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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Ms. SPEIER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 22, 2010.

I hereby appoint the Honorable JACKIE SPEIER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord of history, yet ever present to people of faith, we place our trust in You.

As we mark the birthday of George Washington, we are mindful of his words: ''When you deliver a message, do it without passion and with discretion, however mean the person you do it to.''

Lord, help children and adults, especially leaders and professional communicators in this country, to be discreet and discerning in the way they speak to others. Then perhaps some of the 110 rules of civility and decent behavior George jotted down for himself at the age of 14 may find fresh expression in us.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. TONKO 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

FEBRUARY 11, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 11, 2010 at 7:01 p.m.:

That the Senate passed S. 2917.

That the Senate agreed to S. Res. 413.

That the Senate agreed to without amendment H. Con. Res. 235.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Tuesday, February 9, 2010:

S. 2950, to extend the pilot program for volunteer groups to obtain criminal history background checks.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

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

HOUSE OF REPRESENTATIVES,
Washington, DC, February 11, 2010.

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

DEAR SPEAKER PELOSI: This letter is to let you know that I have sent a letter to Hawaii Governor Linda Lingle informing her that I am resigning my position as the United States Representative for the First Congressional district of Hawaii effective February 28, 2010.

It has been my privilege to serve in the United States House of Representatives on behalf of the people of Hawaii for the past 19 years. And to have served with you, Madam Speaker, the first female Speaker of the House, is an honor. I owe you and all my Congressional colleagues a debt of gratitude for your leadership, dedication, and friendship. I look forward to working with you in the future.

During my tenure in Washington, DC I have seen partisan division grind our important work to a halt but I have also developed lasting relationships in pursuit of bi-partisan solutions on national defense, natural resources, and energy issues. In the coming months and years, I plan to bring the best of what I have learned in the U.S. Congress and from the Obama Administration's promise of hope and change back to the islands of Hawaii.

Sincerely,

NEIL ABERCROMBIE,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 11, 2010.

Hon. LINDA LINGLE,
Governor, Executive Chambers, Hawaii State Capitol, Honolulu, HI.

DEAR GOVERNOR LINGLE: This letter is intended to serve notice that I will be resigning my position as the United States Representative for the First Congressional District of Hawaii effective February 28, 2010. It has been a great privilege to serve the people of Hawaii in the U.S. House of Representatives for the past 19 years and I am grateful for their faith and trust.

I would like to thank my colleagues in the House, and more specifically, in the Hawaii Congressional Delegation for the honor of serving the people of our state and country

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together as a team. I am looking forward to continuing our important work to build a better Hawaii in the years ahead.

Sincerely,

NEIL ABERCROMBIE,
Member of Congress.

HONORING MARTY MAHAR

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

Mr. TONKO. Madam Speaker, I come to the floor today asking my colleagues to join me in supporting H.R. 4425, which would rename the Lansingburgh Post Office located at 2–116th Street in North Troy to the Martin G. ''Marty'' Mahar Post Office.

A longtime resident of Troy, Marty Mahar's legacy was one defined by his unwavering commitment to public service. Returning home as both a celebrated and decorated World War II veteran, earning four Battle Stars, Marty's desire to stay active within veterans organizations led him to become a National Service Officer.

He was extremely effective at combining his military professionalism and consideration for his fellow soldiers with countless hours of information and counseling sessions to ensure that veterans experienced a smooth transition back into civilian life. Marty's commitment to serving his country led him to becoming both a life member of the VFW and Military Order of the Purple Heart as well as a Veterans Hall of Fame honoree in 2005.

Apart from the time spent with the military, Marty is also honored for his civic duties on the local and State levels. The desire to give back to his community was a hallmark of Marty's character. Such an attitude helped in his push to found the Troy Patriot's Pop Warner football league, the Uncle Sam Parade committee, the Troy Flag Day parade and more. He was president of the New York State Association of City Councils and a city councilman in Troy for a decade as well as serving as its mayor.

Marty was truly a public servant whose leadership and selflessness should be a model for us all. From his dedication in serving our country as a marine during World War II to his service in the Postal Service and our community, I am honored to take a lead role in renaming this post office in Marty's honor. I hope my colleagues will join me in honoring this extraordinary public servant by voting ''yes'' on H.R. 4425.

FEDERAL GOVERNMENT CAN MAKE DO WITH LESS

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

Ms. FOXX. Madam Speaker, American taxpayers are wondering how another year of trillion-dollar government deficits is going to help get our economy humming again. We've seen a costly stimulus package that didn't create the jobs that were promised. Then it was a trillion-dollar health care bill that was more about Washington control than giving patients the control they want. And recently Congress increased the national debt limit by $1.9 trillion to pay for its record-breaking spending spree over the past 12 months.

So it comes as no surprise that today the White House unveiled a new trillion-dollar health care bill that is even more expensive than the Senate bill it was supposed to improve upon.

When will Washington get it? Americans are making do with less. Shouldn't the Federal Government they pay for at least do the same?

RECLAIMING AMERICA'S GREATNESS

(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, a New York Times columnist who is revered by liberal Democrats recently wrote, ''We've always known that America's reign as the world's greatest nation would eventually end.''

This may be the logical conclusion if we follow President Obama's policies, but it doesn't have to be true. We can reclaim America's greatness—not lose it—if we focus on creating jobs in the private sector, not the government; reducing the deficit, not doubling it; providing health care to the long-term, low-income uninsured, not mandating a government takeover; and treating terrorists like terrorists, not local bank robbers.

Let's listen to the American people and get our financial house in order and our priorities straight. Then we will stay the greatest nation.

HEALTH CARE REFORM

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I, as many of my colleagues, have just returned from my district. During that time, I had two town hall meetings and numerous individual meetings with members of my constituency; and one thing was abundantly clear.

On the subject of health care, overwhelmingly they told me to bring this message back to Washington, D.C.:

Stop what you're doing, scrap the House bill, scrap the Senate bill and start over.

Interestingly enough, national polls show that's the national sentiment. By about 61 or 62 to 28, at least, the American people are telling us, Back off, scrap what you've done, start over again.

They're not asking for the status quo but they're asking for incremental approaches, and many of the things that Republicans have talked about are what the people are asking for.

Yet today, I was very disappointed to see the President has decided to ignore the American people. His message to the American people at least coming out from the White House today is:

Forget what you say. You're not smart enough to figure this out. We know better. We're going to forge ahead.

Madam Speaker, let's listen to the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

MARTIN G. ''MARTY'' MAHAR POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4425) to designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the ''Martin G. 'Marty' Mahar Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4425

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

SECTION 1. MARTIN G. "MARTY" MAHAR POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2–116th Street in North Troy, New York, shall be known and designated as the ''Martin G. 'Marty' Mahar Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Martin G. 'Marty' Mahar Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 4425 for consideration. This legislation if adopted will designate the United States Postal Service facility located at 2–116th Street in North Troy, New York, as the Martin G. ''Marty'' Mahar Post Office.

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This legislation has been introduced by my colleague and friend Representative PAUL TONKO of New York, and I would like to yield to him such time as he may consume in presenting this resolution.

Mr. TONKO. Madam Speaker, Representative LYNCH has been a big help in making certain that we could move forward with a request from one of my local communities. Obviously, we honor, by renaming the post office at 116th Street in North Troy, the memory of Marty Mahar who served this country so well. Certainly he is a public servant who can be held up as a model for this Nation, one who has an outstanding track record of service to this Nation's military, taking and assisting the veterans as they return to our communities, working with them, having earned so much recognition and honor from his service to country. He was also just understood to be that voice for veterans who worked so steadfastly to make certain that they had a welcome home and that they were finding the services that were intended for them to be brought right to the doorstep.

Also, he has so many distinguished bids of service. He is honored for his civic duties, the sense that he cherished Troy and cherishes Troy at the local and State levels, recognized as president of the New York State Association of City Councils, having served as a city council member of Troy and then eventually as mayor.

All of these issues are why this recognition and the renaming of the post office is so worthy and so justified. He is a model for all. His dedication to this country and certainly his work servicing the Postal Service is just a sense of his love and devotion for Troy. The people of the community honor him in this very splendid fashion. They enable him to be held as that esteemed leader. And the work here done under H.R. 4425 is, I think, a very justified effort to rename the 116th Street post office in North Troy, which carries much pride to it—North Troy—the Martin G. ''Marty'' Mahar Post Office.

And I thank the gentleman from Massachusetts, Representative LYNCH, again for the work done through the subcommittee and the committee to make this possible today. I would strongly encourage all of our colleagues to support H.R. 4425 with a resounding ''yes'' vote.

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

I rise today in support of H.R. 4425 which designates the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the Martin G. ''Marty'' Mahar Post Office.

Martin G. ''Marty'' Mahar was born and resided in Troy, New York, prior to World War II. After war was declared, he enlisted in the Marine Corps, where he served as a paratrooper in the Asiatic-Pacific theater. During his military service, he earned four Battle Stars, a Presidential Unit Citation, and a Purple Heart in recognition of the severe injuries that he sustained while fighting in Iwo Jima.

After returning home to Troy from the war, Mr. Mahar worked for the United States Postal Service as a letter carrier for nearly 30 years and always stayed active within veterans organizations. His leadership and dedication led him to become a national service officer and a life member of the Military Order of the Purple Heart, where he served as the organization's State legislative director. For his commitment to serving his country, he was also inducted into the New York State Senate Veterans Hall of Fame in its inaugural class.

Apart from his time spent with veterans organizations, he had a desire to give back to his community of Troy. He was a driving force behind starting the Troy Patriots Pop Warner Football League, the Uncle Sam Parade Committee and the Troy Flag Day Parade. He was president of the New York State Association of City Councils. He served on the Troy City Council for 10 years and was then elected the mayor of Troy.

Madam Speaker, Mr. Mahar's dedication to his country and the Troy community has been an inspiration. I ask my colleagues to support this resolution so that his community may remember his work for years to come.

With that, Madam Speaker, I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, Marty Mahar was truly an extraordinary American, and as my colleague has so eloquently described, his life was really a shining example of the possibilities of the American Dream. Marty Mahar, as has been noted, began his longstanding commitment to public service as a member of the United States Marine Corps during World War II. As a paratrooper in the Asiatic-Pacific theater, Mayor Mahar earned his four Battle Stars, as has been mentioned, through heroic service on the island of Iwo Jima. He received a Presidential Unit Citation and a Purple Heart in recognition of that service, and serious injuries were sustained during that combat. Mayor Mahar's meritorious service to our Nation was further recognized in December of 2005 as he was inducted into the inaugural class of the New York State Veterans Hall of Fame, following his nomination by Senate Majority Leader Joseph Bruno.

After his tour of duty in World War II, Mayor Mahar returned home to serve his community in a civilian capacity as a letter carrier for the United States Postal Service and a member of the National Association of Letter Carriers. It is fitting that this letter carrier will now have the local post office in North Troy named after him. I can think of no greater tribute to this man, as his active membership with the letter carriers spans 51 years.

Following his tenure with the United States Postal Service, Mayor Mahar continued his commitment to serving his community as a highly regarded elected official. Specifically, Mayor Mahar's political career included service as a member of the Troy City Council for 10 years, deputy mayor of Troy for 2 years, and, ultimately, mayor of his beloved hometown from 1990 to 1991. Additionally, Mayor Mahar served on a variety of local community organizations and committees in fulfillment of his lifelong commitment to addressing the needs of America's military veterans and improving the lives of all Troy's citizens.

Included among Mayor Mahar's various community service positions were his chairmanship of the City of Troy Veterans Committee, his membership on the Legislative Committee for the Veterans of Foreign Wars, his tenure as youth activities director for the Department of New York VFW, and his membership on the National World War II Monument Committee here in Washington, D.C. Mayor Mahar will forever be remembered by the city of Troy as the founder of the Troy Flag Day Parade, which many regard as the largest parade in the Nation in honor of the American flag.

Madam Speaker, while, regrettably, Mayor Mahar passed away in October of 2007, his lifelong dedication to public service, to America's military veterans, and to the city of Troy will ensure that his legacy will never be forgotten. The life of Mayor Martin G. Mahar stands as a testament to public service, and it's my hope that we can honor this dedicated and remarkable American through the passage of this legislation to designate the North Troy post office in his honor.

I have no further speakers on this side, but I will continue to reserve the balance of my time.

Ms. FOXX. Madam Speaker, I urge all Members to support the passage of H.R. 4425 and yield back the balance of my time.

Mr. LYNCH. I thank the gentlelady from North Carolina for her remarks, and I encourage my colleagues to join with Mr. TONKO, the lead sponsor of this resolution, H.R. 4425.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4425.

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. LYNCH. 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.

W.D. FARR POST OFFICE BUILDING

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4238) to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the ''W.D. Farr Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4238

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

SECTION 1. W.D. FARR POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, shall be known and designated as the ''W.D. Farr Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''W.D. Farr Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to add any extraneous materials.

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

There was no objection.

Mr. LYNCH. Madam Speaker, I now yield myself such time as I may consume.

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 4238 for consideration. This legislation will designate the United States Postal Service facility located at 930 39th Avenue in Greeley, Colorado, as the W.D. Farr Post Office Building. This resolution has been introduced by my colleague Representative BETSY MARKEY of Colorado on December 8, 2009.

H.R. 4238 was favorably reported out of the Oversight and Government Reform Committee on January 27, 2010, by unanimous consent. In addition to Representative MARKEY, H.R. 4238 enjoys the support of the entire Colorado House delegation.

Because Ms. MARKEY is the chief sponsor of this resolution, I will yield to her for such time as she may need to lay forth the details of this resolution.

Ms. MARKEY of Colorado. Madam Speaker, I rise today in support of H.R. 4238, a bill to designate a facility in Greeley as the W.D. Farr Post Office Building.

During his lifetime, W.D. Farr was a pioneer rancher, water expert, and banker who made immense contributions to Greeley, helping make the city what it is today. William Davin Farr was a third-generation Coloradan, born in Greeley in 1910. Farr came from an established farming family. He grew up working with sheep and cattle on the family farm. In 1931, Farr and his father bought 125 cattle and built a feed lot in Greeley, Farr Feeders. By the late 1960s, the Farr feed yard had grown to about 25,000 head of cattle.

While working on the farm and at the feed lot, he became involved with several irrigation ditch companies. Through his work in irrigation, he came to understand the importance of water to the continued growth of the Greeley community. Farr then became active with the Colorado Big Thompson Water Project, which brings water from the western slopes of the Rocky Mountains to help irrigate approximately 693,000 acres of northeastern Colorado farmland. Farr later came to serve on the board of directors of the Northern Colorado Water Conservancy District and the Greeley Water Board for over 40 years.

In addition to his many achievements in agriculture and water, Farr was also active in government, both local and national. He served as an adviser to the U.S. Department of Agriculture under three U.S. Presidents: Harry Truman, John F. Kennedy, and Richard Nixon.

□ 1430

He served on a number of national boards and committees, including the Department of the Interior Water Pollution Control Advisory Board and the Agricultural Committee of the U.S. Chamber of Commerce.

The land on which this post office was built was owned by another Greeley agricultural pioneer, C.O. Plumb. Upon his death, Plumb donated his home and land just south of the W.D. Farr Post Office to the Greeley Museums for use as an agricultural learning center. Both men made significant contributions to the agricultural and social vitality of Weld County.

In 2007, W.D. Farr passed away at his home in Greeley at the age of 97. Farr and his family have made innumerable contributions to the Greeley community as well as to Colorado and to the United States.

I am proud to stand in support of this bill that would name one of the post offices in Greeley after this pillar of the community.

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

Madam Speaker, I rise today in support of H.R. 4238, which designates the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado as the W.D. Farr Post Office Building.

William Davin ''W.D.'' Farr was once described by the president of Colorado State University as ''one of the true giants in Colorado history and in the history of the modern American West.''

Mr. Farr was born in Greeley, Colorado, in 1910 and was proudly a third-generation Coloradan, pioneer rancher, statesman, and banker. When he was 15 years old, he began working on a cattle ranch in western Colorado. This job was the first of many during his lifetime of work in agriculture. As he became more involved in ranching, he looked at many ways to improve and develop the business of cattle feeding. He was famous for his Greeley T-Bone Club, where he and several other ranchers in Greeley would have a steak dinner and discuss ways they could improve cattle ranching. One of his first inventions helped aid cattle ranchers by making the cattle feeding process significantly more efficient and less wasteful.

During his work in the cattle industry, he became very involved in bringing water to dry regions of Colorado. He did extensive work on behalf of the Colorado-Big Thompson Project, which delivered water from the Colorado River to various regions of Colorado that needed water. His work on water development projects greatly helped the economy of Colorado and the entire region.

Throughout his lifetime, Mr. Farr received many honors. He was inducted into the Colorado Business Hall of Fame in 1991. The National Western Stock Show in Denver honored him as Citizen of the West in 1999, and he was inducted into the Hall of Great Westerners in 2007.

W.D. Farr was a leader and an innovator in agriculture, and his work was essential to the development of Colorado and the Western United States in the 20th century.

I ask my colleagues to support this resolution so that his life may be remembered for generations in the future in his hometown of Greeley.

Madam Speaker, I urge all Members to support the passage of H.R. 4238.

I yield back the balance of my time.

Mr. LYNCH. Madam Speaker, I just wish to associate myself with the remarks of the gentlelady of North Carolina and with the remarks of the chief sponsor of this legislation, the gentlewoman from Colorado (Ms. MARKEY). Truly, Mr. Farr was an extraordinary individual.

We have no further speakers on our side on this matter. Madam Speaker, I simply ask all Members to support Ms. MARKEY in support of this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4238.

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. LYNCH. 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.

RECOGNIZING THE HISTORICAL AND CULTURAL SIGNIFICANCE OF THE LANGSTON GOLF COURSE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 526) recognizing the 70th anniversary of John Mercer Langston Golf Course, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 526

Whereas the site for the historic Langston Golf Course was selected in 1929, following repeated demands from African-Americans who were excluded from all but one of the District's public courses, the Lincoln Memorial;

Whereas construction did not begin until the mid 1930s, and in 1938, African-American women from the Wake Robin Golf Club pressed for desegregation of the District of Columbia's public courses by drafting and introducing a petition to Secretary of the Interior, Harold Ickes;

Whereas the Langston Golf Course, officially opened in 1939, is the first and only course built by the United States Government for segregated purposes, and was built because African-Americans were denied equal access to the city's golf courses;

Whereas the Langston Golf Course was named for John Mercer Langston, a renowned Howard University educator, prominent political figure, and the first African-American Congressman from Virginia, elected in 1888;

Whereas the Langston Golf Course is listed in the National Register of Historic Places and has been the home course of both the Royal Golf Club and the Wake Robin Golf Club, respectively the Nation's first clubs for African-American men and women;

Whereas over its 70-year existence, the Langston Golf Course has attracted many famous African-American golfers, such as Lee Elder, Ted Rhodes, Calvin Peete, and Jim Thorpe, who all made regular and annual stops on the circuit of African-American professionals when they were unable to play regularly on the then-racially restricted PGA Tour;

Whereas other notable visitors to play golf there include heavyweight boxing champion Joe Louis, Hall of Fame baseball player Maury Wills, Washington Senators baseball player Chuck Hinton, Washington Redskins players Darrell Green and Brian Mitchell, U.S. Secretary of the Interior Gale Norton, Missouri Congressman Lacy Clay, South Carolina Congressman James Clyburn, Wisconsin Senator Russ Feingold, actor and professor Al Freeman, Jr., and the musical superstars the O'Jays have all enjoyed the Langston course;

Whereas in 2002, a partnership was formed with Howard University to open the Interpretive Education Center, and this program was integrated into the Langston community schools in 2003;

Whereas for more than 15 years, three junior golf programs have made the Langston Golf Course their home, Masons Army, Langston Junior Boys and Girls, and the First Tee, DC;

Whereas juniors from these programs are nationally and internationally known as The Jimmy Garvin All-Stars and are required to utilize the Education Center in order to learn golf and use the facilities;

Whereas these programs operate year round offering educational and golf instruction;

Whereas the Langston Golf Course is known as the home of the internationally renowned Capital City Open Pro-Am Tournament and the Jimmy Garvin Legacy Scholarship Classic;

Whereas the Langston Golf Course, Rock Creek Golf Course, and East Potomac Golf Course are owned by the National Park Service, and each has a long history of service to the general public as an integral part of the Nation's capital, including services to local and regional residents, visitors, and tourists; and

Whereas it is the policy of the National Park Service to maintain and upgrade its recreational sites: Now, therefore, be it

Resolved, That the House of Representatives recognizes the historical and cultural significance of the Langston Golf Course and its contributions to racial equality.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to add any extraneous materials.

