit to the U.S., but consider this only a postponement for another date, which we are tentatively scheduling for 2010.

We call upon the Egyptian and international community, as well as to human rights organizations worldwide to condemn the aforementioned abuses, which are an assassination to my civil rights and human rights, and are more painful and damaging than the physical suffering I yet experience. My treatment in Egypt is in direct contradiction to the international conventions signed by Egypt, most importantly, the Universal Declaration on Human Rights and International Covenant on Civil and Political Rights.

We assert that insistence on violating our rights will increase our belief in the right of Egyptians to democratic and nonviolent reform. We will work diligently on putting an end to the unjust and unacceptable situation of civil and human rights in Egypt. We will continue to fight against the inheritance of our country to despotic rule, and against the deprivation of our people from practicing their rights.

HONORING MATT CARPENTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Matt Carpenter, a very special young man who has earned a spot on the National USA Karate Team. I join with Matt's family and friends in expressing best wishes on his significant achievement. I commend Matt on attaining such a high honor and wish him the best of luck as he competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Matt's hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Matt should be proud of his accomplishments. He is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Matt will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Matt Carpenter for his success with Sensei Mark Long's Shotokan Karate team and for his effort put forth in achieving this prestigious goal.

RECOGNIZING HISPANIC HERITAGE MONTH

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LARSON of Connecticut. Mr. Speaker, I rise in support of House Resolution 783, Recognizing Hispanic Heritage Month and celebrating the vast contributions of Latino Americans to the strength and culture of the United States. The rich history of the United States is strengthened by the important contributions of Latinos, who have played major roles in building this country and making it a better place.

From the Revolutionary War to the conflicts we are fighting overseas today, Latinos have proudly served this country and willingly sacrificed their lives for the preservation of our great nation. In addition to serving in the armed forces, Latinos have helped our country take great steps forward in the fields of medicine and science and have contributed greatly to the advancement of business, education, civil rights, and politics.

I am proud to represent the First District of Connecticut, whose cultural fabric has been

greatly enriched by the Latino community. I am especially proud of the accomplishments of SAMA, the Spanish American Merchants Association, a Connecticut nonprofit with more than 300 members that provides technical assistance, educational programs and loan programs for small businesses in the community. SAMA's Empresario Latino Development Center is the small business premier provider of educational resources, material, and training in English/Spanish for entrepreneurs in the State of Connecticut.

I ask my colleagues to join me in recognizing Hispanic Heritage Month and ask that we continue to celebrate the many contributions of Latinos to our nation in the months to come.

COMMENDING CARL, MARTIN AND TED RESNICK OF HUNTERDON COUNTY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. LANCE. Madam Speaker, I rise today to commend three outstanding citizens in my Seventh Congressional District—Carl, Ted and Martin Resnick of Hunterdon County, New Jersey.

On Wednesday, November 11 these three outstanding individuals will receive the 2009 Distinguished Citizen Award from the Central New Jersey Council of the Boy Scouts of America.

All three of these men are receiving this prestigious award for their commitment to the Boy Scouts in Hunterdon County and their strong commitment to the entire Hunterdon County community. Whether it be their involvement in local sports teams, clubs, service organizations, wildlife refuge efforts, the arts, or area first responders, the Resnick family has made significant contributions to our community.

As a lifelong resident of Hunterdon County, I have known Carl, Ted and Martin Resnick and their family for most of my life. In addition to owning the Flemington Department Store—which is a family-owned business—the Resnick family has been active members of the Hunterdon County community for more than 50 years.

In addition to his role at the Flemington Department Store, Carl Resnick is a strong advocate for blood donor programs and has donated more than eight gallons of blood to help others. Ted Resnick may be best known for his 40-year involvement in the Hunterdon County wrestling program where he still volunteers as a coach, mentor, referee and supporter. Martin Resnick has been very active in community affairs such as organizing a collection center for relief efforts for Hurricane Katrina victims.

Because of their hard work and devotion to the entire Hunterdon County community, I am pleased to join the Central New Jersey Council Boy Scouts of America in commending Carl, Martin and Ted Resnick. I am also pleased to share their good efforts and contributions with my colleagues in the United States Congress and with the American people.

BIRTHDAY GREETINGS TO BERTHA RICHARDSON

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. PAUL. Madam Speaker, on November 2, the family and friends of Mrs. Bertha Richardson gathered together to celebrate Mrs. Richardson's 100th birthday. I am pleased to extend belated birthday greetings to Mrs. Richardson. Mrs. Richardson is a life-long resident of Rosharon, Texas, which is in my congressional district. As the matriarch of her extended family, Mrs. Richardson continues to her relatives, and all members of her community, with the gifts of her faith and wisdom. I urge all my colleagues to join me in sending our best wishes to Bertha Richardson on the occasion of her 100th birthday.

HONORING SAM CROCKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Sam Crocker, a very special young man who has earned a spot on the National USA Karate Team. I join with Sam's family and friends in expressing best wishes on his significant achievement. I commend Sam on attaining such a high honor and wish him the best of luck as he competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Sam's hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Sam should be proud of his accomplishments. He is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Sam will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Sam Crocker for his success with Sensei Mark Long's Shotokan Karate team and for his effort put forth in achieving this prestigious goal.

PERSONAL EXPLANATION

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. PRICE of Georgia. Madam Speaker, on rollcall Nos. 835, 836, 837, 838, 839 and 840 I was unavoidably detained. Had I been present, I would have voted "yea" on all.

TRIBUTE TO MARY SHAFER

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. DUNCAN. Madam Speaker, today I wish to pay tribute to a beloved philanthropist from my district and one of the most selfless and kindhearted persons I have ever known.

Mary Shafer recently passed away after battling breast cancer for 14 years. During that prolonged fight she never lost her faith in God and tirelessly continued her charity work.

With her husband Bo—who served as the President of Kiwanis International from 2000–2001—Mary traveled all over the World helping the indigent. Her compassion and service had no boundaries. Bo and Mary believed their work with Kiwanis was a privilege, not a duty, and they left an immeasurable mark on more people than can be counted.

Mary's most passionate cause was providing clean drinking water to people in developing countries. Many people admirably serve their community or donate money to charity, but it takes a very special and resilient person to perform such challenging work in some of the World's most impoverished places.

Closer to home, Mary also served numerous other causes and served on or chaired the boards of many agencies like the Volunteer Mission Center, the United Way, and the Florence Crittenton Agency.

Bo recently told the Knoxville News Sentinel following Mary's passing that he was head-over-heels in love with her, and, "We never had an argument. Her goal in life was to keep a smile on my face, and my goal in life was to keep a smile on her face."

Mary was very active in the Second Presbyterian Church in Knoxville and a devout Christian. According to her family, her last words were, "Thank you, Lord Jesus. I had a great time."

Even in the face of such a lengthy and difficult illness, Mary thanked her creator for all the blessings in her life. For Mary, He had a special purpose, and although the Lord decided to call her home, she will not be forgotten by all those she knew and comforted.

Madam Speaker, the passing of Mary Shafer is a tremendous loss for my district, her husband, Bo, and her countless family and friends. I call her service and faith in God to the attention of my Colleagues and other readers of the RECORD and thank her for being a shining example to us all.

OPPOSING ANY ENDORSEMENT OR FURTHER CONSIDERATION OF REPORT OF THE UNITED NATIONS FACT FINDING MISSION ON THE GAZA CONFLICT

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2009

Mr. WAXMAN. Madam Speaker, I rise in strong support of H. Res. 867, a resolution standing against further action on the "Report of the United Nations Fact Finding Mission on the Gaza Conflict," also known as the "Goldstone Report."

From its inception, the Gaza report was rooted in an orchestrated campaign to delegitimize Israel. It was commissioned by the U.N. Human Rights Council, an institution obsessed with condemning Israel. In his response to the Goldstone Report, Michael Posner, the Assistant Secretary for Democracy, Human Rights and Labor, noted that the

UNHRC has ordered more reports and held more special sessions on Israel than another country in the world. The Council has also passed more resolutions against Israel than for all 191 other U.N. members combined and Israel is the only country that is a permanent agenda item at Council meetings.

Those who seek to elevate the Goldstone Report recommendations are advancing a campaign to demonize Israel's soldiers, denounce its democratic institutions, and undermine efforts to move the peace process forward. They feed into a disturbing new wave of anti-Israel discrimination including Arab League efforts to invigorate the Arab boycott against Israel and a recent Bahraini parliament vote to make it illegal for the Kingdom's citizens to have contact with Israelis.

Some opponents of this resolution have suggested that its motivation is to bury the incidents and allegations recorded in the report. This assessment is grossly wrong. Israel is already investigating and prosecuting reported incidents in Gaza and the United States has encouraged the goverment to expand and intensify its efforts. The integrity of the Israeli military and the Israeli judicial system requires that all credible allegations are thoroughly examined.

What is buried by the Goldstone Report is the suffering Palestinians in Gaza experience every day as hostages to an extremist terror campaign fought by Hamas and fueled by Iran. What is largely ignored is the deliberate efforts of Hamas to launch attacks from civilian areas and the extraordinary efforts Israel took to avoid civilian casualties.

Others have suggested that Israel's cooperation with the ''fact finding mission'' could have avoided its biased outcome. The reality is that the mission was fated by a sweeping mandate, the inclusion of a judge with admitted prejudice against Israel, and reliance on testimony by individuals largely chosen and at times intimidated by Hamas officials.

As a result, the report calls for the International Criminal Court to consider charges against Israeli military leaders and politicians and supports universal jurisdiction for countries to bring charges against Israeli soldiers and diplomats wherever they travel. Yet, Hamas leaders and the terrorist state sponsors who sparked the Gaza conflict with thousands of rockets face no sanction at all.

While President Obama works to achieve a breakthrough in the peace process, continued action on the Goldstone Report only pushes the parties farther apart. As Israel begins to implement unprecedented policies to constrain future settlement growth, the virulent atmosphere generated by the Goldstone Report can only serve to poison hope for progress.

I strongly urge my colleagues to vote for H. Res. 867. I commend the Obama administration for its continued work to oppose any endorsement or further consideration of the report and its recommendations.

HONORING SARAH GRAHAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Sarah Graham, a very special young lady who has earned a spot on the National USA Karate Team. I join with Sarah's family and friends in expressing best wishes on her significant achievement. I commend Sarah on attaining such a high honor and wish her the best of luck as she competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Sarah's hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Sarah should be proud of her accomplishments. She is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Sarah will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Sarah Graham for her success with Sensei Mark Long's Shotokan Karate team and for her effort put forth in achieving this prestigious goal.

HISTORY OF EASTERN AIRLINES

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. WESTMORELAND. Madam Speaker, I rise today to call attention to the history of the former Eastern Airlines and its loyal employees. As a member of the U.S. House of Representatives Transportation and Infrastructure Committee, Subcommittee on Aviation, this matter is of particular importance to me. I recently met with one of my constituents; Mr. Robert G. Fuhrman of Fayetteville, Georgia, who is a former Eastern pilot; Bob recounted the history of the company and its employees' fight to maintain its reputation for leadership in the airline industry. Additionally, Bob presented me with a copy of his manuscript as well as a number of correspondences to elected officials detailing his experiences, both good and bad, at Eastern Airlines. I have brought these experiences and documents to the attention of the House Aviation Subcommittee so that the Members of the Subcommittee would be aware of the history of Eastern Airlines as well as fulfill my constituent's First Amendment right as outlined in our U.S. Constitution to petition his government for a redress of grievances.