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

There was no objection.

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

Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to present House Resolution 526 for consideration. This legislation recognizes the historical and cultural significance of the John Mercer Langston Golf Course as well as its contributions to achieving racial equality.

Introduced by my colleague, Representative Eleanor Holmes Norton of the District of Columbia, on June 10, 2009, H. Res. 526 enjoys the support of 50 Members of Congress. In addition, a Senate companion bill to this legislation, Senate Resolution 162, was introduced by Senator Russ Feingold, and was subsequently passed by the United States Senate on May 21, 2009, by unanimous consent.

Madam Speaker, over the course of its 70-year history, the John Mercer Langston Golf Course has stood as a symbol of the struggle for racial equality in the District of Columbia and across our Nation. In addition, the Langston Golf Course continues to serve as a regional hub for the promotion of golf as a recreational and as a professional sport in the Greater Washington, D.C., area as well as being an invaluable community institution dedicated to providing greater educational opportunities to area residents.

Located alongside the Anacostia River in northeast Washington, D.C., the Langston Golf Course was constructed in the mid-1930s in response to the exclusion of African Americans from all but one of the District's public golf courses. Appropriately, the Langston Golf Course was named in honor of a renowned African American educator and political figure, John Mercer Langston, who founded and became the first dean of the Howard University School of Law, the first president of Virginia State University and, in 1888, the first African American Congressman elected to represent the State of Virginia.

From its official opening in 1939, the Langston Golf Course has served as the home course of the Royal Golf Club and the Wake Robin Golf Club—the Nation's first clubs for African American men and women. In addition, the Langston Golf Course has consistently attracted a variety of outstanding African American golfers, including Ted Rhodes, Calvin Peete, Jim Thorpe, and Lee Elder, who, along with his wife, Rose, managed the course during the 1970s.

Moreover, as home of the widely known Capital City Open Golf Tournament, the Langston Golf Course has attracted a variety of prominent Americans from the world of politics, sports, and entertainment, including President Gerald Ford, heavyweight boxing champion Joe Louis, and comedian Bob Hope.

Today, the Langston Golf Course continues to serve the general public by offering year-round educational and golf instruction designed to promote the sport of golf as well as educational opportunities in the Washington, D.C., community.

In 2002, the Langston Golf Course entered into a partnership with Howard University to establish the Interpretive Educational Center, a learning facility that offers comprehensive child and adult educational programs as well as life skills workshops. Additionally, for over 15 years, the Langston Golf Course has served as the home course for three junior golf programs—the Masons Army, the Junior Boys and Girls, and the First Tee, D.C. Collectively, the program participants are known as the ''Jimmy Garvin All-Stars'' in honor of Langston's longtime general manager, community leader and member of the African American Golfers Hall of Fame, Jimmy Garvin. Notably, these juniors must utilize the Interpretive Education Center as a prerequisite to learning golf and to using the Langston facilities.

Overall, the junior programs at Langston Golf Course include the participation of over 200 local boys and girls. In addition to offering golf instruction, they focus on cultivating

principles of honesty and integrity as well as highlighting the interrelationship between excellence on the golf course and excellence in the classroom.

Notably, the Langston Golf Course is also home to the annual Jimmy Garvin Legacy Scholarship Tournament. Proceeds from the tournament are donated to Langston's Interpretive Educational Center in furtherance of Langston's mission of teaching the sport of golf to area youth while also developing them as higher learners.

Madam Speaker, in recognition of its historical and cultural significance, the Langston Golf Course was placed on the National Register of Historical Places in 1991. It is my hope that we can further honor this distinguished community institution through the passage of House Resolution 526. I urge my colleagues to join us in supporting House Resolution 526.

I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H. Res. 526, recognizing the historical and cultural significance of the Langston Golf Course and its contributions to racial equality.

Opening its doors in 1939, the Langston Golf Course has been both a meeting ground and a playground for thousands of African American golfers. During a time when African American golfers were prohibited from playing at most Washington, D.C., golf courses, unless it was caddie day, women from the Wake Robin Golf Club pressed for the desegregation of the District of Columbia's public courses by drafting and introducing a petition on their behalf to the Secretary of the Interior under Franklin D. Roosevelt. Named after the noted professor and first African American Congressman from Virginia, John Mercer Langston, the once nine-hole course was the first and only course built by the United States Government as a segregated ''African Americans only'' facility. Home to the Royal Golf Club and Wake Robin Golf Club, Langston was expanded into an 18-hole course in 1955, and is listed in the National Register of Historical Places.

This year, the golf course celebrates its 70th anniversary. Over the years, the venue has attracted many famous African American golfers, including Lee Elder, who once had a contract to manage the facility; Ted Rhodes, considered one of the greatest African American players in the 1940s and 1950s; and Calvin Peete.

The course, which today counts about 25,000 rounds played a year, has recently drawn a diverse group of devoted players of all ages, genders, and races to its challenging 6,500-yard, par-72 layout. Thousands of these players are children from all races and economic backgrounds from surrounding neighborhoods who have found a safe haven for pursuing education and for learning life lessons from the game of golf. For more than 15 years, three junior golf programs have made Langston their home—Masons Army, Langston Junior Boys and Girls, and the First Tee, D.C. The Langston Golf Course is also known as the home of the internationally renowned Capital City Open Pro-Am Tournament and as the Jimmy Garvin Legacy Scholarship Tournament.

Owned by the National Park Service, the Langston Golf Course has a long history of accessibility to all, and today, we recognize this historical facility which for 70 years has been patronized year-round by the famous as well as by young people, by regional residents, and by tourists alike.

I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time, I yield 5 minutes to the lead sponsor of this resolution, the very capable Representative from the District of Columbia, ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the chairman for his courtesy and generosity and for his help in perfecting this resolution. I thank the gentlewoman on the other side as well. I thank them both for the excellent history of Langston they have offered this morning, up to and including its present-day facilities, not only to serve golfers but to serve the children of the District of Columbia.

Madam Speaker, I will endeavor not to repeat what they have said but will only indicate why I have brought the bill forward at this time and especially during this month, Black History Month, when I know Members look for reasons in history, particularly in living history, to celebrate African American contributions to American life.

So why do I choose a golf course—I who do not know an iron from a tee? I choose a golf course because I am in such great admiration of this golf course, which has served the people of the District of Columbia for now over 70 years and which was started even before I was born, when young women, apparently not the male golfers who predominated then and predominate now, insisted that there had to be somewhere for African Americans to play golf.

What Members may not recognize is that the District of Columbia was a legally segregated city. It was segregated by the Congress of the United States. Brown v. Board of Education was brought by five jurisdictions. One of them was the District of Columbia. It was one of the Brown cases. Every part of this city was segregated except the buses. When these women found that they could not play on the public golf courses here, they petitioned the Secretary of the Interior, Harold Ickes, for the right to play golf like everyone else.

□ 1445

The Federal Government did something that it has never done before and has never done since. It started a segregated golf course. The Federal Government had not done that before. It didn't buy in to Jim Crow, For this was long after the Civil War. But in order to have a golf course in a segregated city, you had to have a black golf course, so that is what we got. This golf course became nationally known because many celebrities came to Washington and it was the golf course that black celebrities had to play on from Joe Lewis to Members of Congress who today are frequent players at the Langston the golf course.

This golf course is one of the great undervalued properties in the District of Columbia. It has gotten great interest from people who want to remake golf courses. Because of its historic significance, they see it as a real prize.

My hat is off to Jimmy Garvin, whom you have mentioned in your remarks, both of you have mentioned in your remarks, because what Jimmy Garvin has done is to build up a golf course which was built on a trash dump. I don't think that's so bad today. We want to build more on tire dumps so that we can make greater use of what we are throwing away. But it certainly indicated where this golf course came then, and, of course, it is not in the best condition today.

I have also introduced the Golf Course Preservation and Modernization Act of 2009, and long ago I recognized that the Federal Government and National Park Service were not in a position to make this into a class A golf course, but along with the East Potomac Park and Rock Creek Golf Course—imagine a city with three golf courses—my bill would indeed form a public/private partnership so that the money would essentially come from the private sector.

If we look at Black History Month as a way to celebrate not only where black people have been but where they are, it's important to understand the institutions that they revered and that they preserved and still preserve because those institutions, for example, as we now see black golfers now regularly on golf courses, had they not been present, then of course there would have been no way for black people to play golf at all. So we were grateful even for a segregated golf course. Black people in the District of Columbia indeed were very grateful that Harold Ickes, in fact, answered the petition with a golf course. And today, close to 71 years later, we should, I think, pay tribute not only to the fact that if that was the only way to do it, that's what the Federal Government did, but we've now come to a time in this city when every facility is open to everyone.

We cherish this golf course for its great history and particularly those who keep that history alive like Jimmy Garvin and the Langston Golf Course.

Ms. FOXX. Madam Speaker, I urge all Members to support H. Res. 526, and I yield back the balance of my time.

Mr. LYNCH. Madam Speaker, I just want to ask all of our colleagues to join with the lead sponsor of this resolution, ELEANOR HOLMES NORTON. And I

must confess that I have had the opportunity to travel out to—Langston is about 10 minutes from my house, so I have been out there. I've seen the youth programs that they have had. Absolutely fantastic. Jim Garvin does a wonderful job there as the groundskeeper and general manager, the crew there. You can tell the way the people there who run and maintain that golf course, they understand the history. They understand the importance of the Langston Golf Course from when it was home to the Negro Golf League during the days of segregation, and they understand going forward what a treasure it really is. So I am particularly happy to call on our Members to support House Resolution 526.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to support H. Res. 526, a resolution to recognize the 70th anniversary of John Mercer Langston Golf Course. This bill was introduced by Representative NORTON of D.C., and I am a proud co-sponsor of this legislation. I urge my colleagues to support this important resolution.

As a result of segregation during the early 20th century, African-American golfers were unable to enjoy a round of golf at public courses within the District of Columbia. As a result, the John Mercer Langston Golf Course was built in 1939 as a golf course that African-Americans could call their own.

The course was named for John Mercer Langston who, in 1855, became the first African-American elected to public office. He was the founder and first dean of Howard University's Law Department, now the Howard University School of Law. He was the first president of Virginia State University, and the first African-American congressman elected from Virginia. The golf course was originally built with only nine holes; however, today it is a full 18-hole golf course. The unique history of this golf course was recognized in 1991, when the first nine holes were placed on the National Register tor Historic Places.

The John Mercer Langston Golf Course is the home course to the Royal Golf Club and the Wake Robin Golf Club, the Nation's first golf clubs for African-American men and women. Today, there are plans underway to upgrade the course to championship quality and to include a museum and a new clubhouse.

Over its 70-year existence, the Langston Golf Course has attracted many famous African-American golfers, such as Lee Elder, Calvin Peete, and Jim Thorpe, who all made regular stops when they were unable to play regularly on the racially restricted PGA Tour. The John Mercer Langston Golf Course is also home to the Capital City Open, a renowned event that has attracted participants such as Bob Hope, former president Gerald Ford, and Joe Louis. As a result of the long history of the John Mercer Langston Golf Course, it will forever be associated with the development and desegregation of public golfing and recreational facilities in the Nation's capital.

Since its construction in 1939, the John Mercer Langston Golf Course became a beacon for desegregation in recreational facilities. I urge my colleagues to join me in support of this resolution, and recognize the 70th anniversary of this historic golf course.

Mr. LYNCH. 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 526, 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.

The title of the resolution was amended so as to read: ''Recognizing the historical and cultural significance of the Langston Golf Course and its contributions to racial equality.''.

A motion to reconsider was laid on the table.

AMERICAN HEART MONTH AND NATIONAL WEAR RED DAY

Mr. LYNCH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1039) supporting the goals and ideals of American Heart Month and National Wear Red Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1039

Whereas heart disease affects adult men and women of every age and race in the United States;

Whereas heart disease continues to be the leading cause of death in the United States;

Whereas an estimated 81,000,000 adult Americans, more than one in every 3, have one or more types of heart disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke, and congenital heart defects;

Whereas extensive clinical and statistical studies have identified major and contributing factors that increase the risk of heart disease;

Whereas these studies have identified the following as major risk factors that cannot be changed: Age (the risk of developing heart disease gradually increases as people age; advanced age significantly increases the risk), gender (men have greater risk of developing heart disease than women), and heredity (children of parents with heart disease are more likely to develop it themselves; African-Americans have more severe high blood pressure than Caucasians and therefore are at higher risk; the risk is also higher among Latina Americans, some Asian Americans, and Native Americans and other indigenous populations);

Whereas these studies have identified the following as major risk factors that Americans can modify, treat, or control by changing their lifestyle or seeking appropriate medical treatment: High blood pressure, high blood cholesterol, smoking tobacco products and exposure to tobacco smoke, physical inactivity, obesity, and diabetes mellitus;

Whereas these studies have identified the following as contributing risk factors that Americans can also take action to modify, treat or control by changing their lifestyle or seeking appropriate medical treatment: Individual response to stress, excessive consumption of alcoholic beverages, use of certain illegal drugs, and hormone replacement therapy;

Whereas more than 106,000,000 adult Americans have high blood pressure;

Whereas more than 37,000,000 Americans have cholesterol levels of 240 mg/dL or higher, the level at which it becomes a major risk factor;

Whereas an estimated 46,000,000 Americans put themselves at risk for heart disease every day by smoking cigarettes;

Whereas data released by the Centers for Disease Control and Prevention shows that more than 65 percent of American adults do not get enough physical activity, and more than 39 percent are not physically active at all;

Whereas 66 percent of adult Americans are overweight or obese;

Whereas 24 million adult Americans have diabetes and 65 percent of those so afflicted will die of some form of heart disease;

Whereas the American Heart Association projects that in 2010 1,200,000 Americans will have a first or recurrent heart attack and 452,000 of these people will die as a result;

Whereas in 2010 approximately 800,000 Americans will suffer a new or recurrent stroke and 160,000 of these people will die as a result;

Whereas advances in medical research have significantly improved our capacity to fight heart disease by providing greater knowledge about its causes, innovative diagnostic tools to detect the disease, and new and improved treatments that help people survive and recover from this disease;

Whereas Congress by Joint Resolution approved on December 30, 1963 (77 Stat. 843; 36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as ''American Heart Month'';

Whereas the National Heart, Lung, and Blood Institute of the National Institutes of Health, the American Heart Association, and many other organizations celebrate ''National Wear Red Day'' during February by ''going red'' to increase awareness about heart disease as the leading killer of women; and

Whereas every year since 1964 the President has issued a proclamation designating the month February as ''American Heart Month'': Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of American Heart Month and National Wear Red Day.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to add any extraneous material.

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

There was no objection.

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

Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I present House Resolution 1039 for consideration. This legislation expresses our support for the goals and ideals of American Heart Month and National Wear Red Day.

Introduced by my colleague Representative Christopher Lee of New York on January 26, 2010, House Resolution 1039 enjoys the support of over 50 Members of Congress. In addition, today's floor consideration allows Members of this body an added opportunity

to express their support for this thoughtful commemorative resolution.

Madam Speaker, House Resolution 1039 expresses our support for the goals of American Heart Month, which is annually commemorated during the month of February as a way of highlighting the devastating impact of cardiovascular disease on our Nation. As noted by the American Heart Association, heart disease, including stroke, continues to serve as the number one cause of death in the United States. In addition, an estimated 81.1 million adult Americans currently suffer from one or more types of heart disease. Accordingly, since 1963, Congress and the American Heart Association have partnered to draw attention to the cause and effects of heart disease, an effort that is reflected in the resolution authored by the gentleman from New York (Mr. LEE).

In addition, House Resolution 1039 also expresses our support for the goals and ideals of National Wear Red Day, which this year was held on Friday, February 5. Notably, National Wear Red Day is designed to support the fight against heart disease in women by encouraging all Americans to wear red at their workplaces, places of worship, out in their communities, and at home. Through the simple act of wearing red, all Americans can ensure that National Wear Red Day continues to serve as a powerful tool by which to raise our national awareness of heart disease and stroke, especially among women.

Madam Speaker, American Heart Month and National Wear Red Day are both valuable efforts in the fight against heart disease. For this reason, I urge my colleagues to join Mr. LEE, myself, and others in supporting House Resolution 1039.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in support of this resolution urging the support of American Heart Month and National Wear Red Day.

American Heart Month was initiated in 1963 by Congress in an effort to bring about awareness and urge Americans to join the battle against today's number one killer, heart disease.

Heart disease continues to be the leading cause of death in the United States. It is a tragic disease that affects men, women, and children of every age and race throughout the country. Approximately one in three adult Americans have one or more types of heart disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke, and congenital heart disease, as well as those at risk for heart disease as a result of smoking.

An astounding 66 percent of adult Americans are overweight, 46 million people are at risk for heart disease because they smoke, and 37 million people have high cholesterol levels that could become a major risk factor. The American Heart Association projects that this year almost a half million people will die as a result of a heart attack.

These are staggering numbers, and all of these lifestyles, among many others, have a direct impact on heart disease. Therefore, it's imperative we sound the alarm and remain vigilant and supportive of heart disease awareness programs. By exercising regularly, avoiding tobacco, limiting consumption of alcohol, following a nutritious diet, and monitoring high cholesterol and high blood pressure, we all can work to increase the chances of healthy lifestyle changes.

National Wear Red Day, a day when people throughout the country are encouraged to wear a red article of clothing as an outward sign that heart disease ''doesn't care what you wear,'' is one way to visually express our concern and show support for women's heart disease awareness. Although one-half of all heart disease deaths are in women, studies have shown that women's symptoms are less recognized. There are currently a number of initiatives that are underway to raise awareness of the dangers of cardiovascular disease in women; however, the challenging work of promoting awareness continues as cardiovascular disease increases in the country.

I am proud to do my part through support of this resolution while encouraging all citizens to take advantage of regular screenings and consult their doctors about reducing their risk for heart disease. It's also important that we support the organizations that celebrate National Wear Red Day and American Heart Month in February in an effort to educate the public, promote awareness, and fund research of this serious disease.

Madam Speaker, I urge all Members to support the passage of H. Res. 1039, and I yield back the balance of my time.

Mr. LYNCH. Madam Speaker, I want to thank the gentlewoman from North Carolina for her eloquent words and for her support.

I simply ask all Members to support Mr. LEE of New York in this resolution, House Resolution 1039.

Mr. LEE of New York. Madam Speaker, as we all know, the United States has marked American Heart Month every February for the last 46 years. I want to thank Chairman TOWNS and Ranking Member ISSA for their cooperation in getting this resolution to the floor quickly. I also want to thank our nearly 60 cosponsors from both sides of the aisle.

Heart disease and stroke affect more people in Western New York than anywhere else in the country. Here are some other facts: The rate of stroke death in WNY is 23 percent higher than the national rate and 79 percent higher than the aggregate New York State rate. Heart disease kills 10 times as many women in WNY as breast cancer and six times as many women as lung cancer.

Of course, heart disease remains the number one cause of death for both women and men in the United States. And the one fact that troubles me greatly is: Only 58 percent of WNY residents report visiting their doctors routinely to have their blood pressure and cholesterol checked. That number is simply too low.

The one thing we can all do to raise public awareness of heart disease and stroke without spending a dime is talk to family and friends about the warning signs for these silent killers and what preventive steps they can take to protect themselves.

The simple act of going to the doctor—or even visiting the American Heart Association's Web site—may be all it takes to save a life.

I hope that in addition to the passage of this resolution, my colleagues will join me in talking to constituents and raising awareness of these deadly diseases.

Mr. LYNCH. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 1039.

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. LYNCH. 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.

□ 1500

RECOGNIZING BLACK HISTORY MONTH

Mr. LYNCH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1046) recognizing the significance of Black History Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1046

Whereas the first Africans were brought involuntarily to the shores of the America as early as the 17th century;

Whereas these Africans in America and their descendants are now known as African-Americans;

Whereas African-Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of basic, fundamental rights;

Whereas despite slavery, African-Americans in all walks of life have made significant contributions throughout the history of the United States, including through the—

(1) writings of Booker T. Washington, Phyllis Wheatley, James Baldwin, Toni Morrison, Ralph Ellison, Zora Neale Hurston, and Alex Haley;

(2) music of Mahalia Jackson, Billie Holiday, John Coltrane, Bessie Smith, and Duke Ellington;

(3) resolve of athletes such as Jackie Robinson, Althea Gibson, Jesse Owens, Wilma Rudolph, and Muhammad Ali;

(4) scientific advancements of George Washington Carver, Charles Drew, Benjamin Banneker, and Mae Jemison;

(5) vision of leaders such as Frederick Douglass, Mary McLeod Bethune, Thurgood Marshall, Martin Luther King, and Shirley Chisholm; and

(6) bravery of those who stood on the front lines in the battle against oppression, such as Sojourner Truth, Fannie Lou Hammer, and Rosa Parks;

Whereas in the face of injustices, United States citizens of good will and of all races distinguished themselves with their commitment to the noble ideals upon which the United States was founded and courageously fought for the rights and freedom of African-Americans;

Whereas Dr. Martin Luther King Jr. lived and died to make real these noble ideas;

Whereas Barack Hussein Obama was elected the 44th President of the United States, making him the first African-American chief executive and breaking one of the last racial barrier in politics in this country;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of Dr. Carter G. Woodson's efforts to enhance knowledge of Black history started through the Journal of Negro History, published by Woodson's Association for the Study of African-American Life and History; and

Whereas the month of February is officially celebrated as Black History Month, which dates back to 1926, when Dr. Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of Black Americans: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the significance of Black History Month as an important time to recognize the contributions of African-Americans in the Nation's history, and encourages the continued celebration of this month to provide an opportunity for all peoples of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(2) recognizes that ethnic and racial diversity of the United States enriches and strengthens the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I present House Resolution 1046 for consideration. This legislation recognizes the significance of Black History Month, which is annually commemorated during the month of February.

Introduced by my colleague, Representative AL GREEN of Texas, on January 27, 2010, House Resolution 1046 enjoys the support of over 60 Members of Congress. Notably, today's floor consideration of the bill offers Members of this body an additional opportunity to pay tribute to the remarkable and diverse contributions that African Americans have made to our Nation's history and culture.

Madam Speaker, as we all know, the month of February marks our annual commemoration of Black History Month. Originally celebrated as Negro History Week in 1926 by Carter G. Woodson, a renowned African American author and scholar, our annual tribute to the leading role of African Americans in our Nation's history has since grown to a month-long commemorative celebration.

Whether we recall the story of Crispus Attucks, an African American from my home State of Massachusetts who became the first American casualty of the Revolutionary War, or the works of such compelling individuals as Harriet Tubman, Dr. King, Malcolm X, Madam C.J. Walker, and General Colin Powell, we all understand that the contributions of African Americans are intricately woven into our identity as a people and as a Nation.

Similarly, we need not look further than the thousands of brave military service men and women who have served and who are continuing to serve our Nation with honor and distinction at home and abroad, or the distinguished members of our own Congressional Black Caucus, or of course our 44th President of the United States, Barack Obama, to witness the diverse and significant influence of African Americans on American society.

Madam Speaker, it is also important to note that it is not just our African American pioneers or leaders that have made such a difference. Importantly, it is the everyday citizen that is serving as a teacher, a mentor, a pastor, a doctor, a first responder, a public servant, or a parent who continues to impact our Nation's history in an equally powerful and positive way.

Across our Nation, Black History Month is marked by a variety of educational and cultural programs, as well as special celebrations and events designed to share the strength, ingenuity, and accomplishment of our fellow citizens with the world.

Madam Speaker, as we move to recognize Black History Month in 2010, let us all recall the experience and valuable contributions of African Americans to the United States of America. Moreover, let us not forget that black history is, in truth, American history.

I urge my colleagues to join me in supporting House Resolution 1046.

I reserve the balance of my time.

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

Madam Speaker, I am honored today to speak in support of H. Res. 1046, recognizing the significance of Black History Month. Just a few weeks ago we celebrated the life and accomplishments of one great man, Reverend Martin Luther King, Jr., and today we pay tribute to the contributions all African Americans have made to this great country.

Each February we express our appreciation for the perseverance and determination of the African American community, while keeping in mind the adversity they endured. Nothing serves as a better example of this than the civil rights movement. Dr. King often said it was not the sole efforts of one man, but the collective work of many that brought about change. Today our Nation would not have the strong diversity of which it is so proud.

In order to better understand the experiences that have shaped this Nation, we must continue to learn about the historical struggles and recognize the contributions of African Americans that have enriched our culture and heritage. Our way of life has been bettered by the great African American activists, politicians, artists, writers, poets, scientists, economists, athletes, and entertainers who have contributed to the tapestry of our American culture. The achievements of all these people have encouraged today's youth to strive for a more equal and free country.

Noted leaders such as Harriet Tubman, Rosa Parks, Thurgood Marshall, Frederick Douglass, and of course Martin Luther King, Jr., inspired a nation through their valiant efforts and showed the way to begin the quest to end racial inequality.

In 1926, Harvard scholar Dr. Carter G. Woodson proposed a week-long celebration of black history. Over time, the entire month of February has been designated to commemorate African Americans in America. And today, I speak in support of H. Res. 1046.

I yield back the balance of my time.

Mr. LYNCH. Madam Speaker, I welcome and appreciate the kind remarks of the lady from North Carolina.

In closing, I simply ask all Members to support Representative AL GREEN of Texas, who is the lead sponsor of this resolution. I urge all members to vote ''yes'' on House Resolution 1046.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of House Resolution 1046 to recognize the significance of Black History Month.

In February of every year, people across the country cast their thoughts on the long and unique history of African-Americans. It is particularly important to do so to both celebrate the accomplishments and remember the lengthy struggle that the African-American community has endured in this country. We have benefitted immensely from notables such as Booker T. Washington, Duke Ellington, Althea Gibson, George Washington Carver, and Zora Neale Hurston in addition to political and civil rights leaders like Martin Luther King, Jr, Shirley Chisholm, Thurgood Marshall, Rosa Parks, and Sojourner Truth.

I am proud of how far we have come as a community, but as we look to the future, I am also reminded of the challenges that the 21st century is presenting to us. African-American ingenuity has been key in developing many of our modern technologies and high-tech devices. However, as the world becomes a more interconnected and technological place, there is an increased need for experts in science, technology, engineering, and math (STEM) professions. This trend makes it remarkably important to nurture and attract America's minority youth, the fastest growing college-eligible population, to the sciences. For this reason, I am introducing a resolution during Black History Month to recognize the importance of African-American contributions to scientific innovation, and I encourage my fellow colleagues to join me in supporting it.

Madam Speaker, Black History Month is not only a time to look to the past, but also to reflect on the present and prepare for the future. The African-American community has overcome many obstacles throughout our country's history, and as we continue down a path toward prosperity, I know that this community will play an integral role in the years ahead. I encourage my fellow colleagues to support this resolution and join me in recognizing Black History Month.

Mr. JOHNSON of Georgia. Madam Speaker, it is with great pleasure that I rise today in strong support of this resolution recognizing the importance of Black History Month. Each February we come together to commemorate the trials, tribulations, achievements and accomplishments of African Americans throughout history. I applaud the actions of Representative AL GREEN from Texas for bringing this resolution forward.

Recognizing the importance of African-American heritage, Carter G. Woodson, Harvard University's second African-American graduate, in conjunction with Omega Psi Phi fraternity, created Negro History and Literature Week to honor the births of Fredrick Douglass and President Abraham Lincoln. Although the name was eventually changed to Negro History Week in 1926, Americans trace the origins of the month long celebration of African-American history to Woodson's efforts.

Highlighting the historical contributions of numerous African-American luminaries including Martin Luther King Jr., George Washington Carver, and Booker T. Washington, Black History Month celebrates the unique individuals and events that have shaped the African-American diaspora for centuries. From the detested years of enslavement, the passage of the Emancipation Proclamation, the social inequities of Jim Crow laws, the famed artistic ingenuity of the Harlem Renaissance, the social evolution of the civil rights movement, and the notable election of Barack Obama, the first African-American President, Black History Month serves as a reminder of the great strides that African Americans have made and the inherent promise of generations to come.

Madam Speaker, the 4th District of Georgia is home to several sites of historical significance among African Americans. Flat Rock, one of the few African-American communities to survive the pre-Civil War era, is the embodiment of what Black History Month promotes—honoring those who have come before us to shape the present. By preserving the legacies of the slaves who founded this community, Flat Rock serves as a lasting piece of black history.

Madam Speaker, and I urge my colleagues to support its passage.

Ms. LEE of California. Madam Speaker, every year in February, America pauses to honor the rich heritage and tremendous contributions of African Americans past and present. Black History Month is a time to recognize and pay tribute to the many trials and triumphs of African Americans, which are intricately woven into the fabric of our nation. Simply put, Black history is American history.

The theme of Black History Month this year, ''The History of Black Economic Employment,'' could not be more fitting as our nation continues on the road to full economic recovery. The current economic crisis has impacted all Americans, but communities of color, particularly African Americans, have been among the hardest hit. The evidence is clear—glaring disparities between African Americans and others can be found in every economic indicator and they must not be ignored.

The Congressional Black Caucus has long championed the elimination of disparities wherever they exist. Where there is a major disparity between rich and poor or between one race or gender and another, there is a moral gap. The job of the Congressional Black Caucus is to help fill in the moral gaps. For 40 years, the Congressional Black Caucus has sought moral equality, for Black Americans and ultimately all Americans.

As we take this time to acknowledge Black History month we must all recommit ourselves to fulfilling the bedrock principles of our nation: liberty, equality, and opportunity for all. To fill in these gaps for African Americans is to fill them in for all Americans.

Tonight, in particular we pay tribute to unsung heroes who contribute greatly to make our communities better and stronger.

In my district, the Ninth Congressional District of California I'd like to honor some individuals who don't always receive the recognition they deserve.

I will start with Nicole Taylor.

Ms. Taylor is president and CEO of the East Bay Community Foundation and she has been a trailblazer for this philanthropic organization since joining the foundation in 2007.

The East Bay Community Foundation is a leading resource for mobilizing financial resources and community leadership to transform the lives of people in the East Bay. Ms. Taylor and the East Bay Community Foundation have identified two interrelated issues that they believe can lead to this transformation: Support for young children to succeed with a focus on the critical period of birth to third grade, and enhancing economic opportunities for adults and families, particularly those with significant barriers to achieving employment and financial stability. Ms. Taylor has also worked with my district office to develop a Website that was designed to make it easier for non-profits and faith-based organizations to gain access to Recovery funds.

Under her watch, the East Bay Community Foundation managed about $285 million in charitable funds and made grants over $34 million in the most recent fiscal year.

Art Shanks, the executive director of the Cypress Mandela Training Center. For the past 17 years, Mr. Shanks has been pioneer in using the development of green jobs to not only to address environment and create green jobs that can serve as a pathway out of poverty.

The Cypress Mandela Training Center is the community resource committed to enhancing the viability of the construction trades industry through quality life skills and technical training in directed pre-apprentice programs. These programs promote positive life change and teach multi-trade expertise that serve as a bridge for empowering a diverse socio-economic community at large

Mr. Shanks joined the Cypress Mandela Training Center in Oakland, CA since its inception in 1993. Two years later, Mr. Shanks was elevated to Project Director responsible for the overall operation of the training center, including its economic stability and the development of the curriculum.

As a result of Mr. Shanks' efforts, the Cypress Mandela Training Center has evolved into a nationally acclaimed pre-apprenticeship program. Mr. Shanks has been recognized by the Building Trades for placing well over 1,700 disenfranchised, and under-represented men and women of color into union apprenticeship programs.

Margaret Gordon, commissioner for the Port of Oakland.

Over the last decade, Margaret Gordon has been respected locally as a strong voice of reason and intellect not only in her West Oakland community, but regionally as well. The longtime health and environmental advocate has earned statewide respect on Port issues.

A recipient of the 2007 Alameda County Women's Hall of Fame award, Ms. Gordon is one of the founding members of both the West Oakland Environmental Indicators Project and the Alameda County Stakeholder Project for the Environmental Health Tracking Project. In 2006, Ms. Gordon was a presenter at a Port-related conference concerned with trucking, shipping and logistics sponsored by the Intermodal Maritime Association, while also contributing to the development of two community-based participatory research reports and the publications, ''Neighborhood Knowledge for Change'' and ''Reducing Diesel Pollution in West Oakland''. Moreover, during this period she was instrumental in the design of the 7th St/McClymonds Corridor Neighborhood Improvement Initiative and was co-chair of the Citizens Advisory Committee, the group assembled to oversee replacement of the Cypress freeway following the Loma Prieta earthquake in 1989.

In 2001, Ms. Gordon and the Pacific Institute, an environmental research and policy group based in the city of Oakland, launched the West Oakland Environmental Indicators project. The study concluded that diesel emissions in West Oakland were five times higher than the rest of the city. That study promoted the several local efforts to remediate contamination at the Port of Oakland and to increase efforts to reduce diesel emissions.

Most recently, Ms. Gordon co-wrote ''Healthy Home Indoor Air Quality Project,'' a report proposing ways to reduce diesel emissions in the community. The document has been submitted to local and federal environmental health agencies for review.

I will conclude with my good friend Keith Carson, Alameda County Supervisor.

Keith Carson was elected to the Alameda County Board of Supervisors, Fifth District in 1992 on a platform dedicated to inclusive and accessible government.

As a native of Berkeley California, Keith has longstanding roots in the progressive community, yet clearly understands the role business

must play in the development of thriving communities. Supervisor Carson has been the Chair of the Alameda County Budget Workgroup for over 10 years and in that time the County has been forced to cut over $2 Billion out of their budget. Supervisor Carson has brought together County Department Heads, unions, civic leaders to devise yearly formulas for balancing the ever declining budget. The County is the safety net for residents and through this process will continue to struggle to provide much needed life supporting services.

Years before California beget a process of dumping state prisoners in local government through their early release program, Supervisor Carson had been attempting to reconnect those who are returning from jail or prison in a way that would allow them to become productive citizens.

Supervisor Carson and I have worked closely with other local elected officials to organize a yearly event allowing people to have their records cleared when appropriate, and provide information about other key services hoping to curb the rate of recidivism. While his work speaks volumes, it is his compassion for people that drives his success. Alameda County is a microcosm of America's ethnic and business diversity. He uses Alameda County's diversity to its fullest in attempting to bring all voices to the decisionmaking process. As he often says "the only way one of us survives is if we all work together".

These are just a few examples of African-American in my district who go to work everyday determined to improve the lives of those who reside in their communities. And today, I salute them.

Mr. DAVIS of Illinois. Madam Speaker, I rise this evening in commemoration of Black History Month as we celebrate and honor the tremendous achievements of African Americans.

At no time in history has there been a greater need to rethink the role of government given the current socio-economic conditions of African Americans residing within disinvested communities wrought with:

Poor performing schools that fail to provide African American children the math, science, and reading skills vital to securing jobs in today's global economy;

Lack of access to sustainable and gainful employment to become productive members of society; and lastly,

Lack of self-sufficiency of income and wealth to ensure the well-being of our children and our nation.

In celebration of the resiliency of African Americans past and present, as the Chair of the Child Welfare Brain Trust, I am hosting a forum tomorrow examining the pathways out of poverty.

This forum will introduce a platform to assess the efficacy of human service programs in light of current socio-economic and budgetary constraints at this crucial time in history. As policymakers, we must decide how to address the needs of all American families living at and below the poverty line, of which Black families constitute a disproportionate share.

We will also examine ways in which select federal programs can be realigned to create more interagency cooperation and collaboration, especially in light of current budgetary constraints. Our nation's future depends on it.

As we celebrate Black History Month, we celebrate with a forward focus in addressing the holistic needs of all Americans.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 1046.

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. LYNCH. 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 11, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Thursday, February 11, 2010 at 5:08 p.m., and said to contain a message from the President whereby he submits the 2010 Economic Report of the President.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111–81)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Joint Economic Committee and ordered to be printed:

To the Congress of the United States:

As we begin a new year, the American people are still experiencing the effects of a recession as deep and painful as any we have known in generations. Traveling across this country, I have met countless men and women who have lost jobs these past two years. I have met small business owners struggling to pay for health care for their workers; seniors unable to afford prescriptions; parents worried about paying the bills and saving for their children's future and their own retirement. And the effects of this recession come in the aftermath of a decade of declining economic security for the middle class and those who aspire to it.

At the same time, over the past two years, we have also seen reason for hope: the resilience of the American people who have held fast—even in the face of hardship—to an unrelenting faith in the promise of our country.