I would like to recount some of the history of Eastern Airlines which had such a profound impact on my home state of Georgia as a hub at Hartsfield—Jackson, Atlanta International Airport.

Eastern Air Transport first emerged on the heels of the Great Depression, operating primarily as an airmail carrier. As air travel grew during the 1950s and 60s, Eastern proved to be a leader in both aviation technology and industry practices. It was the first airline to turn a profit from commercial transportation and the first to successfully implement a shuttle service.

Along with its reputation for excellence in flight, Eastern became respected for its civic and philanthropic contributions. Eddie Rickenbacker, the company's founder and World War I flying ace, oversaw Eastern's participation in U.S. war efforts. In World War II, Eastern served the United States Military by establishing military support flights connecting Florida, Pennsylvania, and Texas. This project eventually led to the creation of the airline's own Military Transport Division. The families of Eastern airlines shared both the drive for success and sense of responsibility its early founder established. Between 1985 and 1986, employees and their families sponsored three ''mercy flights'' to Ethiopia and the Sudan.

Despite the company's early success and innovation, Eastern began to experience financial difficulty. After years of losses, a series of labor disagreements, and the slow accumulation of debt, Eastern filed for bankruptcy in March of 1989. However, the strategic move was not enough to salvage the company, as it was unable to keep up with the expanding market and the demand for cheaper fares. Eastern Airlines finally closed its doors in 1991. While the airline is no longer in operation, the advances its management and employees contributed to the industry are still used by major carriers today. It is of great importance to me that Eastern Airlines and its employees such as my constituent Robert Fuhrman are remembered by the U.S. Congress in a positive light for their contributions to air travel.

A TRIBUTE TO THE PHILADELPHIA TRIBUNE NEWSPAPER

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor the Philadelphia Tribune, the oldest, continuously published African American owned newspaper in the nation. For 125 years the Tribune has chronicled the African American story while also being an important part of that story.

The Tribune was founded in 1884 by Christopher Perry, only 19 years after the end of the U.S. Civil War. Perry, born in Baltimore, Maryland in 1856, moved to Philadelphia at the age of 17, intent on starting a newspaper. He said, ''For my people to make progress, they must have a newspaper through which they can speak against injustice.''

Perry published the first edition of the Tribune Weekly when he was 28. This one-page, one-man operation newspaper debuted the same year African American inventor Lewis Lattimer began working for Thomas Edison, Booker T. Washington founded the Tuskegee Institute, and Harriet Tubman was still alive. After Perry died in 1921, the leadership of the newspaper passed to his son-in-law, E. Washington Rhodes.

From 1922 to 1970, Mr. Rhodes was at the helm of the newspaper as publisher. Appointed by President Calvin Coolidge, Mr. Rhodes served as an assistant U.S. Attorney for the Eastern District, the first African American to do so. Additionally, Mr. Rhodes served as president of the National Bar Association, was elected to the Pennsylvania House of Representatives in 1938, and was president of the National Publishers Association (NNPA), a national trade organization of African American owned newspapers.

Committed to the newspaper's mission, the Tribune has been led over the past decades

by Eustace Gay, John Saunders, Alfred Morris and Waverly Easley. Today under the leadership of Chairman Walter Livingston, Jr. and President/CEO Robert Bogle, the Tribune newspaper continues to expand and has been the recipient of numerous national awards including the NNPA's John B. Russwurm Award for "Best Newspaper in America" Award and the A. Phillip Randolph "Messenger Award."

President Bogle stresses that after 125 years the mission of the Philadelphia Tribune has not wavered. "For 125 years the Tribune has been the voice of those who would have been voiceless." For that reason, Madame Speaker, I salute the proud history, advocacy, and courage of the Philadelphia Tribune. The Tribune is an historic trailblazer whose light continues to lead on the path to justice and equality for the voiceless, and I ask my colleagues to join me in honoring them.

HONORING WILLIAM W. CHAPMAN II UPON BEING NAMED AN HONORARY GRAND MARSHAL

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. COURTNEY. Madam Speaker, I rise today to honor retired National Guard Command Sergeant Major William W. Chapman II of Willington, Connecticut. I rise to recognize his being named an Honorary Grand Marshal, one of the most prestigious salutes to a veteran in the United States.

Sergeant Major Chapman has served over 35 years in the Marine Corps, Army Reserve, and Connecticut Army National Guard. He joined the military at age 17 because he felt the need to serve his country. During the Vietnam War, Chapman served as a Marine in Japan, the Philippines, and Taiwan. He was deployed after 9/11 as part of Operation Noble Eagle and Operation Iraqi Freedom serving for some of this time in Tikrit, Iraq. He recently retired from the Connecticut Army National Guard, and is the recipient of a Bronze Star, Purple Heart, Army Meritorious Service Medal, and three Army Commendation Medals. He was named Connecticut Army National Guard Honor Soldier of the year in May 2008. Chapman is a former Captain and trainer with the Connecticut Department of Correction, DOC, having retired after two decades of civilian service in 2002. He is also a member of the DOC Military Peer Support Program, which assists employees and their families during deployments.

Chapman will be featured in the 10th annual Connecticut Veterans Day Parade in Hartford on November 8. Over 4,000 people will march that afternoon near the Connecticut State Capitol to honor our nation's servicemen and women.

Chapman's dedication and sacrifices as a U.S. soldier and public servant will be remembered for years to come. I ask all of my colleagues to join with me, and the people of Connecticut in thanking Sergeant Major Chapman for his distinguished service to our country and wishing him the best in his new endeavors.

HONORING SIDNEY SHIELDS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Sidney Shields, a very special young lady who has earned a spot on the National USA Karate Team. I join with Sidney's family and friends in expressing best wishes on her significant achievement. I commend Sidney on attaining such a high honor and wish her the best of luck as she competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Sidney's hard work and dedication. As a member of the stand–alone Missouri team, as well as the team with the largest number of students to be selected from a single school, Sidney should be proud of her accomplishments. She is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Sidney will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Sidney Shields for her success with Sensei Mark Long's Shotokan Karate team and for her effort put forth in achieving this prestigious goal.

HONORING THE 50TH ANNIVERSARY OF THE EAST TAWAS LIONS CLUB

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. STUPAK. Madam Speaker, I rise to recognize the Lions Club of East Tawas, Michigan as it celebrates its 50th anniversary in the community. Throughout its history, the Lions Club has worked with city, county and State government to improve the lives of residents in East Tawas and its surrounding areas.

Chartered May 1959, the East Tawas Lions Club has undertaken efforts from day one to support sight projects locally and beyond. Each year, the group takes to the streets for the annual White Cane Drive fundraiser to benefit blind and sight-impaired individuals, as well as organizations that provide for the various needs of the blind and sight-impaired. The Club has also participated in joint state projects including Leader Dogs for the Blind and the Michigan Eye Bank for the past 50 years.

The East Tawas Lions Club has worked to improve the health and well-being of the community by building and installing wheelchair ramps for those in need. The Club has also helped to provide hearing aids to individuals with financial difficulties.

Recognizing the importance of education, the Club invests in East Tawas youth, providing scholarships to help graduating seniors attend college. The Club has also helped raise money to build dugouts for local baseball diamonds and for construction of the Dewey Durant Park pavilion.

The East Tawas Lions Club promotes community spirit, and has hosted a wide range of events throughout the years, including golf tournaments, softball tournaments, cross-country races and winter ski races on the Corsair Trails. This year, the Club served smoked whitefish and beef jerky—two staple foods of northern Michigan—at the community's winter festival.

Madam Speaker, the East Tawas Lions Club has been a leader in community and humanitarian service since 1959. It has worked tirelessly to provide support and resources to those in need by embodying the Lions motto: We Serve! I ask Madam Speaker, that you, and the entire U.S. House of Representatives, join me in thanking the members of the East Tawas Lions Club for their generous service and recognizing the Club on its 50th anniversary.

IN HONOR OF CLIFFORD A. SCHULMAN

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today to honor South Florida philanthropist, business leader and prominent attorney, Cliff Schulman.

Mr. Schulman has 37 years of wide-ranging legal experience in the environmental and land use field from both the government and private sectors.

He is well known for his involvement in the community and commitment to charitable causes. He is Chairman of the Board of the Aventura Marketing Council and serves on the Boards of the "I Have a Dream" Foundation and the Anchors Away Foundation, a program that provides specially designed sailboats for use by mentally and physically challenged children in the Miami-Dade public school system. He is also a member of the United Way of Miami-Dade Alexis de Tocqueville Society and a founder of Mt. Sinai Medical Center.

In 2004, Mr. Schulman received the Anti-Defamation League's "Torch of Freedom" award and was recently named "Impact Legal Leader" by South Florida Business Leader Magazine, a distinction for individuals who have contributed significantly to their industry, as well as active participants in civic or philanthropic groups in the community.

This month, the South Florida Shomrim Society Jewish Fraternal Order of Law Enforcement Officers is honoring him as "Person of the Year". This distinction is presented to Mr. Schulman for supporting the welfare of the local community and improving the public image of all persons engaged in public safety.

He is listed in Legal 500 US, Best Lawyers in America and Florida Trend Magazine's "Legal Elite." Additionally, Mr. Schulman serves as an adjunct professor at the University of Miami Law School's Masters Program.

I am proud to have Mr. Schulman as a constituent and honor his distinguished career and leadership in the South Florida community.

HONORING ROBERT ''BOB'' BARNUM OF EUREKA, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. THOMPSON of California. Madam Speaker, I rise today in recognition of Robert ''Bob'' Barnum, who is being honored as the 2009 Lumberman of the Year by the Ingomar Club of Eureka. For over six decades, Mr. Barnum has presided over the family timber holdings and been a leader in the timber industry of northern California.

A Humboldt County native and fourth generation Eurekan, Bob was born to Charles R. Barnum Sr. and Helen Wells Barnum in 1927. Bob began working in the forests in the summer of 1944, where he learned to cruise timber, survey boundaries and mark cutting lines. He enrolled at the University of California, Berkeley in 1945 and graduated in 1949. He attended the U.S. Merchant Marine Academy at Kings Point, New York. He married Patricia Boyle of New Jersey in 1949. Bob and Pat have five children, Patricia, Charles, Bill, Cathleen and Jane, as well as eight grandchildren and four great-grandchildren.

Bob assumed management of the family timber business in 1953. He added to the family's timber properties and formed Barnum Timber Company in 1985. He was a founding director of Forest Landowners of California, an officer and director of many industry associations, including the Redwood Region Conservation Council and the California Forestry Association. He was appointed to the California State Board of Forestry in 1972, helping to oversee the implantation of California's landmark forest practices legislation.

A lifelong Republican, Bob has proudly represented the region at the Republican National Convention in 1976, 1980 and 1984. His commitment to the preservation of our political liberty is worthy of appreciation and recognition.

Madam Speaker, it is appropriate at this time that we recognize the contributions of Robert ''Bob'' Barnum to the community and to the industry which he loves, and for being honored as the 2009 Lumberman of the Year.

HONORING TRAVIS BUTTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Travis Button, a very special young man who has earned a spot on the National USA Karate Team. I join with Travis' family and friends in expressing best wishes on his significant achievement. I commend Travis on attaining such a high honor and wish him the best of luck as he competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Travis' hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Travis should be proud of his accomplishments. He is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Travis will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Travis Button for his success with Sensei Mark Long's Shotokan Karate team and for his effort put forth in achieving this prestigious goal.