It is that determination that has helped the American people overcome difficult periods in our Nation's history. And it is this perseverance that remains our great strength today. After all, our workers are as productive as ever. American businesses are still leaders in innovation. Our potential is still unrivaled. Our task as a Nation—and our mission as an Administration—is to harness that innovative spirit, that productive energy, and that potential in order to create jobs, raise incomes, and foster economic growth that is sustained and broadly shared. It's not enough to move the economy from recession to recovery. We must rebuild the economy on a new and stronger foundation.

I can report that over the past year, this work has begun. In the coming year, this work continues. But to understand where we must go in the next year and beyond, it is important to remember where we began one year ago.

Last January, years of irresponsible risk-taking and debt-fueled speculation—unchecked by sound oversight—led to the near-collapse of our financial system. We were losing an average of 700,000 jobs each month. Over the course of one year, $13 trillion of Americans' household wealth had evaporated as stocks, pensions, and home values plummeted. Our gross domestic product was falling at the fastest rate in a quarter century. The flow of credit, vital to the functioning of businesses large and small, had ground to a halt. The fear among economists, from across the political spectrum, was that we could sink into a second Great Depression.

Immediately, we took a series of difficult steps to prevent that catastrophe for American families and businesses. We acted to get lending flowing again so ordinary Americans could get financing to buy homes and cars, to go to college, and to start businesses of their own; and so businesses, large and small, could access loans to make payroll, buy equipment, hire workers, and expand. We enacted measures to stem the tide of foreclosures in our housing market, helping responsible homeowners stay in their homes and helping to stop the broader decline in home values.

To achieve this, and to prevent an economic collapse, we were forced to use authority enacted under the previous Administration to extend assistance to some of the very banks and financial institutions whose actions had helped precipitate the turmoil. We also took steps to prevent the collapse of the American auto industry, which faced a crisis partly of its own making,

to prevent another round of widespread job losses in an already fragile time. These decisions were not popular, but they were necessary. Indeed, the decision to stabilize the financial system helped to avert a larger catastrophe, and thanks to the efficient management of the rescue—with added transparency and accountability—we have recovered most of the money provided to banks.

In addition, even as we worked to address the crises in our banking sector, in our housing market, and in our auto industry, we also began attacking our economic crisis on a broader front. Less than one month after taking office, we enacted the most sweeping economic recovery package in history: the American Recovery and Reinvestment Act of 2009. The Recovery Act not only provided tax cuts to small businesses and 95 percent of working families and provided emergency relief to those out of work or without health insurance; it also began to lay a new foundation for long-term growth. With investments in health care, education, infrastructure, and clean energy, the Recovery Act has saved or created roughly two million jobs so far, and it has begun the hard work of transforming our economy to thrive in the modern, global era.

Because of these and other steps, we can safely say that we've avoided the depression many feared. Our economy is growing again, and the growth over the last three months was the strongest in six years. But while economic growth is important, it means nothing to somebody who has lost a job and can't find another. For Americans looking for work, a good job is the only good news that matters. And that's why our work is far from complete.

It is true that the steps we have taken have slowed the flood of job losses from 691,000 per month in the first quarter of 2009 to 69,000 in the last quarter. But stemming the tide of job loss isn't enough. More than 7 million jobs have been lost since the recession began two years ago. This represents not only a terrible human tragedy, but also a very deep hole from which we'll have to climb out. Until jobs are being created to replace those we've lost—until America is back at work—my Administration will not rest and this recovery will not be finished.

That's why I am continuing to call on the Congress to pass a jobs bill. I've proposed a package that includes tax relief for small businesses to spur hiring, that accelerates construction on roads, bridges, and waterways, and that creates incentives for homeowners to invest in energy efficiency, because this will create jobs, save families money, and reduce pollution that harms our environment.

It is also essential that as we promote private sector hiring, we continue to take steps to prevent layoffs of critical public servants like teachers, firefighters, and police officers, whose jobs are threatened by State and local budget shortfalls. To do otherwise would not only worsen unemployment and hamper our recovery; it would also undermine our communities. And we cannot forget the millions of people who have lost their jobs. The Recovery Act provided support for these families hardest hit by this recession, and that support must continue.

At the same time, long before this crisis hit, middle-class families were under growing strain. For decades, Washington failed to address fundamental weaknesses in the economy: rising health care costs, growing dependence on foreign oil, an education system unable to prepare all of our children for the jobs of the future. In recent years, spending bills and tax cuts for the very wealthiest were approved without paying for any of it, leaving behind a mountain of debt. And while Wall Street gambled without regard for the consequences, Washington looked the other way.

As a result, the economy may have been working for some at the very top, but it was not working for all American families. Year after year, folks were forced to work longer hours, spend more time away from their loved ones, all while their incomes flat-lined and their sense of economic security evaporated. Growth in our country was neither sustained nor broadly shared. Instead of a prosperity powered by smart ideas and sound investments, growth was fueled in large part by a rapid rise in consumer borrowing and consumer spending.

Beneath the statistics are the stories of hardship I've heard all across America—hardships that began long before this recession hit two years ago. For too many, there has long been a sense that the American dream—a chance to make your own way, to work hard and support your family, save for college and retirement, own a home—was slipping away. And this sense of anxiety has been combined with a deep frustration that Washington either didn't notice, or didn't care enough to act.

These weaknesses have not only made our economy more susceptible to the kind of crisis we have been through. They have also meant that even in good times the economy did not produce nearly enough gains for middle-class families. Typical American families saw their standards of living stagnate, rather than rise as they had for generations. That is why, in the aftermath of this crisis, and after years of inaction, what is clear is that we cannot go back to business as usual.

That is why, as we strive to meet the crisis of the moment, we are continuing to lay a new foundation for prosperity: a foundation on which the middle class can prosper and grow, where if you are willing to work hard, you can find a good job, afford a home, send your children to world-class schools, afford high-quality health care, and enjoy retirement security in your later years. This is the heart of the American Dream, and it is at the core of our efforts to not only rebuild this economy—but to rebuild it stronger than before. And this work has already begun.

Already, we have made historic strides to reform and improve our education system. We have launched a Race to the Top in which schools are competing to create the most innovative programs, especially in math and science. We have already made college more affordable, even as we seek to increase student aid by ending a wasteful subsidy that serves only to line the pockets of lenders with tens of billions of taxpayer dollars. And I've proposed a new American Graduation Initiative and set this goal: by 2020, America will once again have the highest proportion of college graduates in the world. For we know that in this new century, growth will be powered not by what consumers can borrow and spend, but what talented, skilled workers can create and export.

Already, we have made historic strides to improve our health care system, essential to our economic prosperity. The burdens this system places on workers, businesses, and governments is simply unsustainable. And beyond the economic cost—which is vast—there is also a terrible human toll. That's why we've extended health insurance to millions more children; invested in health information technology through the Recovery Act to improve care and reduce costly errors; and provided the largest boost to medical research in our history. And I continue to fight to pass real, meaningful health insurance reforms that will get costs under control for families, businesses, and governments, protect people from the worst practices of insurance companies, and make coverage more affordable and secure for people with insurance, as well as those without it.

Already, we have begun to build a new clean energy economy. The Recovery Act included the largest investment in clean energy in history, investments that are today creating jobs across America in the industries that will power our future: developing wind energy, solar technology, and clean energy vehicles. But this work has only just begun. Other countries around the world understand that the nation that leads the clean energy economy will be the nation that leads the global economy. I want America to be that nation. That is why we are working toward legislation that will create new incentives to finally make renewable energy the profitable kind of energy in America. It's not only essential for our planet and our security, it's essential for our economy.

But this is not all we must do. For growth to be truly sustainable—for our prosperity to be truly shared and our living standards to actually rise—we need to move beyond an economy that is fueled by budget deficits and consumer demand. In other words, in order to create jobs and raise incomes for the middle class over the long run, we need

to export more and borrow less from around the world, and we need to save more money and take on less debt here at home. As we rebuild, we must also rebalance. In order to achieve this, we'll need to grow this economy by growing our capacity to innovate in burgeoning industries, while putting a stop to irresponsible budget policies and financial dealings that have led us into such a deep fiscal and economic hole.

That begins with policies that will promote innovation throughout our economy. To spur the discoveries that will power new jobs, new businesses—and perhaps new industries—I have challenged both the public sector and the private sector to devote more resources to research and development. And to achieve this, my budget puts us on a path to double investment in key research agencies and makes the research and experimentation tax credit permanent. We are also pursuing policies that will help us export more of our goods around the world, especially by small businesses and farmers. And by harnessing the growth potential of international trade—while ensuring that other countries play by the rules and that all Americans share in the benefits—we will support millions of good, high-paying jobs.

But hand in hand with increasing our reliance on the Nation's ingenuity is decreasing our reliance on the Nation's credit card, as well as reining in the excess and abuse in our financial sector that led large firms to take on extraordinary risks and extraordinary liabilities.

When my Administration took office, the surpluses our Nation had enjoyed at the start of the last decade had disappeared as a result of the failure to pay for two large tax cuts, two wars, and a new entitlement program. And decades of neglect of rising health care costs had put our budget on an unsustainable path.

In the long term, we cannot have sustainable and durable economic growth without getting our fiscal house in order. That is why even as we increased our short-term deficit to rescue the economy, we have refused to go along with business as usual, taking responsibility for every dollar we spend. Last year, we combed the budget, cutting waste and excess wherever we could, a process that will continue in the coming years. We are pursuing health insurance reforms that are essential to reining in deficits. I've called for a fee to be paid by the largest financial firms so that the American people are fully repaid for bailing out the financial sector. And I've proposed a freeze on nonsecurity discretionary spending for three years, a bipartisan commission to address the long-term structural imbalance between expenditures and revenues, and the enactment of ''pay-go'' rules so that Congress has to account for every dollar it spends.

In addition, I've proposed a set of common sense reforms to prevent future financial crises. For while the financial system is far stronger today than it was one year ago, it is still operating under the same rules that led to its near-collapse. These are rules that allowed firms to act contrary to the interests of customers; to hide their exposure to debt through complex financial dealings that few understood; to benefit from taxpayer-insured deposits while making speculative investments to increase their own profits; and to take on risks so vast that they posed a threat to the entire economy and the jobs of tens of millions of Americans.

That is why we are seeking reforms to empower consumers with the benefit of a new consumer watchdog charged with making sure that financial information is clear and transparent; to close loopholes that allowed big financial firms to trade risky financial products like credit defaults swaps and other derivatives without any oversight; to identify system-wide risks that could cause a financial meltdown; to strengthen capital and liquidity requirements to make the system more stable; and to ensure that the failure of any large firm does not take the economy down with it. Never again will the American taxpayer be held hostage by a bank that is ''too big to fail.''

Through these reforms, we seek not to undermine our markets but to make them stronger: to promote a vibrant, fair, and transparent financial system that is far more resistant to the reckless, irresponsible activities that might lead to another meltdown. And these kinds of reforms are in the shared interest of firms on Wall Street and families on Main Street.

These have been a very tough two years. American families and businesses have paid a heavy price for failures of responsibility from Wall Street to Washington. Our task now is to move beyond these failures, to take responsibility for our future once more. That is how we will create new jobs in new industries, harnessing the incredible generative and creative capacity of our people. That is how we'll achieve greater economic security and opportunity for middle-class families in this country. That is how in this new century we will rebuild our economy stronger than ever before.

BARACK OBAMA.
THE WHITE HOUSE, *February 11, 2010*.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 7 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2314, NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–413) on the resolution (H. Res. 1083) providing for consideration of the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, which was referred to the House Calendar and ordered to be printed.

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.R. 4425, by the yeas and nays, and H.R. 4238, by the yeas and nays.

Remaining postponed votes will be taken later in the week.

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

MARTIN G. ''MARTY'' MAHAR POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4425, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4425.

The vote was taken by electronic device, and there were—yeas 330, nays 0, not voting 102, as follows:

[Roll No. 49]

YEAS—330

Abercrombie	Bishop (UT)	Buyer
Aderholt	Blumenauer	Cantor
Adler (NJ)	Blunt	Cao
Akin	Boehner	Capito
Alexander	Bonner	Capps
Altmire	Boozman	Capuano
Andrews	Boswell	Cardoza
Arcuri	Boustany	Carney
Baca	Boyd	Carson (IN)
Bachmann	Brady (PA)	Carter
Bachus	Brady (TX)	Cassidy
Baird	Bright	Castle
Baldwin	Broun (GA)	Castor (FL)
Bartlett	Brown (SC)	Chaffetz
Becerra	Brown, Corrine	Chandler
Berkley	Brown-Waite, Ginny	Chu
Berman	Buchanan	Clarke
Bilbray	Burgess	Clay
Bilirakis	Burton (IN)	Clyburn
Bishop (GA)	Butterfield	Coble
Bishop (NY)		Coffman (CO)

Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Crenshaw
Crowley
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeGette
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Eshoo
Farr
Fattah
Flake
Fleming
Forbes
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E.B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McKeon
McMahon
McMorris Rodgers
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Murphy (CT)
Murphy (NY)
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis (CO)
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—102

Ackerman
Austria
Barrett (SC)
Barrow
Barton (TX)
Bean
Berry
Biggert
Blackburn
Boccieri
Bono Mack
Boren
Boucher
Braley (IA)
Calvert
Camp
Campbell
Carnahan
Childers
Cleaver
Conyers
Costello
Cuellar
Culberson
Davis (AL)
Deal (GA)
DeFazio
Delahunt
Dent
Dreier
Ehlers
Engel
Etheridge
Fallin
Filner
Fortenberry
Giffords
Gingrey (GA)
Granger
Graves
Grijalva
Gutierrez
Harman
Hastings (WA)
Higgins
Hodes
Hoekstra
Inglis
Johnson (IL)
Jordan (OH)
Kaptur
Kilpatrick (MI)
Kirk
Kissell
Larsen (WA)
Lipinski
Loebsack
Mack
Maffei
McCollum
McIntyre
McNerney
Meek (FL)
Melancon
Miller (MI)
Miller (NC)
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Neal (MA)
Neugebauer
Pascrell
Platts
Poe (TX)
Pomeroy
Price (GA)
Radanovich
Reichert
Ros-Lehtinen
Roskam
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Scalise
Schrader
Sessions
Sherman
Sires
Smith (WA)
Stark
Teague
Thompson (MS)
Titus
Velázquez
Wamp
Watson
Westmoreland
Wilson (OH)
Young (AK)

□ 1905

So (two-thirds being in the affirmative) the rules were suspended and 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. FILNER. Madam Speaker, on rollcall 49, I was away from the Capitol. Had I been present, I would have voted "yea."

MOMENT OF SILENCE IN MEMORY OF REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. KANJORSKI. As most Members of this Chamber know, we recently lost a dear friend and colleague. Congressman Jack Murtha passed away on February 8 after complications from gallbladder surgery.

Jack recently became the longest-serving Member of Congress from Pennsylvania ever. Jack was dedicated to his country, our military troops, and the people of Pennsylvania that he represented for 36 years. He will be greatly missed by our delegation, our State, and the entire Nation.

On Wednesday, there will be a Special Order following votes in memory of Jack Murtha. Anyone wishing to speak may contact my office for that privilege.

In closing, I respectfully request a moment of silence in memory of our dear friend, Jack Murtha.

I yield to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Madam Speaker, I first got to know Jack as a freshman legislator in the Pennsylvania House of 1973–1974, where he and I served together until he was elected to Congress in 1974. We were both Vietnam veterans—the only two in the State house, so we had something in common with that that we chatted about.

Jack served his community in western Pennsylvania as both the State and Federal Representative for nearly four decades, and he will be missed by his hometown of Johnstown and residents of the 12th Congressional District.

He served his country as a Marine drill instructor. As an officer, he remained in the Reserves after leaving full-time service in 1955. He volunteered to return to full-time service in 1967, and he served honorably in Vietnam, earning a Bronze Star with Valor and two Purple Hearts.

Even after being elected to the House in Congress, Representative Murtha continued his service in the Reserves, finally retiring as a colonel in 1990. Just a few weeks ago, he became the longest-serving Pennsylvania Member of the House of Representatives.

He will be dearly missed by his wife of 55 years and his children and grandchildren that he leaves behind. I join with my colleagues in the Pennsylvania delegation to extend our condolences to his family and friends.

Tonight, we honor his service.

The SPEAKER. Will all Members please rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER

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

There was no objection.

W.D. FARR POST OFFICE BUILDING

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4238, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. MARKEY of Colorado). The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4238.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 331, nays 0, not voting 101, as follows:

[Roll No. 50]

YEAS—331

Abercrombie
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Bartlett
Becerra
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boswell
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Chu
Clarke
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Crenshaw
Crowley
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeGette
DeLauro

Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Farr
Fattah
Flake
Fleming
Forbes
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E.B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McHenry
McKeon
McMahon
McMorris Rodgers
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Murphy (CT)
Murphy (NY)
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis (CO)
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—101

Ackerman
Austria
Barrett (SC)
Barrow
Barton (TX)
Bean
Berry
Biggert
Boccieri
Bono Mack
Boren
Boucher
Braley (IA)
Calvert
Camp
Campbell
Carnahan
Childers
Cleaver
Conyers
Costello
Cuellar
Culberson
Davis (AL)
Deal (GA)
DeFazio
Delahunt
Dent
Dreier
Ehlers
Etheridge
Fallin
Filner
Fortenberry
Giffords
Gingrey (GA)
Granger
Graves
Grijalva
Gutierrez
Harman
Hastings (WA)
Higgins
Hodes
Hoekstra
Inglis
Johnson (IL)
Jordan (OH)
Kaptur
Kilpatrick (MI)
Kirk
Kissell
Larsen (WA)
Lipinski
Loebsack
Mack
Maffei
McCollum
McGovern
McIntyre
McNerney
Meek (FL)
Melancon
Miller (MI)
Miller (NC)
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Neal (MA)
Neugebauer
Pascrell
Platts
Poe (TX)
Pomeroy
Price (GA)
Radanovich
Reichert
Ros-Lehtinen
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Scalise
Schrader
Sessions
Sherman
Shuster
Sires
Smith (WA)
Stark
Sullivan
Teague
Thompson (MS)
Titus
Velázquez
Wamp
Westmoreland
Wilson (OH)
Young (AK)

□ 1919

So (two-thirds being in the affirmative) the rules were suspended and 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. FILNER. Madam Speaker, on rollcall 50, I was away from the Capitol. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from the House Chamber today. Had I been present, I would have voted "yea" on rollcall votes 49 and 50.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE JOHN P. MURTHA, A REPRESENTATIVE FROM THE COMMONWEALTH OF PENNSYLVANIA

Mr. KANJORSKI. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1084

Resolved, That the House has heard with profound sorrow of the death of the Honorable John P. Murtha, a Representative from the Commonwealth of Pennsylvania.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 1 hour.

Mr. KANJORSKI. Madam Speaker and colleagues, it is with great sadness as well as a great deal of honor that I rise this evening to commemorate and to celebrate the life of our friend and colleague, Congressman John Murtha of Pennsylvania's 12th District.

As we mourn the loss of Jack Murtha and remember his life, I pass along my thoughts and prayers to his family and friends. Just days before his passing, Jack became the longest serving Member of Congress ever from Pennsylvania.

I am privileged to have had the opportunity to work closely with Jack during our time together in Congress, and I am honored to have called him my friend. I thought the other day, upon returning from Pittsburgh and the funeral in Johnstown, that Jack and I had spent more than 5,000 days together, and more than 2 or 3 hours each day, during our service in Congress together. That is probably longer than most husbands and wives spend together. And maybe that accounts for the fact that I feel such a loss.

I looked up to Jack for his dedication to our country and our military troops, his strength to work in a bipartisan way, and his passion for his work and the Pennsylvanians he represented. Throughout his career in public service, Jack has been a symbol of the hardworking Pennsylvanians throughout the Commonwealth.

Jack dedicated his life to serving our country both in the military, in the halls of Congress, and the State legislature of Pennsylvania. A former Marine, he became the first Vietnam combat veteran elected to the United States Congress.

When he arrived here in 1974, he quickly attracted the attention of then majority leader and future Speaker Tip O'Neill, who became Jack's mentor. Tip taught him that all politics is local, which enabled him to become an effective advocate for his own congressional district and for initiatives throughout our State.

Jack's contributions to Pennsylvania are endless. When Pennsylvania's Children's Health Insurance Program, CHIP, was slated to be eliminated by Federal regulations, Jack convinced the Clinton administration to be more flexible, and ultimately saved the program. When our steel industry was in crisis, he convinced the Reagan administration to impose higher tariffs on foreign steel, giving domestic producers an edge.

When the Philadelphia Shipyard was threatened with closure, he secured funding to keep ship production going. When the United States Army was forming the Stryker Brigades, Jack helped convince Army leaders to field one within the Pennsylvania National Guard, creating the first and only brigade of its kind in the reserve component. When the National Park Service wanted to construct a new museum and visitors center at Gettysburg, he secured funding to make the project possible.

When a decades-long mine fire threatened the residents of Centralia, Pennsylvania, Jack worked to secure funding to buy the town and relocate the residents. When the health care benefits of retired miners were in trouble, he twice secured funding to help save their benefits from termination.

When Flight 93 crashed in Stonycreek Township, Pennsylvania, Jack was there the next day to survey

national memorial in honor of the passengers and crew.

When he found out that diabetes was becoming an epidemic in the military and throughout Pennsylvania, Jack secured over $150 million for research, prevention, education, and outreach programs.

Jack led our Pennsylvania delegation for almost 36 years with passion and dedication. The legacy that he has left will surely live on as a symbol of the great work that one man can do, and is something that we can all strive to achieve. The Pennsylvania delegation is honored to pay tribute to his life this evening and say good-bye to a dear friend and colleague.

Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Madam Speaker, I thank my good friend, Mr. KANJORSKI, for yielding and this opportunity to take time to remember and to recognize the life and the public service of Congressman John Murtha.

As a freshman, and being here 14 months, I had the opportunity to just get to know the Congressman when I joined this chamber a little over a year ago. And I will say that Congressman Murtha, as the dean of the delegation, and someone who had been here almost four decades, yet despite that, he reached out to an individual who was a freshman, a rookie, and whenever I saw Congressman Murtha, he was always quick to ask how things were going, how people were treating me, and was there anything he could do for me. He had that bipartisan approach. He was first and foremost from Pennsylvania, as opposed to identifying as a party.

Congressman Murtha, as I had gotten to know him, we had some common ties. I found out he had such a sense of public service. As Mr. KANJORSKI mentioned, he certainly will be missed by the people of Cambria County and throughout his entire congressional district. And his sense of public service really I believe grew out of his experiences in scouting. Congressman Murtha was an Eagle Scout. And within scouting, learned those principles of leadership and citizenship and service, and went on to serve as a decorated war hero in the United States Marines, and continued that service right up until just 1990 in his service, retiring as a colonel.

□ 1930

And today, we remember Congressman Murtha in his public service as he went on to be the longest serving Member in the United States House of Representatives from Pennsylvania.

All of our prayers go out to Congressman Murtha's wife and his family at this time as we take this time to pause and give thanks and honor the life of Congressman John Murtha.

GENERAL LEAVE

Mr. KANJORSKI. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 1084.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the passing of the gentleman from Pennsylvania (Mr. Murtha), the whole number of the House is 433.

APPOINTMENT OF MEMBERS TO THE COMMITTEE TO ATTEND FUNERAL OF THE LATE HONORABLE JOHN P. MURTHA

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Speaker on February 16, 2010, appointed the following Members of the House to the committee to attend the funeral of the late Honorable John P. Murtha:

The gentleman from Pennsylvania, Mr. KANJORSKI

The gentlewoman from California, Ms. PELOSI

The members of the Pennsylvania delegation:

Mr. HOLDEN
Mr. DOYLE
Mr. FATTAH
Mr. PITTS
Mr. BRADY
Mr. PLATTS
Mr. SHUSTER
Mr. GERLACH
Mr. TIM MURPHY
Mr. DENT
Ms. SCHWARTZ
Mr. ALTMIRE
Mr. CARNEY
Mr. PATRICK MURPHY
Mr. SESTAK
Mrs. DAHLKEMPER
Mr. THOMPSON

Other Members in attendance:

Mr. LARSON (CT)
Mr. BECERRA
Mr. CROWLEY
Ms. WASSERMAN SCHULTZ
Mr. RANGEL
Mr. DICKS
Ms. KAPTUR
Mr. LEVIN
Mr. MOLLOHAN
Ms. SLAUGHTER
Mr. TAYLOR
Mr. ANDREWS
Mr. MORAN (VA)
Mr. BISHOP (GA)
Ms. CORRINE BROWN (FL)
Ms. ESHOO
Mr. KENNEDY
Mr. BERRY
Ms. KILPATRICK (MI)
Mr. KUCINICH
Mrs. MCCARTHY
Mr. PASCRELL
Mr. REYES
Mr. ROTHMAN
Mr. CAPUANO
Mr. HOLT
Mr. WEINER
Mr. RYAN (OH)
Ms. MATSUI
Mr. COHEN
Mr. COURTNEY

IT IS TIME TO PASS HEALTH CARE REFORM

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

Ms. JACKSON LEE of Texas. I would like to thank my dear friend, Mr. KANJORSKI, for offering a privileged resolution.

My simple words are that this House was privileged to have a man like John Murtha walk these halls and this floor. I know that as he is honored on Wednesday night with a Special Order, we will gather to celebrate and commemorate a life well lived not only for his family, but for his country and for the people that he loved and the military that he served and respected.

Madam Speaker, I come as well today to speak very quickly about the President's issuance of a health care reform package. Everywhere I have gone in my district there are people crying out for relief, and that relief comes in terms of no preexisting disease, lower premium costs, the insuring of 36 million, and the opportunity for people to go into an exchange and find the insurance that they can subscribe to, including that which covers those of us in Congress. We have to stop those who are dying, 45,000, who live without insurance. It is time to pass health care reform now.

CONGRATULATING THE DAILY PRESS ON ITS 100TH ANNIVERSARY

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to congratulate a small town newspaper on its 100th anniversary. The Daily Press in St. Marys, Pennsylvania, was started in February 1910 by founders John A. Dippold, John S. Speer, and William A. Timm. Owners have changed, the paper has moved and it has merged with the Elk County Gazette, but it has remained in continuous operation into its centennial year with more than 5,300 subscribers.

The Daily Press is the first and only newspaper published in St. Marys. It sells for 50 cents and is published 6

days a week, Monday through Saturday. And it still provides a service that people want—local, community, school, and church news. It has changed through the years from the use of early printers and Linotype to today's computers and Web site, but as larger newspapers are closing across the Nation, smaller community newspapers have remained strong because of the services they provide.

From potholes to politics, publisher Darlene Coder, her editor, and two reporters cover the community. They know the people, cover the organizations, and do an outstanding job of reporting the news that fits the region. I commend the Daily Press and its staff and wish them another 100 years of success.

SPECIAL ORDERS

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

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

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

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

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

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

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

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 Texas (Mr. PAUL) is recognized for 5 minutes.

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

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. FUDGE. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to enter remarks into the RECORD on this topic of Black History Month.

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

There was no objection.

Ms. FUDGE. I appreciate the opportunity to anchor this Special Order hour for the Congressional Black Caucus. Currently, the CBC is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. My name is Congresswoman MARCIA FUDGE, and I represent the 11th Congressional District of Ohio.

CBC members are advocates for human rights and advocates for families, nationally and internationally. We also play a significant role as local and regional activists. We work diligently to be the conscience of the Congress, but also provide dedicated and focused service to the citizens and congressional districts that have elected us.

The vision of the founding members of the Congressional Black Caucus was to promote the public welfare through legislation designed to meet the needs of millions of neglected citizens. It continues to be a beacon and focal point for the legislative work and political activities of the Congressional Black Caucus today. To celebrate the month of February, we are proud to present a reflection on black history. Specifically, we will herald the unsung history makers in our communities.

The origin of Black History Month, just for the record, what we now call Black History Month, was originated in 1926 by Carter G. Woodson as Negro History Week. The month of February was selected in deference to Frederick Douglass and Abraham Lincoln, who were both born in that month.

The son of a slave, Carter G. Woodson was born in New Canton, Virginia, in 1875. He began high school at the age of 20 and then proceeded to study at Berea College, the University of Chicago, the Sorbonne, and Harvard University, where he earned a Ph.D. in 1912.

Woodson founded the Association for the Study of Negro Life and History in 1915 to train black historians and to collect, preserve, and publish documents on black life and black people. He also founded the Journal of Negro History, Associated Publishers, and the Negro Bulletin. Woodson spent his life working to educate all people about the vast contributions made by black men and women throughout history. Mr. Woodson died in 1950. Black History Month continues his legacy of educating everyone about black history, which is American history.

I am privileged to commend several amazing trailblazers within my congressional district's African American community.

David Albritton. David Albritton lived from 1913 to 1994, a pioneering African American in the Ohio General Assembly. Interestingly enough, he was also a high jumper in the Olympic games.

Albritton was born in Danville, Alabama, the hometown of Jesse Owens. Like Owens, Albritton was raised in the great city of Cleveland and became a track star at East Technical High School. Albritton also accompanied Owens to Ohio State University and the 1936 Olympic games in Berlin. During tryouts for the Olympics, he tied a world record of 6 feet, 9½ inches in the high jump.

In 1960, he moved into public service when he won a seat in the Ohio House of Representatives. In the House, he was named Chair of the House Interstate Cooperation Committee, making him the first African American in Ohio history to head a House committee. Albritton, a black hero raised in Cleveland, Ohio, is a member of the National Track and Field Hall of Fame, the Ohio Sport Hall of Fame, and the Ohio State Athletic Hall of Fame.

Then, Madam Speaker, there is Harry Smith. Harry C. Smith was born in 1863. He was a pioneer of the black press. Shortly after graduating from Central High School in Cleveland, Ohio, he founded the Cleveland Gazette. The newspaper would become the longest publishing black weekly in America, earning its nickname ''The Old Reliable.'' It never missed a Saturday publication date in 58 years.

Like Albritton, Smith was also a member of the Ohio General Assembly. In the course of his three-term career, Smith sponsored the Ohio Civil Rights Law of 1894 that established penalties against discrimination in public accommodations. In 1896, Smith sponsored the Mob Violence Act of 1896, which was an antilynching law. Though he lost his bids for the Republican nomination for Governor in 1926 and in 1928, he broke ground as the first black candidate for the position of Governor.

□ 1945

Fannie Lewis: Fannie Lewis was a dynamic, revered, and respected member of Cleveland's City Council who passed away in 2008. Lewis was actually a native of Memphis, Tennessee, who moved north to Cleveland in 1951.

A decade after she moved to her new hometown, she began her public life as a community activist in the Hough neighborhood. Even after she was elected to council in 1979, she kept her grassroots approach to politics—looking out for her hardworking constituents. Councilwoman Lewis fought relentlessly for her ward, never giving in and never giving up on Hough.

This dedication led to the passage of the Fannie M. Lewis Cleveland Resident Employment law, which requires construction projects receiving $100,000 or more in funding from the city to employ people who live in the city on those projects.

Jane Edna Hunter: Jane Edna Hunter was a prominent African American social worker who founded Cleveland's Phyllis Wheatley Association.

Born to a sharecropper, Hunter defied the odds and graduated with a nursing degree. She later attended Marshall Law School in Cleveland, and passed the Ohio bar examination.

In addition to her legal career, Hunter was a dedicated philanthropist. She organized the Phyllis Wheatley Association in 1911 to provide safe living quarters for unmarried African American women and girls.

Following retirement, she founded the Phyllis Wheatley Foundation, a scholarship fund for African American high school graduates. She also founded the Women's Civic League of Cleveland, belonged to the NAACP, and served as vice president and executive committee member of the National Association of Colored Women.

Highly esteemed around the Nation, Hunter was granted honorary degrees from Fisk University in Nashville, Tennessee, Allen University in Columbia, South Carolina, and Central State University in Wilberforce, Ohio.

Mary Brown Martin: Mary Brown Martin, who championed academic achievement for all children, was the first black woman elected to the Cleveland Board of Education.

She was born in Raleigh, North Carolina, to former slaves. In 1886, she moved to Cleveland, where she graduated from Central High School in 1900.

In the 1920s, Martin was dedicated to teaching in the Cleveland public schools. She was profoundly dedicated to the students, and she advocated for their needs.

To increase her advocacy for children, she ran and was elected to the Board of Education in 1930. She served three terms. The Mary B. Martin Elementary School on Brookline Avenue was named in honor of her service.

Lastly, Madam Speaker, the black commanders of Cleveland: I congratulate Deputy Chief Prioleau Green, Commander Dwayne Drummond, Commander Ellis Johnson, Commander Dean McCaulley, Commander Leroy Morrow, and Commander Calvin Williams from Cleveland, Ohio.

These outstanding law enforcement officers have honorably served and protected the people of Cleveland for more than 20 years, and they are still serving our city today. These outstanding officers were recently recognized by The Call and Post newspaper for their tireless service, exemplary leadership, and commitment to the community.

I am proud they are among our police department's leadership—protecting our people and risking their lives to keep our community safe.

I am proud of all of these amazing black heroes who have given Cleveland its legacy of excellence and its legacy of activism. The 11th Congressional District of Ohio, which includes Cleveland, is a great place to live with its amazing history of black involvement and achievement.

I now yield to my colleague from Texas, Representative JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank the Congresswoman from Cleveland, Ohio, Congresswoman FUDGE, for her leadership on providing for the CONGRESSIONAL RECORD a recounting of the history of African American people and for particularly highlighting the notables of her congressional area.

I rise today to join as a participant in the Congressional Black Caucus special hour celebrating black history. It's interesting that my friend and colleague started out with Dr. Woodson, who is called the ''father of black history.'' I was sitting in church, at the Greater St. Matthew Church, where Pastor Gusta Booker is the presiding minister and pastor. In their black history program, a young man stood up and recounted the history of Carter G. Woodson.

That is what black history is about—the carrying on of the story, the embedding of the history of a people who are part of this American landscape into the hearts and minds of our young leaders. That is what our purpose should be today, as our message will be forever embedded in the CONGRESSIONAL RECORD—that on this day, February 22, 2010, we stood to honor those who made a difference.

In my congressional district, let me simply call the roll:

Mr. John Chase, one of the first African American architects and, clearly, a person who paved the way for architects to follow.

Dr. John B. Coleman, one of the first African American doctors. He has a highway named after him. His son is Representative Garnet Coleman, who is a leader in his own right and who is a senior member of the Texas legislature. The legacy continues.

Dr. Zeb Poindexter, Sr., one of the first African American dentists who built a building and who began serving our community, and now his legacy is passed on to his son.

Dr. Edith Irby Jones, one of the first graduates from the University of Arkansas Medical School, who has been in the practice of medicine in Houston, Texas, for 50 years.

E.M. Knight, one of the champions of political advocates and social justice advocates, now passed, who advocated for the right of African Americans in Houston to vote.

Christie Adair, of whom I had the privilege of sitting, in essence, at her feet as the first secretary of the NAACP, which was a real accomplishment for women during those days.

Moses Leroy, a union fighter, an advocate for social justice.

The Reverend C.L. Jackson, who followed a great pastor at the Pleasant Grove Baptist Church and who really was the first pastoral architect of the largest church in our community, a dome church, built when others said it could not be built.

The Reverend Jack Yates, who organized and led the Fourth Ward/Freedman's Town, who our Jack Yates High School is named after. This pastor was a social activist as well.

The Reverend Bill Lawson, who came to Texas Southern University as a young pastor and led those students through the civil rights movement.

Then I would like to emphasize the fact that out of these leaders comes so much, and much of it is done by members of the Congressional Black Caucus. Let me continue in the roll call:

Constable A.B. Chambers, in Texas, the first African American constable-law enforcement officer in the history of the State of Texas, since passed.

Constable May Walker, the first African American woman law enforcement officer and constable in the State of Texas.

Chief Lee P. Brown, the first African American chief of police in Houston, Texas who came after a rough and often violent experience between the African American community and those who did not understand diversity. The chief of police brought such grand opportunities.

Let me just finish so that I can show the nexus between these leaders in Houston, Texas, and the leaders whom I want to honor in the Congressional Black Caucus:

Adam Clayton Powell, who chaired one of our most important committees, who was one of the architects of Medicare and Medicaid and who fought for the establishment of the Department of Labor and who fought for the opportunity for people to work.

The Honorable Shirley Chisholm, who reminds us that she was unbossed and unbought and who reminded all of us that, even if named to the Agriculture Committee as the new freshman Congresswoman, she rose to be a fighter for justice but also to be an architect of legislation that helped her constituents in a place called Brooklyn, as she would say.

Then my colleagues who were my predecessors:

The Honorable Barbara Jordan, who said that she didn't mind being called a ''politician'' as long as she could be called a ''good politician.'' We will never forget her words ''we the people'' as she sat on the impeachment proceedings of Richard Nixon. She established the vitality of the Constitution, and we will be forever indebted to her voice and her words.

Then, of course, the Honorable Mickey Leland, of which so much in this Congress is named after. But more importantly, he left a spirit of humanitarianism that has never been overcome. Mickey cared for those who could not care for themselves. He died on the side of an Ethiopian mountain, trying to feed those who were starving in Ethiopia, but he left in his memory many things, including the Mickey Leland Kibbutzim program, the Mickey Leland Internship and the Mickey Leland Hunger Center, because hunger has not been stamped out. Mickey's memory continues to be part of that.

My immediate predecessor, the Honorable Craig Washington, 25 years in the Texas State senate. At that time, he was known as the single champion for justice.

As the Congresswoman from the 18th Congressional District, it is important to note that we are part of a synergism. That is what black history is about. So, when we talk about black radio, it was a creature of the advocacy of African Americans. When we talk about cable and about the expansion of diverse programming, it is a creature of African Americans in the United States Congress. When we now talk about health care reform and about speaking to the issues of disparities and of making sure that health care reform fits our communities, it is, in fact, a creature of the United States Congress and members of the Congressional Black Caucus.

In conclusion, let me pay tribute to one Member whom I had the privilege of working with, Juanita Melinda McDonald. She passed. I am reminded that she became the first African American chairwoman of the House Administration Committee. What she did as a member of that committee was, again, to focus this Congress on the wide diversity of the Congress, helping to put the first portrait of an African American woman Congressperson—that had never been done. She helped to work with me and C. Delores Tucker on establishing the opportunity for the Sojourner Truth Bust to be placed in the United States Congress.