TRIBUTE TO STEPHEN H. MAHLE

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. PAULSEN. Madam Speaker, today I rise to commemorate and pay tribute to a great American, Stephen H. Mahle, a man who achieved great personal and professional success through courage, dedication and an unwavering commitment to improving the human condition.

Steve Mahle received his bachelor of arts degree in physics from Beloit College in 1967 and his master's degree in physics from Pennsylvania State University in 1969. He served in the U.S. Army, where he held the rank of Captain while serving as a research scientist at NASA's Manned Spacecraft Center in Houston.

In 1972, Steve Mahle began what would become a highly successful 37-year career with Medtronic, Inc. where he held numerous leadership positions, including serving as president of Cardiac Rhythm Disease Management, CRDM.

Steve played a key leadership role in many important milestones in cardiac rhythm disease innovation. He was the product development manager on the first Medtronic pacemaker programmer, and was instrumental in developing the world's first rate responsive single chamber pacemaker, which revolutionized and advanced cardiac pacing technology.

He expanded Medtronic's international presence and was an integral part of growing the implantable cardioverter defibrillator business in the late 1990s. He is credited with creating cardiac resynchronization therapies that address heart failure, as well as establishing CareLink, a patient management system, that now serves more than a quarter of a million patients in the United States. Under his leadership the CRDM business grew from $500 million to just under $5 billion.

Madam Speaker let us join his friends, family, and colleagues in congratulating Stephen H. Mahle on his many accomplishments, and wish him well as he begins his retirement from a lifetime of leadership and innovation, and starts the next chapter in his life where he will undoubtedly continue his own personal mission to ''make a difference in the lives of people throughout the world.''

H.R. 4016, THE HAZARDOUS MATERIAL TRANSPORTATION SAFETY ACT OF 2009

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. OBERSTAR. Madam Speaker, today I introduce legislation to reauthorize the Department of Transportation's (DOT's) hazardous materials safety program. The authorization for the program expired on September 30, 2008. According to the Pipeline and Hazardous Materials Safety Administration (PHMSA), the agency within DOT that is tasked with the safe movement of nearly 1.2 million daily shipments of hazardous materials in the United States, over the past decade, there have been 170,527 incidents involving the transportation of hazardous materials, resulting in 137 fatalities and 2,857 injuries. However, according to an internal analysis conducted by PHMSA, dated May 11, 2007, 60 to 90 percent of all incidents involving the transportation of hazardous materials that occurred from 2004 through 2006 were not reported by regulated entities to PHMSA. PHMSA, however, has done nothing to address the under-reporting of incidents.

When Congress created PHMSA in 2004, the law included, at my request, a mandate that the agency shall consider the assignment and maintenance of safety as the highest priority. Unfortunately, PHMSA has lost sight of its safety mission.

Over the past several months, the Committee on Transportation and Infrastructure has conducted an in-depth investigation of PHMSA's hazardous materials safety program. Our preliminary findings, which were released on September 10, 2009, coupled with the preliminary findings of the DOT Office of Inspector General, which also conducted an audit of PHMSA's hazardous materials safety program, revealed some alarming problems.

We uncovered significant problems with PHMSA's special permits and approvals programs, which exempt regulated entities from hazardous materials regulations. PHMSA routinely grants these exemptions without making the findings required by its own regulations.

We also found that PHMSA has virtually no process for data collection, analysis, and reporting. Most of PHMSA's database is incomplete or contains errors. If PHMSA cannot read its own data, how can it determine what its priorities should be? In addition, PHMSA has failed time and time again to address significant safety concerns that have been raised by its own enforcement personnel, the DOT Office of Inspector General, and the National Transportation Safety Board (NTSB). The NTSB has issued safety recommendation after safety recommendation to ensure the safety of transporting lithium cells and batteries on board aircraft. The NTSB has also issued safety recommendations on eliminating the transportation of hazardous materials in external product piping of loading lines underneath cargo tank motor vehicles, known as wet lines. Yet, PHMSA has failed to address these important safety recommendations.

The safe transportation of lithium cells and batteries is an important issue and a rapidly increasing safety risk, as more and more technology relies on the use of various types of lithium cells and batteries. The batteries are widely used in personal electronic devices, such as cell phones and laptops. In 2008, more than 3.3 billion lithium cells and batteries were transported worldwide, representing an 83 percent increase since 2005. Since 1996, the Federal Aviation Administration (FAA) and the NTSB have identified more than 100 incidents involving lithium and other batteries on board aircraft where batteries have overheated, caught-fire, or exploded. Since 1999,

the NTSB has had concerns with the unacceptable risks posed by lithium batteries. This legislation requires the Administrator of PHMSA, in coordination with the FAA, to issue a regulation for the safe transportation of lithium cells and batteries. This regulation will include, among other things, requirements for: proper identification of lithium cells and batteries on board aircraft, packaging performance requirements, and other safety measures.

The legislation also mandates implementation of an NTSB recommendation first issued over 10 years ago regarding wet lines. Currently, 30 to 50 gallons of flammable materials, such as fuel, can be transported in unprotected loading lines beneath cargo tank trucks. Over the past 10 years, there have been 184 incidents in which these wet lines were damaged or ruptured. H.R. 4016 prohibits the transportation of certain flammable liquids in the external product piping of cargo tank motor vehicles on newly manufactured vehicles within two years of the date of enactment, and for all existing vehicles beginning in 2021.

H.R. 4016 also includes several requirements to strengthen emergency response capabilities. The ability of first responders to adequately identify and respond to a hazardous material substance release is critical. The bill enhances training for emergency responders and requires that responders are provided a higher level of training, known as Operations Level training. The bill also requires the Secretary of Transportation to develop minimum standards for those who provide hazardous materials emergency response information services. This provision will guarantee that these services are staffed on a 24-hour basis to ensure that, day and night, our emergency response capability is not jeopardized.

The legislation makes significant safety enhancements to the ''special permits and approvals'' process. H.R. 4016 requires that, prior to granting any special permit or approval, the Secretary shall make a determination that a person is fit, willing, and able to conduct the authorized activity. In part, this provision requires PHMSA to perform a fitness review of any person who requests an exemption from regulation to ensure that the applicant's safety record, accident and incident history are reviewed before any special permit is authorized. Currently, PHMSA reviews thousands of applications for special permits and approvals each year, with no review of an applicant's safety record. The bill will ensure that any person requesting an exemption from the regulations have a safe record, a compliant record, and a good reason for needing an exemption from the regulations.

PHMSA is tasked with an enormous safety mission, yet it currently has only 35 investigators (plus seven supervisors) for the entire nation. H.R. 4016, authorizes 30 new inspectors for the program—almost doubling the number of inspectors. This bill also strengthens the inspection program by requiring the Secretary to carry out a new hazardous material enforcement program to develop uniform standards for inspectors and investigators; to train hazardous materials inspectors and investigators on how to collect, analyze, and publish findings from accidents and incidents; and to train hazardous materials inspectors on how to identify noncompliance with hazmat regulations and take the appropriate kind of enforcement action.

The safe transport of hazardous materials is critical and affects the entire nation. H.R. 4016, the ''Hazardous Material Transportation Safety Act of 2009,'' will increase the hazardous materials safety program, strengthen emergency response capabilities, and increase enforcement of hazardous materials laws and regulations.

I urge my colleagues to join me in supporting H.R. 4016, the ''Hazardous Material Transportation Safety Act of 2009.''

OPPOSING ANY ENDORSEMENT OR FURTHER CONSIDERATION OF REPORT OF THE UNITED NATIONS FACT FINDING MISSION ON THE GAZA CONFLICT

SPEECH OF

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2009

Mr. KLEIN of Florida. Mr. Speaker, I rise to support H. Res. 867, a resolution that calls on the Secretary of State and the President to unequivocally oppose further consideration of the Goldstone Report in international arenas. This resolution sends a clear message to the international community: the Goldstone report does nothing to advance peace and security in the Middle East. Rather, it serves to reinforce the deep mistrust that pervades the region and excuses the actions of terrorist groups and their state sponsors.

The Goldstone report ignores the facts. The terrorist threat surrounding Israel's defensive operations in Gaza required a decisive response, and any sovereign nation would have—and should have—done what Israel did. In fact, Richard Goldstone himself said, ''If this was a court of law, there would have been nothing proven.''

The Goldstone report disregards what it means to fight against terrorists who use human shields and have no regard for human life. The findings and conclusion of the report have ominous consequences for the United States and other countries who seek to prevent terrorist threats from taking root around the world. We cannot allow the Goldstone report to set a precedent—the stakes are too high.

This report was not guided by a commitment to human rights, but rather motivated by a bias against Israel. Now is the time for the United Nations to immediately turn its attention to the very real human rights violators around the world. Human rights victims are pleading for the world's attention. I would urge U.N. member states to devote time and thought to the realities of human rights around the world—not Israel. Israel, with strong democratic and judicial institutions, can make any necessary determinations about how to move forward from here.

I would like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their leadership in authoring this resolution and bringing it to the floor. This is a true example of the importance of bipartisanship because the U.S.-Israel relationship is stronger when we work across party lines.

I would urge my colleagues to support the resolution.

HONORING TYLER TITUS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Tyler Titus, a very special young man who has earned a spot on the National USA Karate Team. I join with Tyler's family and friends in expressing best wishes on his significant achievement. I commend Tyler on attaining such a high honor and wish him the best of luck as he competes in the World Karate Championships in Dublin, Ireland, this October.

Gaining recognition for this remarkable achievement reflects both Tyler's hard work and dedication. As a member of the standalone Missouri team, as well as the team with the largest number of students to be selected from a single school, Tyler should be proud of his accomplishments. He is a member of a celebrated team and has represented the state of Missouri well. With such drive and determination I am certain Tyler will be a strong contribution to the national team.

Madam Speaker, I respectfully request you join with me in commending Tyler Titus for his success with Sensei Mark Long's Shotokan Karate team and for his effort put forth in achieving this prestigious goal.

RECOGNIZING THE RETIREMENT OF AIR FORCE JUNIOR ROTC INSTRUCTOR LES CHAMBERS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mr. Leslie R. Chambers, a Northwest Florida leader who is retiring after a lifetime of public service to his country and his community. Les spent his career serving others, and I am proud to honor his dedication and service.

Born on October 31, 1942, Les Chambers joined the Air Force in 1961 after graduating from high school. Following completion of training, he was first assigned to Laon Air Base, France. His Air Force career took him across the globe. Along the way he earned two associates degrees in applied science, then completed his bachelor's degree in management at the University of New Hampshire. He is also a graduate of the Aerospace Defense Command Noncommissioned Officer Academy, where he received the Commandant's Award, and a graduate of the USAF Senior NCO Academy.

Les retired in 1994 with over 33 years of faithful service to his country, 17 of which were spent overseas. His military decorations include the Meritorious Service Medal with three oak-leaf clusters and the Air Force Commendation Medal with two oak-leaf clusters. He was selected to serve his last three years as part of the ''High Year of Tenure'' program, a distinction reserved for less than one percent of the force.

After retiring from the Air Force, he settled in Valparaiso, Florida and began working for the Florida Department of Health and Rehabilitative Services (HRS) as a Senior Counselor

for Children and Families. In 1997, he was selected as the ''Social Worker of the Year'' for the Department of HRS. Les then began his role as the Air Force Junior ROTC Aerospace Science Instructor at Fort Walton Beach High School in December of that year. Known simply as ''Chief'' to his students, Les retired on October 31, 2009. He will be truly missed.