We have so many giants, and this is a very important time to be able to say ''thank you'' to them. I stand with a great appreciation, and for this CONGRESSIONAL RECORD to reflect that, as we have had those who have gone on, what they have done has generated opportunities for so many today.

I thank my colleague, and yield back.

Ms. FUDGE. Thank you very much.

I now yield to my friend and colleague from the Virgin Islands, Representative CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you, Congresswoman FUDGE, and thank you once again for holding this Special Order. I know how difficult it is to do this week after week, and we really appreciate all of your efforts.

Madam Speaker, I join my colleagues in the Congressional Black Caucus this evening in our tribute to Black History Month. Since we are largely a black community, I want to use this time to speak about my home district, the U.S. Virgin Islands, the United States Virgin Islands.

I feel the need to do this because the mainstream media and some of our colleagues have been treating my district as though we were not a part of this country. Recently, some of our Republican colleagues in this body have even taken to using funding to my district as the poster child for spending that Americans simply cannot afford. Because we have been blessed with sunshine and beaches, and because most Americans from the States have only the images of people at play to reference our territory, we are often targeted as not deserving of stimulus funding, as being too expensive to be funded in health care, as not requiring homeland security, even though it is for the protection of the entire United States as well as for us, as not deserving of our funding to preserve our precious natural areas, as too beautiful for Federal officials to come to for hearings and site visits that are done in other districts. There are other unfair characterizations that overlook the fact that we are a community with health, education, economic development, and other needs just like other districts represented in this body.

We are Americans, and our people have fought and died in every conflict from the American Revolution through the world wars and right through to the present conflicts in Afghanistan, Iraq, and other points around the world. Today, 200 of my constituents are in Kosovo and Guantanamo, and others are about to be called up to other parts of the world. They serve in our National Guard. We are proud of them in their service. Like our sister territories, we have given more lives per capita in our wars and conflicts than most other States.

Well, Madam Speaker and colleagues, we are tired of being spoken of as though we are not part of the American family, and I wanted to use this opportunity to point out the familial bonds which stretch all the way to the founding of this Nation.

The Virgin Islands became a part of the American family in 1917 as this country needed a strategic presence in the Caribbean to help defend the Panama Canal during World War I. There was talk long before in the administration of President Abraham Lincoln of purchasing our island territories, but those talks stalled, and we were not to be transferred to U.S. authority until the Woodrow Wilson administration. During that time, our forefathers were not consulted about the sale and had no opportunity to say yea or nay. Yet we accepted our new Nation, as difficult and denigrating as those first years were for us, determined to make the best of it for us and for the United States of America. Let's go even further back than that.

During the Revolutionary War, St. Croix served as a transshipment point for the gunpowder for the Revolutionary Army, not to mention that our rum, which some tend to malign today, helped warm the soldiers during those cold nights on the battlefield. We were major fueling and ship repair stops for ships of the new American Nation and for others crossing the Atlantic.

One of our sons of the Marco Family, who served in the Revolutionary War, created the very first version of the flag for the 13 colonies. According to some accounts, the first salute to the stars and stripes occurred in the St. Croix harbor in 1776.

So we are not new to the support of and loyalty to this country, and we have and continue to serve and honor it in any way we can. The Virgin Islands proudly count as one of our own one of the great Founding Fathers of this Nation, Alexander Hamilton. He, of course, is credited, among other important contributions, with creating the Nation's financial system, and he served as the first Secretary of the Treasury.

□ 2000

He came to St. Croix as a boy of about 9 years old, and it was his education and training there in the shipping industry that covered the American and Caribbean ports which laid the foundation for the path he, and, indeed, our country, was to follow.

Many other early leaders of this country had ties to the Virgin Islands. There are many more, too numerous to name them all. But as we celebrate Black History Month, we can point to several other important persons who have helped to shape the United States that we know today. And note that I'm focusing on those who made their biggest contributions to our Nation. There are countless more also worthy of recognition who have guided and continue to guide us in the United States Virgin Islands.

The first person I want to mention is William Alexander Leidesdorff, a native of St. Croix, credited with being the first black millionaire. He helped to build the City on the Bay. He was a member of San Francisco's first town council, helped create its first school, opened its first hotel, and was the city's first treasurer.

J. Raymond Jones of New York, who was known as the Silver Fox of Tammany Hall in New York City, hailed from St. Thomas. Also born in St. Thomas, Terrence Todman served this country as ambassador for many distinguished years in Argentina, Denmark, and other countries.

One of the intriguing writers of the Harlem Renaissance, Nella Larsen Imes, also hailed from our shores. Arthur Schomburg, for whom the Center for Research in Harlem is named, is from a St. Croix family. In the U.S. labor movement, St. Thomas's Ashley Totten was a lieutenant of A. Phillip Randolph in the founding of the Brotherhood of Sleeping Car Porters.

Frank Rudolph Crosswaith, another labor luminary, created the Trade Union Committee for Organizing Negro Workers, the Negro Labor Committee, and became a founding member of the anti-Communist Union for Democratic Action.

Famous American musicians who hailed from the U.S. Virgin Islands include Benny Benjamin, who wrote ''I Want to Set the World on Fire,'' and Jon Lucien, a jazz favorite for many generations. There are many, many others.

In sports, we have Tim Duncan of the San Antonio Spurs and Raja Bell of the

Phoenix Suns. They follow in the footsteps of many other mainstays from the golden era of American baseball like Horace Clarke, Valmy Thomas, Joe Christopher, and all the others who came from the Virgin Islands. And we have many young stars who are making their name in track and field and other areas.

Our boxing legends include Emile Griffith, Livingston Bramble, and Julian Jackson. There are many more, as I said, in sports that I can't name due to the time limitation.

But there are also the hundreds of thousands of Virgin Islanders who over the 93 years that we have been a part of the American family have loved it and served it in so many other ways, just like our fellow citizens of the United States who are represented by my other colleagues. And all that we ask is that we, our contributions, our service, and our citizenship be recognized and given the appropriate respect.

Madam Speaker, the Virgin Islands has a rich, diverse, long, loyal, and productive history as a part of the American family. Like many of our sister districts, we are also susceptible to all the challenges of our great country, such as the devastating recession, threats to our homeland, escalating crime, and the need for improvements in education and health care. Spending on the Virgin Islands and the other territories is not frivolous spending. And, by the way, much of those dollars that come to us are spent not only to improve the lives and services for our residents but for the millions of people from all over the United States who visit our shores every year.

It has been hard for me as a representative of these proud Americans in the U.S. Virgin Islands to have to listen to the negative rhetoric coming from the other side of the aisle as I have sought to represent, like they do, my district. It has been painful to have to work so hard to get fair treatment in Medicaid, other health programs, and to get that fair treatment in health care reform, as well as to provide SSI for our individuals who have special needs.

It has been difficult to have disparaging remarks made about our reported unemployment at 8.5 percent when the tools available in other States are not available to enable us to have an accurate count. When undertaken by our university some years ago when our unemployment was reportedly around 7 percent, a more thorough assessment determined that it was as high as 13 percent in St. Croix and a little less in St. Thomas, and that was during better times.

I consider it to be a disservice that there might be Republican objections to holding a hearing in the Virgin Islands on the Constitution that our elected delegates have drafted for this Congress' consideration in the place where it will govern if passed and adopted. It's a milestone for any territory. And why? Because it's a beautiful place? I was to go to the Grand Canyon for a site visit today. It's a very beautiful place, and I don't think anyone objected to that.

Madam Speaker and my colleagues, thank you for the time to speak about this important part of our country's black history, our country's history, and the opportunity to remind those who don't seem to know that we are proudly American and that we ask nothing more than to be treated as such.

Ms. FUDGE. Thank you very much.

Madam Speaker, those of us who have had the privilege and the pleasure and the honor to serve in this House, we create history every day. Every single day. I just hope that all of my colleagues will make their service worthy of emulation, that it will be a source of pride to our people, and that we will encourage others to seek a life in public service.

So many people look at what they call ''politicians'' as such a dirty word. I am a public servant. I get up every day, and every morning when I leave my apartment, I say, I am going to do the people's work. That is my job. That is what I was brought here to do. I hope there is someone out there who recognizes what we do, who understands the significance of who we are, and they will feel the same sense of pride we feel today talking about all of the people on whose shoulders we stand today.

Madam Speaker, I thank you for allowing us to have this hour this evening. It is always a sense of pride for our people to know that we are still fighting the good fight and we understand from whence we have come.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Wyoming (Mrs. LUMMIS) is recognized for 60 minutes as the designee of the minority leader.

Mrs. LUMMIS. Madam Speaker, it's a privilege to be here tonight on behalf of the Republican Party and on behalf of its members here in Congress. This evening we will be led by Judge CARTER, Representative CARTER of Texas, who is on his way to the Chamber at this point, but it's my privilege to cover for him until he arrives.

We have just finished, Madam Speaker, a week in our districts where we were meeting with members of our constituency. I want to inform you that among the issues that I heard about when I was home were still concerns from automobile dealers about franchises that have been put in jeopardy due to the automobile issue with General Motors; I heard about people who are trying to build houses in Wyoming and would create jobs in Wyoming doing so and had the building permits and the need for the housing confirms but that financing for building construction in Wyoming remains impossible to get because of new bank regulations that require two-thirds more security for those loans than was previously the case. Banks are simply unwilling to lend under the same terms that they would before to risk-takers who hire people to create jobs to build wealth and value in this country and who have strong credit ratings themselves and solid track records of producing jobs and producing value in the housing and the construction market in this country. That remains an issue around the United States and certainly in my State of Wyoming. Jobs must be the main criteria as we go forward this year; and the looming debt and deficit concerns continue to be voiced by people in my State throughout the week as I met with them.

As you know, we are preparing for more budget hearings now that Congress has reconvened after the President's Day recess. I'm on the Budget Committee, and we had the opportunity to meet with Mr. Orszag before the weather curtailed our activities and then the intervening district work period occurred. But we will be resuming those activities, hopefully meeting with Treasury Secretary Geithner soon and discussing the debt and deficit.

I want to remind my colleagues that last year we were approached by Federal Reserve Chairman Ben Bernanke about the need for the United States to come up with a plan, a long-term plan to address our debt and deficits. It is not possible for us to accurately and clearly address our debt and deficit issues unless we discuss entitlements: Medicare, Medicaid, and Social Security. There are components of those issues that will be discussed this week, hopefully, at the White House conference on health care.

We are now joined by the secretary of the Republican Conference and an esteemed Member of this body, a former judge from Texas (Mr. CARTER).

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for the balance of the time as the designee of the minority leader.

Mr. CARTER. I thank the gentlewoman for being here to take over and for doing such an eloquent job of discussing issues in my absence. I apologize profusely that I was not here when my name was called. Thank you for taking this hour for us, and please stay and participate if you can. We're going to talk about the so-called health care summit that's coming up later this week and just exactly what it is and what we think it might be.

We're hearing a lot of spin on this issue from a lot of sources close to the White House. I have a concern that what they are offering is nothing more than another press event.

Let's start off by talking about what is proposed to happen. The White House this morning unveiled Senate bill 2, if you will, but not really, because they didn't give us a bill nor legislative language. They gave us about

12 pages of things that they said that this was Obama's offer of compromising with the Republicans. But the starting point, it seems, from what it says because it references from place to place the Senate bill, it seems the starting point for this, quote, bipartisan summit that is being offered by the White House is going to be the Senate bill, which stands about 3 feet high, and I think we don't need to really go into that. Everybody in America has seen that bill and they have seen the House bill, too. It's so heavy that the average citizen couldn't lift it without a forklift. Yet this seems to be still the starting point that the President is going forward with. The starting gate has been opened now ever since the Senate bill has come out and that's the starting place.

You hear people say, Why can't we have bipartisan effort? And we're hearing that this is an attempt at a bipartisan effort. Well, I would argue that there's a better way to show a bipartisan effort. But let's start with the work product that we have in place right now. We have a Senate bill and we have a House bill. What have the American people said about these gigantic intrusions into their private life?

□ 2015

They've said, We don't want the Senate bill and we don't want the House bill. We don't want something that is so gigantic and creates so many agencies and bureaus and groups and advisers and spends so much money, a trillion dollars here and a trillion dollars there. We don't want that. We want some simple stuff we can understand. We would like to see something that we as the American people can clearly read and understand.

They're asking us to let them be part of the process, to let them be able to read without the legalese, as we used to call it in the courtroom, which nobody can understand but the lawyer who wrote it.

No, that's not what the American people want. The American people are worried about the cost of health care. They're worried about the coverage of health care. They want to see that we get what they're worried about and that we're trying to save money, not spend money; that we're trying to give them opportunity rather than give them regulation. They want to be able to pick up something about maybe the size of this half a dozen pieces of paper and read it and kind of get a concept of what the people they sent to Washington are doing to start down the road to trying to fix health care.

They don't want a bill that stands this high. They don't want that, because they've gone by their Congressman's office and some of them have actually gotten copies of that thing and tried to dig into it and it's driving them insane as it is everybody that's tried.

You say, well, Judge, how do you say that the people have spoken about it? Well, let's look at what we've got in the way of public opinion polls. Polls, you can take them or leave them. But right now the public opinion poll on health care stands at 58 percent of the voters nationwide oppose Obama's health care reform plan.

Now when I say that, they're talking about resurrecting either the House or Senate bill. Quite honestly, I don't think they even know what he proposed as of this morning because quite frankly we didn't know until this morning.

What they're saying is, We don't like the omnibus style of health care bill. That's what they're saying. It's confusing, it scares us, we're afraid we're going to go bankrupt in this nation; and why can't you guys narrow it down to the simple things that would bring down cost and get better coverage instead of this massive changing of 18 percent of the American economy?

Fifty percent of the voters strongly oppose anything to do with the Senate or House plan, which is the Obama health care reform plan; and 78 percent of the voters expect the plan to cost more than projected. When you're in a world where people are talking about, Will the people who are buying our debt be willing to continue to buy our debt if we continue to go so far in the hole? What are we going to do about all this spending? What are we going to do about all this huge amount of accumulated debt that we've accumulated in the last 12 months and is projected to accumulate in the future?

These are questions that the ordinary guy on the street at the coffee shop on Monday morning is talking about. This is what the guy at the cafe in the small town after he finishes having his lunch, he and his friends sit around and they talk about. And they're worried about it. They know what happens to their lives when their debt is overconsuming and they're concerned, what is going to happen to our country when our debt is overconsuming. It's really telling when they are so afraid that this bill and this proposal that's going to come forth, we think, from the White House on Thursday at this summit of bipartisanship, they're afraid it's going to cost more than projected.

One of the things I wondered about when I came to this place, it seemed to me as just an ordinary citizen out there watching what goes on in Congress that one group says it costs X and one group says it costs Y, and nobody is saying who's telling the truth. And X may be a trillion dollars off from what Y says. The American people look at that and say, That place is broken. One hand doesn't know what the other hand is doing.

And then they say, Well, it's all politics. Well, they're fed up to here with all politics. The folks back home are saying, We're fed up with politics. We've got to get down to basics. It's time to go back to not spending money you don't have and creating jobs that are real jobs. We don't want all the jobs that are created to be jobs that exist in Washington, D.C. The only place in the country that's got positive job numbers is right here.

Why is that? Because we're hiring a lot more Federal employees and those Federal employees are out there growing the size of this monster that we live in. The American people are worried about that. They look at health care and they look at this so-called summit and say, Why don't these guys kind of do what they say they were going to do and everybody push the stuff that nobody likes off the table? Let's lay new stuff or new concepts on the table and let's have a work-together session on coming up with solutions. That's what the American people thought was being proposed.

But I would argue that that's not what we're seeing from the White House. I think that it's something that concerns all of us greatly. The number one worry right now, I think, of the American people when you cut through all the stuff that you watch on 24-hour news, the number one concern of the American people is, We don't trust you to listen to us anymore. We want you to listen to what we're saying. We've told you in our polls, but not just in the polls now. Somebody will say, well, one poll favors this group and one poll favors that group.

There's another sort of a poll that has taken place in just the recent past and, that is, we have had three elections here and this is the American people casting their opinion in the media of public opinion—a vote. We used to tell jurors that the only thing more important than serving on a jury if you're a juror is casting your vote, because all of this freedom that we have depends upon your vote. All of this prosperity that we create depends upon your vote. So you should cherish that vote.

Well, Americans do cherish that vote. And I would argue that in New Jersey, in Virginia, and most recently in Massachusetts the polls are in. What those polls say is, We don't like what's going on right now in the majority. Look at these colors. Red is the Republicans. This is arguably the most Democrat State in the entire country. And look at what the polls show, that the American people said, Enough is enough. What we're looking for, we don't care what party this guy's in; we're looking for a guy that will listen to us. And BROWN is a man that will listen to them; and they voted for him.

You can't have a State with the kind of Democrat numbers that Massachusetts has and not realize that Democrats voted for him. They had to. The numbers are overwhelmingly Democrat in that State. Which is a message to us here, that we're looking for somebody we can trust; we don't care what party he's in. I would argue that the same thing happened in Virginia which, if you look at those numbers compared to the Presidential numbers, or New Jersey which you look at those numbers

compared to the Presidential numbers, there was a great shift in the public saying, We don't trust the folks that are running the show right now and we want something else.

I really don't think that they were thinking like politics. I really think they were thinking like Americans. Our Founding Fathers never wanted us to make our decisions based upon what political party we belonged to. They wanted us to make our decisions upon what's good for the country, and what's good for the people of the country. And I think the message we're hearing from the tea party groups that you hear from and from the other groups that are making very vocal, loud outcries, saying to us, Just listen. Stop talking and start listening to what we are asking you. The driver right now that they're asking us to listen to is their outcry against massive change in 18 percent of our economy in the health care field. They want to make sure that they've got coverage for their families and that medical care is affordable. They don't need a million more bureaucrats to tell them how to do that; that new regulations don't solve their problem. Commonsense solutions solve their problem.

The President has had, and I will argue still has but the time line is getting short, a golden opportunity to step up and make this a true summit on bipartisanship. But it should start at a minimum with him doing what JOHN BOEHNER did on the floor of this House and dropping those two bills in the trash can and saying, Ladies and gentlemen, we are here to work out our issues, and all previous work is not on the table. We're here to start anew, and we can do it together. And, hey, if that's what's coming, that's the way it ought to be.

I will tell you, I don't think that's what's coming, and I think the indications are clear. Just recently, the White House made a statement that the bill passage is one thing and the media event is another. So it is a media event that's being created by the White House. The campaign is over, Mr. President. It's time for us to sit down and act like we're supposed to.

This is not a parliamentary government. This is a Republic. This is a separate but equal branch of government over here in the Congress and our voices should be heard, not played with. I have great concern about what we're getting ourselves into on Thursday.

There's a couple of things that have been said by the media, and I'm not going to go into them in any detail, but they're all basically saying, Watch out. This is not really a bipartisan reachout. This is really a media performance. And because the bill—and let me make something very clear. I don't want to use the term ''bill.'' What the President brought out this morning is not legislative language; it is not a bill that says in black and white what changes need to be made. It is a series of suggestions and most of the references are to line and page and section of the Senate version of the health care bill. So you've got to start with 2,000 pages and then go in and tweak them.