Madam Speaker, on behalf of the United States Congress, I am honored to recognize Les Chambers for his service to Northwest Florida and the United States of America. My wife Vicki and I wish all the best for Les and his family, including his wife, Ingeborg, and children, Angela, Michael, and Marcus, as they embark on this next journey in their lives.

PATRIOT ACT REAUTHORIZATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. POE of Texas. Madam Speaker, it is imperative that the USA PATRIOT Act be reauthorized fully and not weakened, as I believe H.R. 3845 will do. In the years following 9/11, there have been a number of major terrorist attacks around the world that have caused mass casualties on civilians. I think it is important to remember some of these events:

12 Oct 2002. Car bombing outside nightclub in Kuta, Indonesia. 202 dead.

26 Oct 2002. Hostage taking and attempted rescue in theater in Moscow, Russia. 170 dead.

16 May 2003. Suicide bombers attacked Western tourist areas in Casablanca, Morocco. 45 dead.

11 Mar 2004. Bombings of four trains in Madrid, Spain. 191 dead.

1–3 Sep 2004. Hostage taking at school in Beslan, Russia. 372 dead.

7 July 2005. Bombings of three subway trains and one bus in London, UK. 54 dead.

11 Jul 2006. Multiple bombings on commuter trains in Mumbai, India. 200 dead.

26–29 Nov 2008. Multiple shooting and grenade attacks in Mumbai, India. 174 dead.

Madam Speaker, thankfully, none of these horrific attacks occurred in the United States. I believe that part of the reason we have not suffered another terrorist attack is that our brave men and women in law enforcement have done a tremendous job of preventing further attacks. I do not believe Al Qaeda simply decided not to bother us anymore. We must not forget that many analysts warned after 9/11 that we needed to ''learn to live'' with terrorism. Well, thankfully, that reality never happened.

I believe that our law enforcement, armed with tools such as the PATRIOT Act, have prevented attacks and saved us from this type of suffering within the United States. We as Congress need to do all we can to give our men and women in law enforcement the tools they need to do their job, not weaken these tools.

A TRIBUTE TO JACK L. RAY

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GUTHRIE. Madam Speaker, I rise today to honor Jack L. Ray, who for over 28 years has served as a minister and elder of the Lehman Avenue Church of Christ in Bowling Green, KY.

Mr. Ray leaves a long legacy as an evangelist in the churches of Christ. Many generations have heard the teachings and sermons of Mr. Ray, and have read many of the lessons he has contributed to the publications of the churches of Christ.

In his more than 50 years of service, he has worked unselfishly to not only help other congregations grow in size and in faith, but has helped new congregations establish in Kentucky.

He is a blessing to many, including the youth in the church community, who he has helped lead, educate and nurture their faith. He is greatly loved and respected by the members of the Lehman Avenue Church of Christ, because of his dedication, strong faith and loving guidance.

Madam Speaker, I am proud to recognize Jack L. Ray for his more than 50 years of commitment and devotion. I wish him nothing but the best in his future endeavors as he continues to be a blessing to others.

A TRIBUTE TO LESTER C. BROWN

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor my friend, and a friend to Philadelphia, Lester C. Brown. After 18 years of service on the Philadelphia City Counsel, Mr. Brown is retiring as the Chief of Staff for Councilwoman Jannie L. Blackwell. Throughout his career, Mr. Brown has shown exceptional leadership in community service and tireless dedication to his constituents in need. For instance, he currently serves as the democratic leader of the 24th ward.

Mr. Brown was born in the 1920s in Savannah, Georgia, at a time when equality was just a distant dream for many Americans. Despite the hardships that the Jim Crow laws placed on African Americans, Lester developed the personal strength to overcome the adversities he faced. He began his career in journalism at the age of 16, when he became the first African American youth to host a radio show that aired on WTOC, a CBS affiliate. After moving to New York City, Mr. Brown became a reporter for Ban Black Audio News. His hard work and determination in a divided society eventually led him to become the first African American junior executive on Madison Avenue as an Assistant Advertising Production Manager for progressive Architecture Magazine.

From there, Mr. Brown moved to Philadelphia, where he became a successful newsperson for WHAT radio. It is in the great city of Philadelphia that Mr. Brown began his influential career in community service as a youth organizer for the parents union in the Philadelphia public schools. In the 1980s he became the Executive Director of Mantua Community Planners where he was able to better the lives of multiple families, including the donation of nine homes to the members of the Mantua community through the Remove Urban Blight program.

Currently serving as the Democratic Leader of the 24th ward, and faithfully worked under Lucien B. Blackwell and Councilwoman Jannie L. Blackwell, we are here to honor my friend, Lester C. Brown on the occasion of his retirement. Although he will be missed dearly, after 18 years of loyal service on the Council no one deserves this honor more than Mr. Brown.

Lester Brown's impressive career in the city of Philadelphia illustrates his commitment and drive to improve the lives of the city's residents. I would like to thank him for his tireless efforts, and I wish him well in the future.

IN MEMORY OF SVEND AUKEN

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. INSLEE. Madam Speaker, today I honor the memory of Svend Auken, a dear friend of mine, a great statesman, and an international leader on environment and energy issues. He passed away this past August after a magnificently robust life of leadership. He served in the Danish Parliament from 1971 until his death, and was Minister for the Environment from 1993 to 1994, and Minister of Environment and Energy from 1994 to 2001. Earlier in his life, he spent time in my home State of Washington, studying for a year at Washington State University in 1961.

Whatever his position, he was always a determined advocate for clean energy and the environment. His leadership has been an inspiration for the world. Svend did not believe in the idea that preserving the environment required sacrificing economic growth. He believed that his Nation could prosper by protecting the environment, or as he put it, ''doing well by doing good.''

Due to his inspired leadership over more than three decades, Denmark introduced new policies and embarked on a national effort to produce more domestic energy and do it cleanly by focusing on energy efficiency, wind power and combined heat and power systems. Since then, Denmark has kept its energy use flat, while its economy has grown nearly 75 percent. Denmark was once entirely dependent on foreign energy, but is now a net exporter of energy. Denmark has aggressive energy efficiency standards for new buildings, and currently produces over 20 percent of its power from wind, and over half of its electricity and around 60 percent of its heat from combined heat and power. Denmark is now a world leader in both of these technologies. As our Nation embarks on its own quest to produce clean, domestic energy, grow our economy, and preserve the environment for our children and grandchildren, we would do well to follow Svend's lead and learn from his life. When we in America adopt a vision of clean energy, it will be in part because we have been inspired by Svend's leadership.

This Friday, the Danish community in Seattle will honor Svend's life at a memorial

service. As I remember my friend, I will remember his vitality, his sense of humor, his devotion to service, and most of all, his leadership and inspiration. We should all remember Svend Auken as a great citizen of the world.

INTRODUCTION OF THE ''SAFE ROUTES TO HIGH SCHOOLS ACT OF 2009''

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. BLUMENAUER. Madam Speaker, obesity rates for children between the ages of 12 and 19 have more than tripled in the past fifteen years, with 17.6 percent of high school age children now classified as obese. This has a profound impact on the long-term health of our nation, as 80 percent of obese children become obese adults, putting them at a higher risk for diabetes, hypertension, cancer, and other chronic health conditions, and placing an increased long-term burden on our healthcare system. The Centers for Disease Control (CDC) recommends that children be active for at least 60 minutes five times a week, but statistics show that activity levels drop rapidly as students head into their high school years. Increasing opportunities for adolescents to be physically active will help combat the rise in teenage obesity.

We should provide students with safe, active ways to get to and from school and encourage healthy, active lifestyles and daily exercise at a time when they are seeking independence and cementing lifelong habits that will make them safer and healthier.

This is why I am introducing the Safe Routes to High Schools Act, a bill to expand the popular Safe Routes to Schools program to include high schools. The Safe Routes to Schools program has been extraordinarily successful, with over 4,500 programs across the country, but it currently does not cover high schools. High school students represent a population most likely to suffer from high rates of obesity and also most in need of flexible, independent, and low-cost transportation choices, especially in times of economic crisis. This simple policy change will allow an already successful program to serve the students who need it the most.

I hope that my colleagues will join me in supporting this legislation to ensure that children of all ages have safe ways to get to school burning calories instead of carbon.

RECOGNIZING SITRIN HEALTH CARE'S WHEELCHAIR CURLING TEAM

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. ARCURI. Madam Speaker, I rise today in recognition of Sitrin Health Care's wheelchair curling team, which will represent the United States as Team USA at the 2010 Paralympic Games. Today marks the 100-day countdown to the games set to begin March 12, 2010 in Vancouver, B.C.

Sitrin's team has earned worldwide attention over the last few years, winning the bronze medal at the 2008 World Wheelchair Curling Championships in Switzerland and narrowly missing the bronze in the 2009 World Wheelchair Curling Championship held in Vancouver. In preparation for next year's competition, Team USA has been practicing at the Olympic Training Center in Lake Placid, New York, and competing internationally in Norway and Scotland.

The team's impressive record of achievement owes to Sitrin's Success Through Adaptive Recreation and Sports (STARS) program, created in 2001 to provide individuals with physical disabilities opportunities to engage in a variety of sports on a recreational or competitive basis. In addition to curling, the STARS program includes adaptive golf, wheelchair basketball, adaptive paddling and wheelchair road racing. Sitrin, located in my district in New Hartford, New York, operates the wheelchair curling program in partnership with the Utica Curling Club in Whitesboro, New York.

Madam Speaker, I ask my colleagues to join me in congratulating Sitrin's wheelchair curling team on its accomplishments to date, and in wishing the athletes luck in the upcoming Paralympic games. Sitrin's paralympians are an inspiration to athletes across our nation, and I look forward to following their success in Vancouver.

CALLING ON THE U.S. AND INTERNATIONAL COMMUNITY TO ADDRESS THE NEEDS OF SRI LANKA'S TAMIL INTERNALLY DISPLACED PERSONS

SPEECH OF

HON. MICHAEL E. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2009

Mr. McMAHON. Mr. Speaker, I rise in strong support of House Resolution 711.

The Tamil people have been exposed to unspeakable tragedies by all sides in the most recent ethnic conflict.

Yet, the so-called end to the conflict in Sri Lanka has only brought more suffering and brutality to the Tamil people.

Housed in barrack-style IDP camps, without the option of release, these 300,000 refugees are repeatedly betrayed by Sri Lankan officials that claim to be protecting them from the LTTE, a terrorist organization who was uprooted this Spring.

Furthermore, stories of torture and injustice seep through the high barbed-wire walls surrounding these camps, despite limited access to outside NGOs and the media.

This is frightening and simply unacceptable.

My message has always been clear: I will not stand for the atrocities being committed in Sri Lanka.

Through my work on the House Foreign Affairs Committee, and the subcommittee on the Middle East and South Asia, I have worked with Chairman BERMAN to include a provision in the Foreign Relations Authorization Act to condemn the Sri Lankan government's inaction and to mandate a cultural exchange for the new generation of Sri Lankans to study tolerance in the United States.

For three long decades, Sri Lankans have been pitted against one another.

And, thousands of innocent lives have been lost.

It is time for a new direction in Sri Lanka.

It is time for a political solution and an integration of minorities in Sri Lanka.

Clearly, it is not enough to release a small number of refugees to host families or, for that matter, to farmland—as the government has reportedly been doing.