There's only one thing harder than trying to sit down and read a 2,000-page bill. And seeing as I used to do this kind of stuff for a living, I can make this argument very effectively. It's much harder to go through and comprehend the whole bill and then reference a change on line 1, page 7, paragraph 2, because then you've got to read what was there, read what was not there, and then figure out how it fits the context of 2,000 pages.

□ 2030

So amendments are even more difficult for the person who's in the business of doing it, and we're in the business of doing it. But for the average citizen, it becomes—not that they're not smart enough to do it. It is so dadblamed tedious that you don't want to do it. It'll drive you off a cliff. And that's the kind of thing that the American people are tired of. They want it to be simple. So we're starting with 2,000 pages and tweaking 2,000 pages. This is not what we're asking for in the way of a summit.

I see my good friend from Wyoming is back, and we're glad to have her. I'll yield to her for whatever comments she wants to make.

Mrs. LUMMIS. I thank the gentleman from Texas for yielding, and I have many of the same questions that Americans have.

I was on an airplane returning to Washington, D.C., today when I learned of the President's proposal; that it was not his intention to have a summit this week where members of the majority party and the minority party had an opportunity to bring ideas to the table; that it would not be an opportunity to take the House minority party bill, the Senate majority party bill, the House majority party bill, and find where the overlap is among all those bills, and then spend their time on February 25 concentrating on the areas of overlap.

That's what the American people want us to do. That's what my constituents told me they hoped would happen on February 25. They were hoping that when we were home for the President's Day work period last week that there was an effort here in Washington to find out where's the commonality among all those bills and how might that common ground be front and center to the discussion on February 25.

Now, today, as I have arrived back in Washington, I've learned that, although the Congressional Budget Office hasn't told us how much they believe President's proposal will cost, the President's own people believe that it will cost in the vicinity of $950 billion, just under the trillion dollar mark; that it will include over $600 billion in taxes; and that, even though it will provide opportunities for all States to be treated under Medicaid the same way that Nebraska is under the Senate bill, that, in fact, the special deals that were cut for Florida, Louisiana, Massachusetts, and other States have not been altered. Furthermore, I heard one of my majority party House colleagues on another interview program this evening explaining that there's still hope that a public option, government-run health care is part of this package.

So I would ask the gentleman from Texas or our colleague from Georgia, a physician, who has joined us to let us know and enlighten me and members of the public via C–SPAN this evening, do we know what's in the President's proposal? Has it received the approval of both the majority party people who will be attending the summit and the minority party people? Do we even know who's going to be in attendance at the summit? Do we know the format of that summit? Will the President be leading this group and only explaining his proposal or will all in attendance have an opportunity to bring aspects of the health care debate forward?

For example, will there be a debate on what really are the issues that every one of us knows needs to be discussed: things like portability; things like addressing the problem of preexisting conditions being uninsured under many insurance policies today, and the issue of having an affordable insurance policy for high-risk individuals as well as the general population, and also, the issue of having a level playing field for tax treatment, whether you're self-employed or you have an employer.

These are the issues that I've heard about for the last 8 months, over and over, that people want addressed individually, bill by bill, debated, amended, and agreed upon in the House and the Senate; not these big, comprehensive omnibus bills that have so many provisions that have not been discussed, have not been vetted and are not well understood either by the Members here or by the general public.

And I yield back to the gentleman from Texas.

Mr. CARTER. And I thank the gentlelady for her comments. And I agree with you. You've nailed it, what the American people are looking for. That's just exactly what I was talking about. They're looking for something, they, for the first time in many generations, and it's a real joy for those of us who believe in our Republic. They are wanting to be involved, and they're doing it by stepping up at every level and saying, Give me something I can understand because I want to be able to comment. I want to be able to tell my Representative or my Senator how I feel about it, and don't hide it in a gigantic monster omnibus proposal. Put it out there on the table in a form that I can understand so I know what you're doing to my life.

The President made some proposals, and this is a summary. I'm not reading

from proposals, but some of the proposals' details that he's put forward are going to be $500 to $700 billion worth of new taxes, $500 billion of Medicare cuts again, new taxes and insurance mandates on businesses during this recession.

The White House says this bill will raise health—they admit it will raise health care costs. It'll probably cut millions of jobs over 5 years, raise the insurance premiums is what they're doing, mandates individual coverage under threat of jail time, which is why the administration wants Gitmo cleaned out, and eliminates pro-life protections in the House bill. Those are just some of the things that they've more or less admitted that they've done with this bill.

Now, that's not the kind of stuff the American people want to hear. And plus, they know, the American people have learned in this debate that the devil is in the details. And so, even if these were acceptable, the details are where these gigantic bills come from.

So I've got my good friend, PAUL BROUN from Georgia. He is here to give us the wisdom of the physician, and I yield to him what time he may consume.

Mr. BROUN of Georgia. Thank you, Judge CARTER. I really appreciate you yielding to me tonight and appreciate you doing these Special Orders as we look at the President's proposal.

I went on the White House Web site this morning and looked at all of the parameters that were put forth, and I was looking for some legislative language. There's no bill. All they've put out is bullet points. So I went down through all those bullet points to try to figure out what's going on so that I could help inform my constituents in the Georgia's 10th Congressional District what the President was all about.

Now, let me back up a minute and say when the President announced that he was going to have a summit with Republicans and Democrats, that it was going to be televised, actually I was very hopeful that maybe we were going to get some bipartisanship, maybe we were going to get something done for the American people in the right way. But the more I've learned about that, the more I'm very fearful that this is nothing but political showmanship. It's a ruse.

The President, in secret—we don't have any clue of who is involved in putting together all these proposals that he's put forward. But in looking at those proposals, he says, if you have insurance, you can keep it.

Well, in the House bill, we saw that if you have insurance, you can't keep it. And we have a lot of people over here on the Democratic side that are very much in favor of nobody being able to keep their private insurance. They want to go to a single-party payer system, the government-run system. And, in fact, the President himself has said that the public option, or even the government exchange, is the first step toward getting the government to run everybody's health care. So a bureaucrat in Washington, DC, is going to tell my medical colleagues—I'm a medical doctor, as you know, Judge—is going to tell my medical colleagues how to treat their patients.

Well, in reading the President's proposals, nothing has changed. There's going to be a government exchange, and the vise is going to be put on small businesses as well as individuals so that they can't afford to keep their private insurance. It's going to run people away from their private insurance and run them into the government exchange so the government can control your health care, and that's not right.

It's going to be extremely expensive. It creates all these new taxes. We hear about all these tax cuts, but the tax cuts have not been fleshed out. We don't have any clue what they mean. And frankly, we do know that there are going to be tax increases on virtually everybody.

So it's going to destroy the quality of health care. It's going to mean that doctors, when they see their patients, can't make medical decisions because some bureaucrat in Washington, DC, is going to make those decisions for the doctor.

Mrs. LUMMIS. Will the gentleman yield for just a second?

Mr. BROUN of Georgia. You bet. Sure.

Mrs. LUMMIS. You mentioned something that I'm curious about. In one of the little summaries that I read when I arrived back in Washington today, it said that they were reducing the penalty for noncompliant health insurance under the Internal Revenue Code, but that implies that you cannot keep your health insurance if you want to because it implies that there is still going to be a requirement under the President's proposal that your insurance comply with government approval.

So, how can the President say, if you like your insurance you can keep it, when the fact of the matter is, if your insurance does not comply with government standards, that you will be penalized under the Internal Revenue Code for keeping that insurance?

And I yield back.

Mr. BROUN of Georgia. Well, Mrs. LUMMIS is exactly right. And that's the point I'm trying to make is that if you like your insurance you can't keep it. It's going to be too expensive. And this plan that the President has put forward is going to push everybody out of their private insurance on to a government insurance exchange; thus, the government is going to eventually take over the whole health care system.

But what I was fixing to say is that a patient can't make the decisions themselves either. So this is totally geared, it's a slippery slide into a government-run health insurance program so that the Federal Government is going to tell doctors and hospitals how to treat their patients, and tell patients, small businesses, individuals, about whatever kind of insurance. And if you don't take the government's insurance exchange, well, it actually mandates that you have insurance, which is totally unconstitutional.

Actually, the whole bill is unconstitutional that we saw in the House. The whole bill that we saw from the Senate is unconstitutional. I don't find anywhere in this document, the Constitution of the United States, anywhere that the Federal Government has the authority to take over the health care system in America. So that's what the President's proposal will do. That's what the House bill does. That's what the Senate bill does.

And the President said we're going to have this bipartisan meeting, and I was very hopeful, as I said previously. But our leadership, I've talked to them individually. They went to the President in a private meeting. The President said, You start with my plan. He's told our leadership, Republicans are going to have to accept some things that you don't like. He said that he would not take the ramrod over in the Senate of budget reconciliation off the table. And this is what they're talking about today.

Just today the President's spokesman has said, We're going to run it through no matter how we can get it, over all of the public's wishes. Seventy percent of the American public, in the latest poll I saw, said that either we start over or do nothing, 70 percent.

But why is this being forced down the throats of the American people? It's because this administration, the leadership in the House and the Senate, want to take over health care, and that's the only reason that they're doing this. And they think, I believe that they think that if they do it now, that maybe the economy will get better and they won't be punished so much at the ballot box in November.

But this is going to be disastrous. It's going to destroy the quality of health care. It's going to take the choice away from patients, away from doctors. It's going to mean that everybody's health care cost is going to go up. And Mrs. LUMMIS, the reason CBO has not scored it is because they said today they cannot score it because of all these gigantic tax increases and other things that the President proposed.

So this summit on the 25th is nothing but political showmanship. It's trying, in my opinion, to make it look to the American people like we're working in a bipartisan way, but we're absolutely not doing so. And it's a ruse. It's absolutely a ruse. And the American people deserve better, should demand better, should demand something totally different. And it's up to the American people to tell their Congressmen and their Senators, We're not going to have a government takeover of health care forced down our throats. We say no. And if you don't say no to this government takeover, we're going to say no to you in November. So I hope the American public will do that.

And I yield back to the judge.

Mr. CARTER. Thank you.

Reclaiming my time, you said something that I think is important because I'm going to tell you that I'm concerned that all this is is a media event and all this is—so I'm going to ask people to listen for some things that probably will come out of this event. I think you may hear that the President reached out a hand and the Republicans gave back a fist. I think you may hear that the Republicans continue to be the Party of No. Well, first, what's wrong with being the Party of No if it's bad policy?

You got elected to come down here and represent people who expected you to stand up and say, This is bad. No.

□ 2045

Secondly, let's get this very clear. The Republicans don't have any way to stop this bill, especially in this House. They have an overwhelming majority. It's their party they can't get the votes from. It's not the Republican votes blocking this bill; it's the Democrat votes that are blocking this bill.

So this whole thing, if we're going with the same work product they've already created, then it is a sham to go over there and deal with the work product that has already been created because they know they can't pass it, and they know the American people don't want them to pass it. So let's do what he said he was going to do and let's start over.

Mr. BROUN of Georgia. I submit the Republican Party is the party of k-n-o-w, know, because we know how to lower the cost of health care.

I introduced a bill—that's H.R. 3889—which is a comprehensive health care financing reform, and we put doctors and patients in charge of their health care dollars, health care expenses.

We know how to give patients the ownership of their insurance so that they can solve the portability problems. We know how to insure the uninsurable as well as the uninsured in this country. We know how to stimulate the economy and to create jobs. But every effort that we've made to do all of these things has been blocked by the leadership of the Democratic Party.

We are the party of k-n-o-w. We do know how to do those things.

I have sent the President a letter. In fact, I have reached out to the President. He said if anybody has any ideas, please contact him. I have made many efforts to reach out to him to stimulate the economy, create jobs, to solve the health care financing crisis, to lower the cost of health care. Guess how many times I've been responded to. Zero. The White House is not interested in hearing from this doctor. And in fact, there is not a single medical doctor that's been invited to the White House on the 25th of February.

I am the vice chairman of the Doctors Caucus, the GOP Doctors Caucus here in this House. And nobody from the Doctors Caucus, the chairman, none of us vice chairmen—me and another co-vice chairman—have not been invited. Dr. MICHAEL BURGESS, who is on the Energy and Commerce Committee and the Health Subcommittee, he has not been invited as far as I know. So not a single doctor has been invited to this meeting on Thursday, the 25th of February. They don't want to hear from us.

They have one agenda, and that is to force down the throats of the American people a government-run health care system. And that is actually what, if you read all of the parameters of what the White House put out on their Web site today, that is exactly where it's going to lead. And the President himself said that is what he wants to do.

It's up to the American people to stop it, to contact their Congressmen, contact their Senators, and say ''no'' to this government takeover of health care. We will not fall for this trick, this ruse, this political theater that is going to come about on Thursday, not fall for that trick and understand that this is not a reaching out.

And just like you said, Judge CARTER, I think you're going to hear a lot of things: We reached out to the Republicans, but they're obstructionists. They have no ideas, no ideas whatsoever. They're the Party of No. Well, we are the party of k-n-o-w. We can solve these problems.

And let me say one other thing before I yield back. I have challenged Democrats individually, as well as I wrote an op-ed with two of our colleagues, JOHN SHADEGG and CHARLEY DENT, challenging Democrats to introduce a bill that would do four things: Number one is to have across-State-line purchasing for individuals and for businesses; number two, to establish association pools so that anybody could join any kind of association in this country and have these huge pools to offer one or more insurance products; number three, to establish State high-risk pools to cover the uninsurable; and number four, to have tax fairness to give 100 percent tax deductibility for all health care expenses.

I've had Democrat after Democrat say, PAUL, I'd like to do that. I'd like to introduce it. I told them we'd give them the legislative language. All they had to do is write their name in the blank, and the three of us Republicans would work it on our side. I think we'd get 100 percent of the Republicans to vote for that bill, and we'd get most of the Democrats. But Democrat after Democrat after Democrat has told me individually, privately, I can't do it because my leadership will punish me if I were to introduce that bill and work it on my side.

We need to step back, clear the deck. Let's go ahead and start off and work off in an incremental bipartisan way to find a commonsense market-based solution so that people's insurance is lower than it is today and that they and their doctors are in control of their health care decisions. And that is what we're trying to do on the Republican side.

Mr. CARTER. I will yield to the gentlelady from Wyoming.

Mrs. LUMMIS. I thank the gentleman for yielding because I have questions. My questions are the same kinds of things that my constituents are asking: Are Republicans just going to be window dressing in this event? Why were we invited if the President is going to take yet another bill drafted by Democrats just as the House-passed bill was, just as the Senate-passed bill was, and now the President has a bill? Why are the Republicans even being included now when the bill that the President is proposing is not yet in draft form, is only in talking points? How is it going to be a bipartisan summit when the party that makes it bipartisan is not really asked to participate in the crafting of the legislation?

I yield back.

Mr. CARTER. You brought up something that has bothered me about this whole process since the day it started.

First off, I would argue, and I think that the evidence shows overwhelmingly, that we are being treated as—both the Republican minority and the American people—by a group of folks who believe that the elite of their party are just smarter than the rest of us, and they don't have time nor inclination to fool with us because they are, you know, the elite of our country, the great liberal masses and progressives they call themselves now, who have figured out all of the solutions to society's woes. And our opinions are not asked for.

Now, what is the evidence that will prove that? I will submit my two pieces of evidence. To start off with will be the House bill, which basically was drafted behind closed doors by the Democrats and their elitist staff groups. I submit the Senate bill, drafted exactly the same way. I submit the rules which allowed almost no amendments offered from the Republican side in the piece of garbage that they created.

And then I would submit the President has just done the exact same thing with his talking points he submitted to us saying, Oh, by the way, here's what we're going to talk about. That is not a bipartisan discussion. That is not working together on health care. That is saying, Yes, mama. What else can I do for you? And I am not there. I am not there.

I believe it's our job as Members of this body to stand up to the White House and say, You got all of the playing cards. If you think you can get this thing done, act like a big boy and step up here and do it. But don't start laying off on Republicans, and if you want to say it's a summit, then let's have ideas.

I see I am joined by two of the most courageous colleagues that we have, and one of them is bound to say something. So let me see what my good friend, Mr. GOHMERT, has to say about what's going to happen on Thursday.

My good friend from Texas and a fellow judge, and he always has something good to say. I yield him what time he needs.

Mr. GOHMERT. I appreciate my friend yielding.

This is such a perplexing time.

The American people, the vast majority, have made clear that they don't want what has come through the House and what has come through the Senate. And you know yes, I came from east Texas. I've worked in some pretty nasty barns and fields. And one person said to me, So you're going to go in and compromise, you know, talk about the Senate and the House bill and try to work out a compromise? Because when you try to compromise between one type of horse manure and another type of horse manure, you're still not going to really like what you got unless you're going to use it for fertilizer.

But the thing is we heard last week—I read that a representative of the AARP and unions had said that they had been behind the scenes privately behind closed doors working on a compromise between these bills that the vast majority of Americans said they don't want. And that was going to be unleashed today. Apparently, it was revealed this morning.

So I am really struggling with this. We're going to have negotiations on C–SPAN, but we're not going to do it when it really counts because we got the bill.

We heard from the representatives at AARP and this administration they've been working in secret behind closed doors, like the auto task force that wouldn't even come to Congress and tell us what had been going on behind closed doors. There is no accountability in that. We don't know, as the President promised, who was negotiating for whom. Did the AARP executives get another exemption in this bill so there is no salary cap on them even though they can sell millions in insurance? Did the unions exempt themselves from something else and get a sweetheart deal? We don't know because the C–SPAN cameras weren't there.

But now that the bill has been revealed this morning that was all negotiated in secret, now we're going to have a meeting, and we're going to have Republican leaders and Democrat leaders come together and talk about the bill that was negotiated in secret?

And I tell you, credibility, as my friend, the former judge, knows, whether it's in the courtroom as we dealt with or whether it's in public, credibility is everything. And this massive bill doesn't give a whole lot of time. Seventy-two hours is not much time to go through a massive bill like that and try to figure out the sweetheart deals that are in there because sometimes it's hidden by referencing another law. And then you've got to go chase down that law and see how this affects this, and whether that controls—like the references to ERISA in the big House bill. Well, that was a sweetheart deal to get some insurance companies on board. And then there was a sweetheart bill to get plaintiffs lawyers on board, and then there was a sweetheart deal for pharmaceuticals in there. But you had to know where to look, and you had to know the other references, and you had to know the effect of bureaucrats' rules on all of those laws. We hadn't had that chance.

But going back to the issue of credibility. Right there at that podium as an invited guest in this Chamber the President of the United States came in here and said as a matter of record, ''There are those who claim that our reform efforts would insure illegal immigrants. This too is false.'' That came out of the President's mouth. ''This too is false. The reforms I am proposing would not apply to those who are here illegally.'' Yet he knew, he knew when he was saying those things that this body passed a bill, and the Senate passed a bill, that did not require identification. And at every level Republicans tried to inject the amendment that you had to identify yourself in order to get access to this Federal taxpayer-funded health care insurance, the public insurance.