These people must immediately be allowed to return to their homes and to their daily lives.

A TRIBUTE TO JESSE W. GRIDER

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. GUTHRIE. Madam Speaker, 1 week from today, our Nation will honor our veterans and remember all those who have fallen in order for us to be free.

I rise today to honor one veteran in particular, Jesse W. Grider, a true patriot whose dedication to our Commonwealth and Nation is to be commended.

Mr. Grider enrolled in the National Guard in 1950 at the age of 17. Upon his return from the Korean war, Mr. Grider continued his dedication to his country and district by serving in the Glasgow Police Department, attaining the rank of sergeant.

In 1958, he was appointed a U.S. Deputy Marshal in the Western District of Kentucky, where he served as an instructor and trainer. At one point in his career, Mr. Grider had trained two-thirds of the deputy marshals in the United States.

After his work at the U.S. Marshal's Service in Washington, D.C., Mr. Grider returned to Kentucky in 1973 where he served as Chief Deputy Marshal before being appointed in 1975 as the U.S. Marshal for the Western District of Kentucky.

After his retirement as U.S. Marshal, Mr. Grider was appointed Clerk of the U.S. District Court in the Western District of Kentucky, where he served 17 years.

On Veteran's Day, friends, family and members of the Barren County and Glasgow communities will come together to recognize Mr. Grider's distinguished career. I join them in honoring Jesse W. Grider and thank him for his service and the great contributions he has made to our Nation and community.

CONGRATULATIONS, LT. COMMANDER JOHN R. LOGAN

HON. DONNA M. CHRISTENSEN

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mrs. CHRISTENSEN. Madam Speaker, today I rise to recognize the achievements of a Navy Lieutenant from my district, John R. Logan, who will be promoted to the rank of Lt. Commander in a ceremony that will be held this morning here in the Capitol Building. Presently serving as the Command Chaplain at the Marine Barracks here in Washington, D.C., Lt. Logan has been decorated with the Navy and

Marine Corps Commendation Medal and the Navy Achievement Medal.

A veteran of Operation Enduring Freedom and Operation Iraqi Freedom, Lt. Logan was born in St. Croix, U.S. Virgin Islands. He received a B.A. in Theology from the Antillean Adventist University in Mayaguez, Puerto Rico in 1992. He was licensed by the North Caribbean Conference of Seventh Day Adventists and began pastoral duties on St. Croix and St. Maarten.

Lt. Logan graduated with his Master of Divinity Degree on August 8, 1998 from Andrews University in Berrien Springs, Michigan. Two years later, he received a Masters in Social Work from the University of Michigan, with a clinical emphasis in children and Youth in Marriage and Family in Society. He subsequently served as a youth pastor, mental health therapist and marriage and family therapist in Michigan.

As a soldier, Lt. Logan served as Flotilla Chaplain of the U.S. Coast Guard Auxiliary before coming on active duty in 2001, serving aboard the USS *Belleau* and deploying on WESTPAC 2002 in support of Operation Enduring Freedom. In January 2004, he was assigned as Squadron Chaplain to Marine Aircraft Group 16 and was later deployed to Al Asad, Iraq with MAG–16 Headquarters in support of Iraqi Freedom in May 2007. Earlier this year, he graduated from the U.S. Naval War College, Fleet Seminar Program, receiving a diploma from the College of Naval Command and Staff.

Madam Speaker, Lt. Logan, soon to become a Lt. Commander in the Navy has combined his call to serve others with distinguished service as a soldier, a counselor and a minister. He is one of our best, as he provides counsel to his fellows in the armed services and to civilians in need of his help. We are proud of his accomplishments and on behalf of my family, staff, and the people of the Virgin Islands I wish him well as he continues to serve his country and his community with distinction.

HONORING PORTRAIT OF MAQUOKETA

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. BRALEY of Iowa. Madam Speaker, I rise today to congratulate Rose Frantzen, her husband Charles Morris, the Frantzen family, and the entire Maquoketa, Iowa community on the premier of Ms. Frantzen's Portrait of Maquoketa at the Smithsonian's National Portrait Gallery. This work will be on display from November 2009 to July 2010.

Portrait of Maquoketa is a compilation of 180 individual oil portraits of Maquoketa residents painted between July 2005 and July 2006. Ms. Frantzen's exceptional skill is evident in each portrait, but the paintings are more striking when displayed together.

Ms. Frantzen describes Portrait of Maquoketa as ''an unfiltered representation of this small Iowa community at this time in history.'' Unlike many portraits that are commissioned or collected by people with a distinct interest in art, Ms. Frantzen took a democratic approach to her work and opened her store front studio to any Maquoketa who wished to pose for her. She painted children, adults, seniors and adolescents. During the sittings she conducted informal interviews and later made audio recordings of her neighbors' stories, ideas, and beliefs. Many of these recordings are part of the installation at the Portrait Gallery.

The individuals in Portrait of Maquoketa don't look distinctly Iowan. There are no clues in the paintings indicating they have any relationship to each other. Together, though, we recognize these individuals are also a community with a shared identity and future. In each portrait Ms. Frantzen expresses the dignity and beauty in her neighbors, and together her paintings proclaim the dignity and beauty of Maquoketa.

Madam Speaker, I encourage my colleagues to visit the National Portrait Gallery to see Portrait of Maquoketa. It is an inspiring interpretation of American life.

BRUCE VENTO PUBLIC SERVICE AWARD

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Ms. McCOLLUM. Madam Speaker, I rise today to recognize the National Park Trust Bruce Vento Public Service Award. This award was established in 2001 by the National Park Trust to honor the memory and legacy of Congressman Bruce Vento.

Congressman Vento was a relentless advocate for America's national parks and conservation heritage and my predecessor in representing the citizens of Minnesota's 4th Congressional District in the U.S. House. As Chair of the Natural Resources Subcommittee on National Parks, Forest, and Public Lands, Mr. Vento passed more park legislation than any previous chairman.

The National Park Trust is a public-private partnership dedicated to the protection of America's parklands. This year, the National Park Trust presented the award to California Governor Arnold Schwarzenegger for his leadership in the protection of public lands in California and for his commitment to connecting children to the outdoors. I congratulate the Governor and commend the National Park Trust for its work in honoring the legacy of Congressman Vento.

HONORING THE REV. LLOYD SAATJIAN

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mrs. CAPPS. Madam Speaker, I rise today to honor the life of the Reverend LLoyd Saatjian, who passed away on July 28, 2009. Reverend Saatjian was a beloved pastor, humanitarian, social justice advocate, and so much more. His genuine warmth was felt by all who met him, and had unique ability to connect with people.

Reverend Saatjian was appointed to lead the First United Methodist Church of Santa Barbara in 1989 where he served as Pastor until his retirement several years ago. During his time as Pastor, he was an active member of the Greater Santa Barbara Area Clergy Association where he worked closely with leaders from other local faith communities on a wide range of projects and initiatives, including an annual interfaith Thanksgiving service. Hosted at First United Methodist Church, this wonderful event brought together community members from every faith to find common ground and give thanks. This event held special significance in 2001 when it helped facilitate an open dialogue between the local Muslim community during a time of such great unrest and misunderstanding.

He also forged a unique and inspirational partnership with the local Jewish community to help rebuild African American churches in the American South that had fallen victim to arson. Beginning 11 years ago, this partnership has sent hundreds of my constituents to small rural towns across the South to help those in need. These trips have not only built places of worship, but also lasting friendships with church and community members from all walks of life. This ongoing partnership is a shining testament to Reverend Saatjian's lifelong commitment to social justice and interfaith collaboration.

Reverend Saatjian was a cherished and valued member of the Santa Barbara community, and he will be truly missed.

HONORING GERALD RICHARDSON, OGEMAW COUNTY VETERAN OF THE YEAR

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. STUPAK. Madam Speaker, I rise to honor a constituent who has distinguished himself both in service to his country and to his community. Mr. Gerald Richardson has been named ''Ogemaw County Veteran of the Year'' by the Ogemaw County Veterans Alliance. It is an honor befitting the dedication and patriotism Mr. Richardson has demonstrated both in the U.S. Navy and in civilian life.

Mr. Richardson was born January 4, 1930 in Centerline, Michigan to Carl and Pauline Richardson. Upon graduation from Hazel Park High School, Mr. Richardson went to work for Chrysler Corporation as an automatic screw machinist operator.

In January of 1951 Mr. Richardson went to serve his country, enlisting in the U.S. Navy. He attended basic training at Great Lakes Naval Training Center in Illinois and was assigned to Little Creek Naval Air Station in Virginia. After one month in Virginia, Mr. Richardson received his assignment to the USS *Casa Grande* LSD where he performed duties as a machinist mate, second class.

While onboard the USS *Casa Grande* LSD Mr. Richardson served in many missions and exercises, including supply missions to Newfoundland and Greenland. He and his crewmates also performed amphibious training in various locations. In December 1954 Mr. Richardson received an honorable discharge and returned to Michigan.

Upon discharge from the U.S. Navy, Mr. Richardson went back to working for Chrysler,

where he remained employed until 1979 when he retired. After retiring, he moved to West Branch, Michigan where he resides today.

Mr. Richardson has continued to be involved in numerous civic activities of the Veterans of Foreign Wars Post 3775, and previously served as the post's commander. It is for his involvement in the community that Mr. Richardson has been bestowed with this award—the highest honor the Ogemaw County Veterans Alliance can bestow upon a fellow veteran.

Gerald Richardson is a man who understands commitment and exemplifies the values of service and responsibility toward others. He stands as an example of what it means to be a true American hero, embodying traits of honor, courage and humility.

Madam Speaker, Gerald Richardson has served his country with bravery and dignity, and has continued to draw on these traits in service to Ogemaw County. He is an individual who has been recognized by his community and his fellow veterans as a leader and a model citizen. With that in mind Madam Speaker, I ask that you, and all of my colleagues in the U.S. House of Representatives, join me in saluting Gerald Richardson for his lifetime of service and in congratulating him on being awarded Ogemaw County Veteran of the Year.

CELEBRATE THE CONTRIBUTIONS OF HISPANIC AMERICANS TO THE UNITED STATES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. RANGEL. Madam Speaker, I rise today in support of H. Res. 783, ''Recognizing Hispanic Heritage Month,'' and celebrating the vast contributions of Hispanic-Americans to the strength and culture of the United States.

Through the centuries, millions of Hispanic men and women have traveled to the United States looking for the American dream and a better future for their families. They are today spread far and wide across the 50 States. Their arrival resulted in a remarkable mixture of Hispanic culture, traditions, music, food, and language with the American way of life. The Census Bureau reports that Hispanic Americans are the largest ethnic minority in our Nation today, representing 15 percent of the total population.

Hispanic Americans have created their own companies and businesses and are an integral part of the American workforce that keeps our economy moving forward. There are Hispanic Americans serving in the Senate and House of Representatives, but we must do more to increase these numbers and diversify Capitol Hill offices with better Hispanic representation. This year, Sonia Sotomayor, a Bronx native of Puerto Rican descent, became the first Latina to sit on the Supreme Court after being nominated by President Obama. Finally, we must pay respects to the over one million Hispanic veterans who have fought valiantly to defend this nation.

On both big and small scales, Hispanic Americans have left their mark, their heritage, and their contributions on this great country. Their music is heard through voices like Celia Cruz, Marc Anthony, and Tito Puente. Their food is widely available in menus across the country. Their Spanish language we have grown accustomed to hearing, understanding, and loving.

Hispanic American heritage is culture, life and beauty. I urge all my colleagues to extend their support to celebrate a cultural heritage and contribution that makes us the country we are.

NATIONAL FIREFIGHTERS MEMORIAL DAY

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LARSON of Connecticut. Mr. Speaker, I rise in support of House Resolution 729, a resolution honoring and celebrating this nation's firefighters with a ''National Firefighters' Memorial Day.'' In today's economic climate, we cannot forget the irreplaceable services that firefighters and first responders perform in our communities, often receiving as compensation only the personal fulfillment of making a difference.

Take, for example, the volunteer fire department of Portland, Connecticut, a small town in the southern part of my district. The fire department in Portland was established in 1884 when a group of twenty-five members of the community recognized that a bucket brigade was insufficient to fight the blazes that were devastating their downtown. They decided they could not stand by idly while friends and neighbors lost their homes and businesses. Today, the Portland volunteer fire department boasts sixty members, and the original firehouse still stands on Portland's Main Street, a symbol of the central role that our first responders play in our communities.

The technology of firefighting has evolved significantly since the early days of the Portland volunteer fire department. I am proud to say that the fire department in Hartford is one of less than fifty departments, out of over 33,000 across the country, to earn the highest possible ranking for fire protection. This honor is no doubt a result of Hartford's position on the cutting edge of first responder technology. Hartford's fire department has been a trailblazer in using GIS mapping and GPS technology to make every first responder aware of hydrant locations, water main diameters, engine locations, and building footprints across the city, all to better serve Connecticut's capital city.

Firefighters in Connecticut's First District also serve the thousands of people who use Bradley Airport each day. The Connecticut Commission on Fire Prevention and Control, established in 1975, is located in Windsor Locks, Connecticut, near the airport. Its facilities, with classrooms, a dive rescue training pool, burn structures, a training yard, and airplane and tanker props for passenger extrication drills, provide a state-of-the-art campus to train and coordinate first responder efforts across the state. It is because of Connecticut's dedication to providing resources and support to its firefighters that we boast some of the best in the nation.

Connecticut's first district hosts thirty-seven fire houses, including Hartford's. Twenty-seven of these, including Portland's, are completely volunteer operations. Even when the men and women who make up these fire houses aren't selflessly protecting the lives of their friends and neighbors, you can see them out in their communities. They are working day jobs, teaching young people and engendering their passion for fire safety through school visits and Explorer programs, and participating in carnivals, spaghetti suppers, and fundraisers to pay for the equipment and training they need to stay at the top of their profession. The services that firefighters and first responders provide are priceless. The very least we can do is honor our first responders with a ''National Firefighters' Memorial Day,'' and recognize the crucial role they play in promoting our safety, security, and well-being.

HEALTH CARE

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Mr. BACA. Madam Speaker, as Members of Congress, it is our duty to pass real health care reform this year.

Perhaps no state is in greater need of this reform than my home state of California.

Two hundred seventeen thousand people in my Congressional District go everyday without reform.

And for California as a whole—we have 13 million uninsured residents!

The people of California, and people across the United States need health care reform that:

Ends discrimination based on pre-existing conditions!

Ends dropped healthcare coverage because you get sick!

Ends co-pays for preventative care!

And ends skyrocketing costs for individuals and families!

The Republican alternative does none of these things!

It simply keeps the status quo! It costs more! And does nothing!

The 217,000 people living in my District without insurance cannot afford inaction any longer!

The 13 million people in California without insurance cannot live with the status quo!

The 15 hundred families in my District who went bankrupt because of health costs cannot afford the status quo!

Now is our opportunity to make history—and to move America forward!

We must not be short-sighted and focus only on politics and polls.

As we work for health care reform, I also urge my colleagues to pass a bill that does not include costly and discriminatory verification requirements like the SAVE requirements.

Our Nation cannot afford either the humanitarian or the fiscal costs of a health care immigration verification process.

As a Christian—my faith teaches me that we must love our fellow man, and care for them as if they were our brother or sister.

If a sick person is at the doctor's or the hospital—they need help!

They do not have time to wait for a lengthy background check to determine their citizenship status.

Can you imagine the medical errors we will have if we have to run an immigration status check every time someone who looks different needs medical care!

This can lead to a dangerous precedent of racial profiling! People may be denied life-saving care simply because of how they look!

From a fiscal perspective—numerous studies have shown us that immigration screenings cost our nation much more in tax dollars than they actually save.

SAVE requirements would become unfunded mandates that add to the administrative cost burden of our States!

In my home State of California—Los Angeles County spent $28 million in 2008 to implement tougher verification standards on the Medi-Cal program!

I repeat—$28 million!!

And how many undocumented immigrants did this $28 million help to catch actually using Medi-Cal benefits? Zero!!!

Is this a cost-effective practice?! Or is this a burden on county governments?!

A mandatory verification requirement in this health bill would only add to the current cost burden of emergency rooms!

We should be working on policies that encourage people to go to clinics, where they can receive proper preventative and routine care.

SAVE electronic verification would push more and more people into the emergency room—where all of us will be left to pick up the tab!

Additional SAVE Program Verification also hinders access for the general public to health care.

This has certainly been the case since states have been required to verify legal status for Medicaid.

According to the Center for Budget and Policy Priorities—anywhere from 3 million to 5 million U.S. citizens have lost Medicaid coverage because they lacked the necessary paperwork (birth certificate or passport) to prove their citizenship.

By introducing mandatory electronic verification procedures—we are creating additional hurdles for Americans to access the care they need!

And what would be the cost in new liability suits?!

And think of our current situation with H1N1. Families need access to care immediately—to stop the spread of further outbreaks!

This would be chaos! It would burden our entire healthcare system with a costly and ineffective unfunded mandate.

From both a humanitarian and a fiscal point of view—we cannot afford mandatory electronic verification.

I am pleased the manager's amendment to this legislation does not include mandatory verification for people looking to access the health care exchange.

I urge my colleagues to remain vigilant on this issue—and work to stop any mandatory electronic verification requirements.

I am also pleased the larger bill includes the Indian Health Care Improvement Act.

As a Member of the House Native American Caucus and the Natural Resources Committee—I have been a strong supporter of ending the health disparities that exist on our reservations.

I will close my statement by again stressing the importance of this historic moment!

We passed Social Security in 1935. We passed Medicare in 1965.

I urge my colleagues to stand with the American people and pass legislation in 2009 that will make quality, affordable health care a right for all Americans!

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, due to illness, I was unable to be present in the Capitol for votes on Tuesday, November 3, 2009.

However, had I been present, I would have voted ''yea'' on H.R. 3949, Veterans' Small Business Assistance and Servicemembers Protection Act of 2009; ''yea'' on H. Res. 398, Recognizing the 60th anniversary of the Berlin Airlift's success; ''yea'' on H. Res. 866, Expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our Nation in times of war and conflict; yea on H. Res. 867, Calling on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' in multilateral for a; ''yea'' on H.R. 3157, To name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic''; and ''yea'' on H. Res. 736, To name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic.''

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 Thursday, November 5, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 6

9:30 a.m.
Joint Economic Committee
To hold hearings to examine the employment situation for October 2009.
SD–106

NOVEMBER 9

3 p.m.
Environment and Public Works
Water and Wildlife Subcommittee
To hold hearings to examine S. 1816, to amend the Federal Water Pollution Control Act to improve and reauthorize the Chesapeake Bay Program, and S. 1311, to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico.
SD–406

NOVEMBER 10

9 a.m.
Foreign Relations
To hold hearings to examine protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 21, 1994, as Amended by the Protocol signed on December 8, 2004, signed January 13, 2009, at Paris, together with a related Memorandum of Understanding, signed January 13, 2009 (Treaty Doc. 111–04), protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed on December 1, 2008, at Washington (Treaty Doc. 111–03), convention Between the Government of the United States of America and the Government of Malta for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on August 8, 2008, at Valletta (Treaty Doc. 111–01), treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110–23), and international Treaty on Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States on November 1, 2002 (the ''Treaty'') (Treaty Doc. 110–19).
SD–419

9:30 a.m.
Budget
To hold hearings to examine bipartisan process proposals for long-term fiscal stability.
SD–608

10 a.m.
Health, Education, Labor, and Pensions
Children and Families Subcommittee
To hold hearings to examine H1N1 and paid sick days.
SD–430

Energy and Natural Resources
To hold hearings to examine policy options for reducing greenhouse gas emissions.
SD–366

Finance
To hold hearings to examine climate change legislation, focusing on considerations for future jobs.
SD–215

Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security, and Daniel I. Gordon, of the District of Columbia, to be Administrator for Federal Procurement Policy.
SD–342

Banking, Housing, and Urban Affairs
Housing, Transportation and Community Development Subcommittee
To hold hearings to examine ending veterans' homelessness.
SD–538

Judiciary
To hold hearings to examine strengthening our criminal justice system, focusing on extending the Innocence Protection Act.
SD–226

10:30 a.m.
Foreign Relations
To receive a briefing on Sudan.
SVC–217

2:15 p.m.
Foreign Relations
Business meeting to consider S. 1524, to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, S. 1739, to promote freedom of the press around the world, S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, H. Con. Res. 36, calling on the President and the allies of the United States to raise in all appropriate bilateral and multilateral for a the case of Robert Levinson at every opportunity, urging Iran to fulfill their promises of assistance to the family of Robert Levinson, and calling on Iran to share the results of its investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation, Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague on November 23, 2007, and signed by the United States on that same date (Treaty Doc. 110–21), the nominations of Jose W. Fernandez, of New York, to be Assistant Secretary for Economic, Energy, and Business Affairs, William E. Kennard, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador, John F. Tefft, of Virginia, to be Ambassador to Ukraine, Michael C. Polt, of Tennessee, to be Ambassador to the Republic of Estonia, and Cynthia Stroum, of Washington, to be Ambassador to Luxembourg, all of the Department of State, and James LaGarde Hudson, of the District of Columbia, to be United States Director of the European Bank for Reconstruction and Development, and routine lists in the Foreign Service.
S–116, Capitol

3 p.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine protecting consumers from overdraft fees, focusing on the Fairness and Accountability in Receiving Overdraft Coverage Act.
SD–538

NOVEMBER 17

10:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine reauthorization of the United States child nutrition programs, focusing on opportunities to fight hunger and improve child health.
SD–562

2:30 p.m.
Foreign Relations
To hold hearings to examine the United States and the G–20, focusing on remaking the international economic architecture.
SD–419

NOVEMBER 18

9:30 a.m.
Veterans' Affairs
To hold hearings to examine easing the burdens through employment.
SR–418

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

NOVEMBER 19

10 a.m.
Energy and Natural Resources
To hold hearings to examine environmental stewardship policies related to offshore energy production.
SD–366

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3548, Unemployment Compensation Extension Act.

Senate

Chamber Action

Routine Proceedings, pages S11063–S11130

Measures Introduced: Five bills and five resolutions were introduced, as follows: S. 2726–2730, and S. Res. 333–337. **Page S11118**

Measures Reported:

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. 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''.

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''.

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. **Page S11118**

Measures Passed:

Unemployment Compensation Extension Act: By a unanimous vote of 98 yeas (Vote No. 334), Senate passed H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, as amended, after taking action on the following amendments proposed thereto: **Pages S11077–S11103**

Adopted:

Reid (for Baucus/Reid) Amendment No. 2712, in the nature of a substitute. **Page S11077**

Withdrawn:

Reid Amendment No. 2713 (to Amendment No. 2712), to change the enactment date. **Page S11077**

Reid Amendment No. 2714 (to Amendment No. 2713), of a perfecting nature. **Page S11077**

Reid Amendment No. 2715 (to the language proposed to be stricken by Amendment No. 2712), to change the enactment date. **Page S11077**

Reid Amendment No. 2716 (to Amendment No. 2715), of a perfecting nature. **Page S11077**

During consideration of this measure today, Senate also took the following action:

By 97 yeas to 1 nay (Vote No. 333), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S11080**

National Military Family Month: Senate agreed to S. Res. 336, expressing the sense of the Senate regarding designation of the month of November 2009 as ''National Military Family Month''. **Page S11130**

Commerce, Justice, Science, and Related Agencies Appropriations Act—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 11:30 a.m., on Thursday, November 5, 2009, Senate will resume consideration of H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and consider the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the committee-reported substitute amendment; that the motion to proceed be agreed to and the motion to reconsider be agreed to; and that prior to the vote on the motion to invoke cloture on the substitute amendment, there be 40 minutes of debate, equally divided and controlled as follows: 20 minutes under the control of Senator Vitter, and 20 minutes total for Senators Mikulski and Shelby; that upon the use or yielding back of time, Senate vote on the motion to invoke cloture on the substitute amendment. **Page S11130**

Military Construction and Veterans Affairs Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that upon disposition of H.R. 2847, Senate begin consideration of H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and that immediately after the bill is reported, Senator Johnson, or his designee, be recognized to call up the substitute amendment, which is the text of S. 1407, the Senate committee-reported bill. **Page S11099**

National Metro Safety Act Referral—Agreement: A unanimous-consent agreement was reached providing that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 1560, to authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway, and the bill then be referred to the Committee on Banking, Housing, and Urban Affairs. **Page S11130**

Kumar Nomination Referral—Agreement: A unanimous-consent agreement was reached providing that the nomination of Suresh Kumar, of New Jersey, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received in the Senate on October 29, 2009 and referred to the Committee on Banking, Housing, and Urban Affairs on November 2, 2009 be jointly referred to the Committee on Commerce, Science, and Transportation. **Page S11130**

Nomination Confirmed: Senate confirmed the following nomination:

Tara Jeanne O'Toole, of Maryland, to be Under Secretary for Science and Technology, Department of Homeland Security. **Pages S11103–05, S11130**

Nominations Received: Senate received the following nominations:

Albert Diaz, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

James A. Wynn, Jr., of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Grayling Grant Williams, of Maryland, to be Director of the Office of Counternarcotics Enforcement, Department of Homeland Security.

John Gibbons, of Massachusetts, to be United States Marshal for the District of Massachusetts for the term of four years.

Robert William Heun, of Alaska, to be United States Marshal for the District of Alaska for the term of four years.

3 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army. **Page S11130**

Messages from the House: **Page S11116**

Measures Referred: **Pages S11116–17**

Enrolled Bills Presented: **Page S11117**

Executive Communications: **Pages S11117–18**

Additional Cosponsors: **Pages S11118–19**

Statements on Introduced Bills/Resolutions: **Pages S11119–21**

Additional Statements: **Pages S11114–16**

Amendments Submitted: **Page S11121**

Notices of Hearings/Meetings: **Page S11121**

Authorities for Committees to Meet: **Page S11121**

Record Votes: Two record votes were taken today. (Total—334) **Pages S11080, S11099**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:32 p.m., until 9:30 a.m. on Thursday, November 5, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11130.)

Committee Meetings

(Committees not listed did not meet)

OCEAN GOVERNANCE AND POLICY

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the future of ocean governance, focusing on building national ocean policy, after receiving testimony from Nancy H. Sutley, Chair, White House Council on Environmental Quality; Jane Lubchenco, Under Secretary of Commerce for Oceans and Atmosphere, National Oceanic and Atmospheric Administration; Admiral Thad W. Allen, Commandant, U.S. Coast Guard, Department of Homeland Security; Laura Davis, Associate Deputy Secretary of the Interior; Billy Frank, Jr., Northwest Indian Fisheries Commission, Olympia, Washington; and Dennis Takahashi-Kelso, Ocean Conservancy, Matthew Paxton, Ball Janik, on behalf of the Coastal Conservation Association, and Carolyn Elefant, Ocean Renewable Energy Coalition, all of Washington, D.C.

NATIONAL PARKS BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 1369, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, S. 1405, to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site", S. 1413, to amend the Adams National Historical Park Act of 1998 to include the Quincy Homestead within the boundary of the Adams National Historical Park, S. 1767 and H.R. 1121, bills to authorize a land exchange to acquire land for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, S. Res. 275, honoring the Minute Man National Historical Park on the occasion of its 50th anniversary, H.R. 2802, to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, H.R. 3113, to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and H.R. 1287, to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore, after receiving testimony from Senator Kirk; and Katherine H. Stevenson, Assistant Director, Business Services, National Park Service, Department of the Interior.

BUSINESS MEETING

Committee on Environment and Public Works: Committee continued consideration of S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, but did not complete action thereon, and will meet again on Thursday, November 5.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the rank of Ambassador, Department of State, who was introduced by Senator Enzi, Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, and Michael F. Mundaca, of New York, to be Assistant Secretary of the Treasury, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Daniel W. Yohannes, of Colorado, to be Chief Executive Officer, Millennium Challenge Corporation, who was introduced by Senator Bennet, and Jide J. Zeitlin, of New York, to be Alternate Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative to the United Nations for U.N. Management and Reform, and to be Representative to the United Nations for U.N. Management and Reform, with the rank of Ambassador, Frederick D. Barton, of Maine, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, and Carmen Lomellin, of Virginia, to be Permanent Representative to the Organization of American States, with the rank of Ambassador, all of the Department of State, and Gustavo Arnavat, of New York, to be United States Executive Director of the Inter-American Development Bank, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following bills:

S. 1649, to prevent the proliferation of weapons of mass destruction, to prepare for attacks using

weapons of mass destruction, with an amendment in the nature of a substitute;

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 overclassification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, with an amendment in the nature of a substitute;

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, with an amendment in the nature of a substitute;

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''; and

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''.

FEDERAL ACKNOWLEDGEMENT PROCESS

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the Federal acknowledgment process, after receiving testimony from George T. Skibine, Acting Principal Deputy Assistant Secretary for Indian Affairs, and R. Lee Fleming, Director, Office of Federal Acknowledgement, both of the Department of the Interior; Frank Ettawageshik, National Congress of American Indians, Washington, D.C.; John Sinclair, Little Shell Tribe of Chippewa Indians of Montana, Havre; Ann Tucker, Muscogee Nation of Florida, Bruce; and Patty Ferguson-Bohnee, Arizona State University Sandra Day O'Connor College of Law Indian Legal Clinic, Tempe.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, who was introduced by Senator Casey, Christina Reiss, to be United States District Judge for the District of Vermont, Louis B. Butler, Jr., to be United States District Judge for the Western District of Wisconsin, Abdul K. Kallon, to be United States District Judge for the Northern District of Alabama, and Victoria Angelica Espinel, of the District of Columbia, to be Intellectual Property Enforcement Coordinator, Executive Office of the President, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 4014–4026; and 4 resolutions, H. Con. Res. 208; and H. Res. 888–890 were introduced. **Page H12364**

Additional Cosponsors: **Pages H12364–65**

Report Filed: A report was filed today as follows:

H.R. 3276, to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes, with an amendment (H. Rept. 111–328). **Page H12364**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Carlton Cross, First United Methodist Church, Prescott, Arkansas. **Page H12291**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, November 3rd:

Congratulating the Inter-American Foundation (IAF) on its 40th anniversary and recognizing its significant accomplishments and contributions: H. Res. 858, to congratulate the Inter-American Foundation (IAF) on its 40th anniversary and to recognize its significant accomplishments and contributions, by a ⅔ yea-and-nay vote of 405 yeas to 1 nay with 2 voting ''present'', Roll No. 843; **Page H12301**

Condemning the illegal extraction of Madagascar's natural resources: H. Res. 839, amended, to condemn the illegal extraction of Madagascar's natural resources, by a ⅔ yea-and-nay vote of 409 yeas to 5 nays, Roll No. 844; **Pages H12301–02**

Recognizing the scourge of pneumonia, urging the United States and the world to mobilize cooperation and prioritize resources to fight pneumonia and save children's lives, and recognizing November 2 as World Pneumonia Day: H. Res. 863, amended, to recognize the scourge of pneumonia, to urge the United States and the world to mobilize cooperation and prioritize resources to fight pneumonia and save children's lives, and to recognize November 2 as World Pneumonia Day, by a ⅔ yea-and-nay vote of 421 yeas to 1 nay, Roll No. 852; **Pages H12334–35**

Agreed to amend the title so as to read: ''Recognizing the scourge of pneumonia, urging the United States and the world to mobilize cooperation and focus resources to fight pneumonia and save children's lives, and recognizing November 2 as World Pneumonia Day.''. **Page H12335**

Recognizing the 60th anniversary of the founding of Radio Free Europe/Radio Liberty: H. Res. 641, amended, to recognize the 60th anniversary of the founding of Radio Free Europe/Radio Liberty, by a ⅔ yea-and-nay vote of 422 yeas to 1 nay, Roll No. 853; and **Page H12335**

Calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons (IDPs) currently living in government-run camps: H. Res. 711, amended, to call on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons (IDPs) currently living in government-run camps by supporting the release of such IDPs, implementing and facilitating an independent oversight of the process of release and resettlement, and allowing foreign aid groups to provide relief and resources to such IDPs, by a ⅔ recorded vote of 421 ayes to 1 no, Roll No. 854. **Pages H12335–36**

Agreed to amend the title so as to read: ''Calling on the Government of Sri Lanka to address the human rights and humanitarian needs of its civilian internally displaced Tamil population currently living in government-run camps by working with the United Nations and the international community to implement a process of release and resettlement of such internally displaced persons (IDPs), and allowing foreign aid groups to provide relief and resources throughout the process.''. **Page H12336**

Expedited CARD Reform for Consumers Act of 2009: The House passed 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, by a recorded vote of 331 ayes to 92 noes, Roll No. 851. **Pages H12294–H12323**

Rejected the Castle motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 171 ayes to 253 noes, Roll No. 850. **Pages H12320–22**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part A of H. Rept. 111–326, shall be considered as adopted in the House and in the Committee of the Whole and

the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule. **Page H12310**

Agreed to:

Hensarling amendment (No. 1 printed in part B of H. Rept. 111–326) that clarifies that changes to a credit card agreement that reduce a customer's interest rate or other fees can be implemented immediately, instead of being subject to the 45-day waiting period required under the CARD Act of 2009 (by a recorded vote of 427 ayes with none voting ''no'', Roll No. 845); **Pages H12311–12, H12317–18**

McCarthy (NY) amendment (No. 2 printed in part B of H. Rept. 111–326) that provides that any card issuer that imposes a moratorium on increases in rates, fees and terms and conditions of a contract would be exempt from the accelerated date for the provision requiring an issuer to apply a customer's payment in excess of the minimum amount due, to the highest rate balance (by a recorded vote of 427 ayes with none voting ''no'', Roll No. 846); **Pages H12312–13, H12318**

Maffei amendment (No. 3 printed in part B of H. Rept. 111–326) that sets the effective date of certain provisions of the CARD Act of 2009 to the enactment date of this Act (by a recorded vote of 251 ayes to 174 noes, Roll No. 847); **Pages H12313–14, H12318–19**

Sutton amendment (No. 4 printed in part B of H. Rept. 111–326) that prevents the closure of a credit card account in response to the imposition of a new fee from negatively impacting a consumer's credit report or credit score (by a recorded vote of 353 ayes to 71 noes, Roll No. 848); and **Pages H12314–16, H12319–20**

Sutton amendment (No. 5 printed in part B of H. Rept. 111–326) that imposes a moratorium on increasing annual percentage rates, fees and finance charges, as well as a moratorium on changing the terms for repayment of outstanding balances on credit card accounts, for nine months after enactment of this Act (by a recorded vote of 249 ayes to 173 noes, Roll No. 849). **Pages H12316, H12320**

H. Res. 884, the rule providing for consideration of the bill, was agreed to by a recorded vote of 234 ayes to 175 noes, Roll No. 842, after the previous question was ordered by a yea-and-nay vote of 228 yeas to 176 nays, Roll No. 841. **Pages H12299–H12301**

Suspensions: The House agreed to suspend the rules and agree to the following measures:

Recognizing the Commissioning of the USS New York LPD 21: H. Res. 856, to recognize the Commissioning of the USS *New York* LPD 21, by a ⅔ yea-and-nay vote of 420 yeas with none voting ''nay'', Roll No. 855 and **Pages H12323–25, H12336–37**

Recognizing the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois, on its 100th anniversary: H. Res. 752, amended, to recognize the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois, on its 100th anniversary and the contributions to worker and mine safety that resulted from this and other disasters. **Pages H12331–32**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Honoring and recognizing the service and achievements of current and former female members of the Armed Forces: H. Res. 868, to honor and recognize the service and achievements of current and former female members of the Armed Forces; **Pages H12325–27**

Congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation: H. Con. Res. 139, amended, to congratulate the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and to recognize their contributions to the Nation; **Pages H12327–30**

Recognizing the efforts of career and technical colleges to educate and train workers for positions in high-demand industries: H. Res. 880, amended, to recognize the efforts of career and technical colleges to educate and train workers for positions in high-demand industries; and **Pages H12330–31**

Expressing support for the goals and ideals of National Family Literacy Day: H. Res. 878, to express support for the goals and ideals of National Family Literacy Day. **Pages H12332–34**

Quorum Calls—Votes: Six yea-and-nay votes and nine recorded votes developed during the proceedings of today and appear on pages H12299–H12300, H12300–01, H12301, H12302, H12317–18, H12318, H12318–19, H12319–20, H12320, H12322, H12323, H12334, H12335, H12335–36 and H12336–37. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:35 p.m.

Committee Meetings

DISTRACTED DRIVING

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection and the Subcommittee on Communications, Technology and the Internet held a joint hearing on Driven To Distraction: Technological Devices and Vehicle Safety.

Testimony was heard from Ray LaHood, Secretary of Transportation; Julius Genachowski, Chairman, FCC; former Representative Steve Largent of Oklahoma; and public witnesses.

INVESTOR PROTECTION ACT

Committee on Financial Services: Ordered reported, as amended, H.R. 3817, Investor Protection Act of 2009.

COPENHAGEN AND BEYOND: IS THERE A SUCCESSOR TO THE KYOTO PROTOCOL?

Committee on Foreign Affairs: Held a hearing on Copenhagen and Beyond: Is There a Successor to the Kyoto Protocol? Testimony was heard from Todd D. Stern, Special Envoy for Climate Change, Department of State; former Senator Timothy E. Wirth, State of Colorado; Eileen Claussen, former Assistant Secretary, Oceans and International Environmental and Scientific Affairs, Department of State; and a public witness.

MISCELLANEOUS MEASURES

Committee on House Administration: Ordered reported the following bills: H.R. 3224, To authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes; H.R. 2843, Architect of the Capitol Appointment Act of 2009; H.R. 3489, To amend the Help America Vote Act of 1972 to prohibit State election officials from accepting a challenge to an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office in a jurisdiction on the grounds that the individual resides in a household in the jurisdiction which is subject to foreclosure proceedings or that the jurisdiction was adversely affected by a hurricane or other major disaster, and for other purposes; and, as amended, H.R. 3542, State Admission Day Recognition Act of 2009.

The Committee also agreed to the following: Committee Resolution (111–6), to adopt voucher documentation standards; and Committee Resolution (111–7), to prohibit text messaging while driving on official business.

USA PATRIOT AMENDMENTS ACT OF 2009

Committee on the Judiciary: Began consideration of H.R. 3845, USA PATRIOT Amendments Act of 2009.

Will continue tomorrow.

INDIAN LAND TRUSTS

Committee on Natural Resources: Held a hearing on the following bills: H.R. 3742, To amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; and H.R. 3697, To amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes. Testimony was heard from Representatives Arcuri and Cole; Donald Laverdure, Deputy Assistant Secretary, Indian Affairs, Department of the Interior; Richard Blumenthal, Attorney General, State of Connecticut; and public witnesses.

AMERICAN SAMOA RESOURCES—EMPLOYMENT PROTECTION

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on H.R. 3583, American Samoa Protection of Industry, Resources, and Employment Act. Testimony was heard from Togiola T. A. Tulafono, Governor, American Samoa; Nikolao Pula, Director, Office of Insular Affairs, Department of the Interior; and public witnesses.

CYBERSECURITY COORDINATION AND AWARENESS ACT

Committee on Science and Technology: Subcommittee on Technology and Innovation favorably approved for full Committee action the Cybersecurity Coordination and Awareness Act.

SMALL BUSINESS AND THE ESTATE TAX

Committee on Small Business: Held a hearing entitled "Small Businesses and the Estate Tax: Identifying Reforms to Meet the Needs of Small Firms and Family Farmers." Testimony was heard from public witnesses.

WATER RESOURCES INFRASTRUCTURE INVESTMENT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on Recovery Act: Progress Report on Water Resources Infrastructure Investment. Testimony was heard from Nanci E. Gelb, Deputy Director, Office of Ground Water and Drinking Water, Office of Water, EPA; Jo-Ellen Darcy, Assistant Secretary, Civil Works, Corps of Engineers, Department of the Army; John Hanger, Secretary, Department of Environmental Protection, State of Pennsylvania; and public witnesses.

BRIEFING—DOD QUARTERLY UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Department of

Defense Quarterly Update. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1269)*

S. 1818, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall. Signed on November 3, 2009. (Public Law 111–90)

COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 5, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nominations of Steven L. Jacques, of Kansas, to be Assistant Secretary of Housing and Urban Development for Public Affairs, Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration, and Marisa Lago, of New York, to be Assistant Secretary of the Treasury for International Markets and Development, 9:30 a.m., SD–538.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold hearings to examine S. 1757, to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District, S. 1758, to provide for the allocation of costs to project power with respect to power development within the Diamond Fork System, and S. 1759, to authorize certain transfers of water in the Central Valley Project, 2:30 p.m., SD–366.

Committee on Environment and Public Works: business meeting to continue consideration of S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, 9 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Jeffrey L. Bleich, of California, to be Ambassador to Australia, David Huebner, of California, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa, Robert R. King, of Virginia, to be Special Envoy on North Korean Human Rights Issues, with the rank of Ambassador, and Peter Alan Prahar, of Virginia, to be Ambassador to the Federated States of Micronesia, all of the Department of State, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Employment Non-Discrimination Act, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine business formation and financial crime, focusing on finding a legislative solution, 10 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 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, S. 1147, to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and the nominations of Ketanji Brown Jackson, of Maryland, to be a Member of the United States Sentencing Commission, Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy, and Kenyen Ray Brown, to be United States Attorney for the Southern District of Alabama, Stephanie M. Rose, to be United States Attorney for the Northern District of Iowa, and Nicholas A. Klinefeldt, to be United States Attorney for the Southern District of Iowa, all of the Department of Justice, 10 a.m., SD–226.

Subcommittee on Crime and Drugs, to hold hearings to examine reducing recidivism at the local level, 2 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine Veterans' Affairs and Indian Health Service cooperation, 10 a.m., SR–418.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 3 p.m., S–407, Capitol.

House

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on Iraq and Afghanistan: Perspectives on U.S. Strategy, Part II, 10:30 a.m., 2226 Rayburn.

Committee on Education and Labor, Subcommittee on Healthy Families and Communities, hearing on Preventing Child Abuse and Improving Responses to Families in Crisis, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up H.R. 515, Radioactive Import Deterrence Act, 11 a.m., 2123 Rayburn.

Committee on Financial Services, to consider a Committee Print of the Financial Stability Improvement Act of 2009, 10 a.m., 2128 Rayburn.

Committee on the Judiciary, to continue consideration of H.R. 3845, U.S. PATRIOT Act 2009, and to consider the following measures: H.R. 984, State Secret Protection Act of 2009; and H. Res. 871, Directing the Attorney General to transmit to the House of Representatives certain documents, records, memos, correspondence, and other communications regarding medical malpractice reform, 11 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Combating Organized Retail Crime—The Role of Federal Law Enforcement, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources and the Subcommittee on Water and Power, joint oversight hearing entitled ''Getting Past Gridlock: Models for Renewable Energy Siting and Transmission,'' 10 a.m., 1324 Longworth.

Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on H.R. 3940, To authorize the Secretary of the Interior to extend grants and other assistance to facilitate a political status public education program for the people of Guam, 2 p.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 765, Nellis Dunes National Off-Highway Vehicle Recreation Area Act of 2009; H.R. 1769, Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act; H.R. 2476, Ski Area Recreational Opportunity Enhancement Act of 2009; H.R. 3388, Petersburg National Battlefield Boundary Modification Act; H.R. 3603, To rename the Ocmulgee National Monument; H.R. 3759, BLM Contract Extension Act; and H.R. 3804, National Park Service Authorities and Corrections Act of 2009, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform,, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled ''More than Stamps: Adapting the Postal Service to a Changing World,'' 10 a.m., 2154 Rayburn.

Subcommittee on Information Policy, Census and the National Archives, hearing entitled ''The National Archives' Ability to Safeguard the Nation's Electronic Records,'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, hearing on Geoengineering: Assessing the Implications of Large-Scale Climate Intervention, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following measures: the Hazardous Material Transportation Safety Act of 2009; H.R. 3377, Disaster Response, Recovery, and Mitigation Enhancement Act of 2009; H.R. 1174, FEMA Independence Act of 2009; H. Res. 841, Expressing support for designation of November 29, 2009, as '' Drive Safer Sunday;'' and General Services Administration Capital Investment and Leasing Program Resolutions, 11 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on Foreign Bank Account Reporting and Tax Compliance, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, to consider non-committee member requests for access to classified information, 2 p.m., 304 HVC.

Subcommittee on Oversight and Investigations, executive, briefing on Peru, 10:30 a.m., 304 HVC.

Next Meeting of the SENATE

9:30 a.m., Thursday, November 5

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond two hours), Senate will resume consideration of H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act, and after a period of debate, vote on the motion to invoke cloture on the substitute amendment; following which, Senate will begin consideration of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act, and Senator Johnson, or his designee, be recognized to call up the substitute amendment.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, November 5

House Chamber

Program for Thursday: Consideration of H.R. 2868—Chemical Facility Anti-Terrorism Act of 2009 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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Wolf, Frank R., Va., E2709

Congressional Record

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