Well, he surely had to know that those efforts were beat back at every turn. So there was no requirement to show your identification that you're legally here to get insurance.

So giving the President the benefit of the doubt or just, you know, giving him the benefit of everything, then you'd have to figure, well if he didn't know that that's what had happened, then you're going to have to go in and negotiate with a man who doesn't know what's in a bill or isn't in the bill or what the effect will be, because clearly that bill was going to allow illegal aliens and will, if it's passed. And I haven't had a chance today because we've been so busy up here, haven't had a chance to go through the brand new bill.

□ 2100

But then the President also said, ''Under our plan, no Federal dollars will be used to fund abortions.'' But the very House bill that we had in here, was the only bill we had to work with at the time, and there was a provision in there that was titled, basically, ''Abortions for which Federal dollars may be used.''

Obviously I am sure the President would never misrepresent things, so he clearly did not know what he was talking about. And you are going to come in and negotiate about a bill that people there don't know what is in it? You know, we dealt with that with the crap-and-trade bill.

Mr. CARTER. Reclaiming my time for just a moment, there is no bill. The President has given us no legislative language. He has only given us 12 pages of talking points of what he says he is going to propose in a bill. But I know you, and I know you very well, you are one of the guys around here who want to see the bill, see the legislative language. You go to the trouble to dig down in there. It is kind of I guess a weakness of being an old trial judge. We all want to see what is in the law before we want to rule on it. Well, there is no bill in this particular thing. There is only the President's talking points. And that is another thing. We have got to get this straight. They don't have a bill.

Mr. GOHMERT. Thank you. That is what concerned me back in September. The President repeatedly said, my bill will not do this, my plan does this, my bill does that, my plan does this. And he says, if you misrepresent my bill, I am going to call you out. Well, I know what it means to be called out back in Texas, but I didn't know what the President meant by calling out. Well, I don't want to give the President rise to call me out because I have misrepresented something. So all I would ask for is what bill he was talking about.

How can anybody say this bill, my bill, this plan, my plan, and they don't have a bill that they are talking about? How can you misrepresent what is in a bill that doesn't exist? It makes it rather frustrating.

But I do know in this document here, and this was put together by the Republican Study Committee, it is a list of just different Republican proposals. This whole thing is one summary after another. And each one of these bills represents many pages. My bill in here is 25 pages. It has some great information, not that I dreamed up, but after visiting with real experts that deal with this stuff all the time, and some of the brightest minds in America. Newt Gingrich did me a favor, sending over some people to visit with me about some of the ideas. That is 25 pages.

There are some great ideas contained in all these many different Republican proposals. And yet we are told you can't make any preconditions for this meeting, and yet here is our 12-page proposal, and that is our precondition. You would meet with Ahmadinejad—and this is something my friend Mr. KING pointed out—how could somebody agree to meet with a man who is proud of being the former President of a terrorist country and wants to destroy the United States, clearly wants to wipe Israel off the map, and you will sit down with a nut like that with no preconditions. But that is a terrorist, it is okay, we will meet with no preconditions with him. But with Republicans, they are worse than terrorists. We have got our preconditions, and you can't have any. That is really not right.

It is not right when we are talking about something as important as not merely the health of Americans, but we are talking about government control of virtually every private aspect of your life. If this were just about health care, it would be rough enough. But you don't have over 2,000 pages, as we

did in the health care bill here in the House, and not intrude into so many areas, including the requirement, a shall, one of the many shalls it required was a study by the Secretary of Health and Human Services with the Secretary of Labor shall conduct a study of businesses.

And it goes through a list of different things they are supposed to look for, the kind of benefits the employees get. And one of them is whether or not particular companies are making decisions that will allow them to remain solvent. It is government at an intrusion like never seen before in this country.

Mr. CARTER. Thank you, Mr. GOHMERT. Reclaiming my time, Mr. KING, I think we have about 3 minutes. Do you want to be heard very briefly?

Mr. KING of Iowa. I thank the judge from Texas, and I appreciate the chance to address you, Mr. Speaker, here on the floor of the House.

I tell you, I am full of amazement that the President of the United States can make a proposal that he wants to come out here and negotiate on health care, and yet he doesn't want to negotiate on health care. He insists on bringing forward one or another of the bills that passed the House or the Senate, but he apparently doesn't have a bill yet. Bill Clinton had a bill. Hillary Clinton actually had a bill. This President actually doesn't have a bill. He has a position.

We asked him if he was going to keep his word and present his legislation at least 72 hours before it would be voted on. It is quite interesting that the platitudes that the President has released in bullet points this morning at 10 o'clock happens to be 72 hours precisely until such time as the meeting starts at the Blair House on Thursday at 10 o'clock in the morning. So there is 72 hours to digest some platitudes, but all the while that is going on, and you have spoken of it very well, then the secret meetings have been taking place in the White House and wherever. This is something that is clearly being done behind closed doors, in formerly smoke-filled rooms, with guards on the outside, albeit there for the security of the people inside the room. We don't know what went on in there.

But the President is not coming to the table looking to negotiate. The President is coming to the table looking to put the reconciliation gun to our head, cock the hammer and say, you can say ''yes'' on Thursday or we are going to pull the trigger on reconciliation. That is the nuclear option. That is the thing that was intolerable when Republicans discussed it, and I would like to think it is going to end up being intolerable to the American people. I thank the gentleman.

Mr. CARTER. That is a great summary. And that is exactly what the American people need to be looking for. They need to be looking for those words, reconciliation, because the truth is the real loaded gun that is going to be held to the heads of those who go to negotiate is reconciliation, which will mean we are not interested in Republican input, and we are going to bypass it.

RESTORE FISCAL DISCIPLINE

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

Mr. BROUN of Georgia. Thank you, Mr. Speaker.

They say that talk is cheap, but for hardworking Americans, the President's talk is very expensive. President Obama has spent the past year making speech after speech about the need for Washington to restore fiscal discipline. But what he says isn't what he does.

During the campaign, Obama promised he would go through the budget line by line to reduce spending. But it seems as though a few lines is all that he has cut. The President began his campaign last spring when he rushed to the microphone to announce his order to his cabinet to reduce spending by $100 million. Then he went to the podium to tout more fiscal restraint by announcing a spending freeze. But we quickly learned that it affects less than 20 percent of the budget.

Recent press reports reveal he cut $1 million in funding for an Olympic scholarship program, and another $2 million subsidy for cotton and peanuts. If the President is serious about fiscal discipline, he is going to have to remove more than a couple of peanuts from his Federal budget. These meager cuts are just another example of the administration's arrogance, ignorance, and incompetence.

The President has proposed a $3.8 trillion budget for 2011, boosting the deficit to a record high of $1.6 trillion, a record he broke last year when he introduced a budget with a $1.4 trillion deficit. Let me put that into perspective. The average deficit when Republicans were in power was $104 billion. The average deficit now that Democrats are in control is $1.1 trillion. What that means is each man, woman, and child owes $46,000 apiece.

As hardworking Americans are struggling to balance their checkbooks, they are frustrated that Congress can't do the same. They aren't just frustrated, they are angry. I share the concerns of the American people. That is why I have introduced H.J. Resolution 75, which is a balanced budget amendment to the U.S. Constitution, aimed at reining in the chronic deficits in spending.

We absolutely must stop the outrageous spending by Congress. Our children and grandchildren's future depend upon our doing so. My amendment would make sure that government does not spend more than it takes in. My amendment would also make sure that any extra revenue would be returned to the taxpayers at the end of the year.

After decades of deficit spending it is time to make balancing our budgets the rule, not the exception. For too long Congress has acted as if it has a credit card with no limit and a bill that our children and grandchildren will be forced to pay. Individuals cannot spend more money than they earn, and neither should Washington. The fact is if the family budget cannot afford to go into debt, neither should the Federal budget.

The only way we are ever going to get our economy back on track is by leaving dollars in the hands of individuals, and particularly leaving dollars in the hands of small businesses so that they can buy inventory and can hire permanent employees. Small business is the economic engine that pulls along the train of prosperity in America. We need to stimulate small business, not bigger government.

Congress must now make tough decisions, slow down the rapid growth of government, and get back to the fiscally responsible government that the American people expect and demand. I am committed to doing just that. I urge my colleagues to join in this effort, and I urge the American people to demand a balanced budget from this Congress.

DEFENDING THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker.

I appreciate being recognized to address you here on the floor of the House of Representatives. I appreciate my colleagues that have spoken in the hour previous and those that will perhaps join me in the hour that ensues at this point.

As one can tell from listening to that dialogue, we can clearly see that there is a high degree of concern about the direction America is going. I would like to get into that pretty deeply, but I also recognize that my friend from Georgia has something left unsaid, and so I would be very happy to yield as much time as he may consume to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. Thank you, Mr. KING. I appreciate you yielding.

You have a document there that I know you are going to explain it, but I want to say before I have to leave that my name is on that document. It is the Declaration of Health Care Independence. In fact, I recently signed a copy of the Declaration of Independence. I was honored to do so, as I was honored to sign the Declaration of Health Care Independence.

But what I want to say is the Declaration of Independence and the Constitution of the United States cannot be separated. And in fact, the Declaration of Independence in itself, the original declaration penned by Thomas Jefferson, set out the philosophies of

government. The Constitution took those philosophies and embodied it into a foundational principle that this government should be run upon. We have left that idea.

We hear people talking all the time about a Constitution that is flexible and that is changeable and that it is a flowing document. Well, it can be amended. The Founding Fathers set in place the process for amending the Constitution. There have been just a few, over 20 amendments to the Constitution.

It shows the beauty of the Constitution of the United States. I carry a copy in my pocket all the time. I believe in this document as our Founding Fathers meant it, one of very few Members of Congress that believe in the original intent and vote that way here on the floor of the U.S. House of Representatives.

Mr. Speaker, the American people are suffering. They are suffering, and frankly they are scared, they are angry. They are scared and angry because they see their freedom being taken away from them. And this health care bill that we have been discussing for the last several weeks is something that is bringing that to the head. Because what I see is an American sleeping giant is arising, a sleeping giant that has had some nightmares, nightmares about Obamacare, nightmares about an energy tax that is going to destroy our economy and kill millions of jobs in this country, a nightmare of overgovernance from the Federal, state, as well as local level.

□ 2115

They are angry, they are scared, and they are sleeping giants waking up. And I'm excited about that because, frankly, Mr. Speaker, I think the best days of America are still ahead, but they're not going to be ahead for our children and grandchildren if we continue down this road where government is going to control our health care, what cars we drive, what we eat, how we live our lives. And the American people understand that very firmly; they understand that government is trying to rule them instead of them taking care of their own family's situation.

Most people in America just want to go to work, come home, live a great life for their families and take care of all their family business without all the government intrusion. That is what you are fighting for, Mr. KING. That is what I'm fighting for here. That is what the declaration of health care independence is all about. We must return back to the foundational principles.

In Hosea 4:6, God says, ''My people are destroyed for lack of knowledge.'' And I am encouraging people to get a copy of the Constitution of the United States. We give out hundreds, maybe thousands, of copies out of our offices in Georgia as well as our congressional office here in Washington. But I encourage people to get a copy of the Constitution. Read it; it's readable. It wasn't written by a bunch of lawyers. And that is all there is to it. In fact, the Declaration of Independence, the Constitution, and every single amendment that has ever been passed, in this little booklet. ''My people are destroyed for lack of knowledge.'' America is going to be destroyed for a lack of knowledge if we don't become knowledgeable about limited government and start demanding something else.

Mr. KING, you have been very vigilant in coming to the floor over and over again fighting for what you and I believe in, and that is fair and limited government, personal responsibility and accountability. I applaud the efforts that you have made, and I feel very honored to serve with you. I feel very honored to come to Special Orders and speak with you, and I thank you. I just want to thank you from the bottom of my heart for being engaged in the fight. I'm a marine. You're not a marine, but you're a fighter, and I appreciate that. I thank you and yield back.

Mr. KING of Iowa. Reclaiming my time, I very much thank my good friend from Georgia, who is always there when I need him, and he shows up sometimes before I realize I need him. This may well be one of those times.

Mr. Speaker, there are certain bonds that get built here in the House of Representatives. There are people here working late at night and they're up early in the morning and they are pushing an agenda, those that carry a Constitution in their pocket and those that believe it. There are some that carry a Constitution in their pocket that believe that it is a living and breathing document. That way of thinking that began to erode our liberties over 110 or 120 years ago is the way of thinking that says that there is no guarantee whatsoever, that the Constitution is not only a protection of the rights of the majority, it is the protection of the rights of the minority, whichever side of that equation you happen to be on.

This liberty that we have is not just in the document, but it is something that we have to preserve and protect. Those that set about with the argument that it is a living and breathing document are actually undermining our liberty and turning it over to people in black robes who then can decide in their fashion what they believe the Constitution is supposed to say. So I pose the question, Mr. Speaker—and I posed this question to Chief Justice Rehnquist when he was alive and sitting on the Supreme Court—and that is, if the Constitution doesn't mean what it says, if it doesn't mean what it was understood to mean at the time of its ratification, then what has it become? Has it become just an artifact of history, or is it a shield that liberal judicial activists can hold up to protect themselves from the criticism of the public that they would like to convince that they don't have the capability of reading a very simple document, that clear, plain, precise language of our Constitution?

I yield again to the gentleman from Georgia.

Mr. BROUN of Georgia. Thank you, Mr. KING.

In Psalm 11, God asks a question. He says, ''If the foundations be destroyed, what are the righteous to do?'' Well, the Constitution of the United States was obviously the foundation of this country. But if you think about it, if it is a living and breathing document, then that means it can be applied by anyone in any manner. What does that have a potential of leading to is nothing but tyranny. Tyranny. And that philosophy is a tyrannous philosophy.

Mr. KING of Iowa. The tyranny of the majority, as our Founding Fathers defined it.

Mr. BROUN of Georgia. It is the tyranny of the majority. And it's tyranny that destroys freedom and liberty in this country. And I say liberty and freedom. Let me define liberty for you, Mr. Speaker, because I see them differently.

Liberty is freedom bridled by morality. A wild dog is free. True freedom for everybody is anarchy. But we have liberty in this country. Liberty is where my freedom ends, where yours begins, where you and I can come together in a society and we can work for a common good. That is what our Founding Fathers very firmly believed. That is what I believe. We need to work together for our common good.

We are supposed to be, under the Constitution, a government of the people, by the people, and for the people, not a government over the people. That is what many in this House, many in the Senate, and many Presidents, even Republicans and Democrats have——

Mr. KING of Iowa. Reclaiming my time, if I can just make this point that however long we might talk to the people on that side of the aisle, they're not going to change their mind. They are the wrong people. I can tell you that I stood here for 7 years and made some powerful arguments, and I can't think of a single time when one of them stood up and said, Oh, my, I didn't realize that. I didn't think about it that way. I'm going to change my mind. It doesn't happen in the real world.

I yield to the gentleman from Georgia.

Mr. BROUN of Georgia. Well, you are right. They are absolutely entrenched in the philosophy that they know best: The government needs to control everything. Well, there is a word for that. It's called socialism, central planning. That is exactly what many people on the other side hold very dear to is they think we are too ignorant to control our own lives, to make our own decisions, so they have to control our health care. They have to control what light bulbs we screw into the lamps in our home. They have to control what

kind of toilet we can have in our bathrooms and what kind of showerhead, what kind of cars we can drive. That is socialism, that is central planning, and that is the road we are going down.

We are on a road towards people losing their freedom, where they cannot make decisions for themselves. This health care bill, proposal—it's actually not a bill; it's a proposal that the President put forth this morning. I went on the Web site and looked at all the things. There is no bill. The proposal is nothing but the first step in taking over the whole health care system and making it government control so that government bureaucrats control that part of it. We have got to stop it, and it is up to the American people.

Mr. KING, you are exactly right. Mr. Speaker, Mr. KING is exactly right that there are folks that don't pull out the Constitution. They talk about the Constitution, but they have no clue what limited government is supposed to be under the Constitution. They fight for bigger government, bigger government control, socialism, central planning so that it takes everything away from individuals. And the American people are going to have to stop it by standing up and saying no to ObamaCare, no to an energy tax, the tax-and-trade, or cap-and-trade as they call it, no to forced unionization, no to the illegal aliens in this country—they need to go home; they're criminals. They need to say no to all those things. The American people need to say no to those. We are accused of being the party of ''no,'' but we are the party of ''k-n-o-w,'' because we know how to solve these problems over here on the Republican side if we can just have our voices heard. The American people need to demand that also; that is absolutely critical.

Mr. KING of Iowa. I thank the gentleman from Georgia, and I appreciate him sticking around for a few extra kind words. The gentleman, the doctor, the marine from Georgia, thank you very much, Dr. BROUN.

I want to move along into a component of this that is at the front of my mind. The first part of this is so that you, Mr. Speaker, and the people on the other side of the aisle—and I know your constitutional position from a formal standpoint, nonpartisan position from a formal and constitutional standpoint, that would be one of the points we would disagree on, but how did we get here is the question. Why is it that America is watching as the White House has rolled out, what is it, 14 pages of platitudes, no legislative language, that is supposed to be a bipartisan negotiating standard? Why is it that the President of the United States has refused to give up on ObamaCare—which some could call ReidCare, others would call PelosiCare, some of that is ObamaCare, and I call it TroikaCare. It is a health care policy that is put together by those three rulers and leaders that are untested in a single party government, and this is what you get. You get something, Mr. Speaker, that is put together behind closed doors in those formerly smoke-filled rooms with guards outside the doors, and they are trying to put together some kind of package that can garner now 51 votes in the United States Senate and 218 votes in the House of Representatives. Meanwhile, the President is chastising Republicans for not wanting to work in a bipartisan fashion.

So what has happened? I will make the point, Mr. Speaker, that the President of the United States has simply lost his mojo. He doesn't have it anymore. He had the most juice of any President I can think of when he was inaugurated on January 20, 2009. This was a Nation that was on the verge of euphoria because they elected the first black President of the United States, because it was a new way forward, because it was all about hope and change. And this hope and change was defined differently to people depending on what they heard from the ambiguities of the President of the United States. One side, the extreme liberals, believed that the President of the United States was going to jerk the troops out of Iraq come whatever calamity. They believed that he would never engage in a foreign conflict and he would sell off our tanks and airplanes and spend the money on social programs. The other side believed that the President might be somewhat stable with national defense and maybe wouldn't spend so much money. And everybody certainly believed that the President would work in a bipartisan fashion, but it didn't happen.

When the President of the United States, today's President of the United States, Mr. Speaker, was working in a complicit fashion with George W. Bush when TARP unfolded 1 year and several months ago, it turned out to be first $350 billion, and then another $350 billion. We see it as one package. Well, it was not. Under the 110th Congress, and it would be in the last months of the Bush administration, $350 billion was approved for TARP—Troubled Asset Relief Program. Henry Paulson came to this Capitol on September 19, 2008, before the presidential election and did what I call his ''Chicken Little routine.'' He said, The sky is falling, the sky is falling and it is a financial calamity, and the only way we can prop the sky back up is you give me $700 billion and do so right now. And maybe, just maybe I will be smart enough and wise enough to do this, but if you tie my hands and you put any strings on this money, if you try to alter or amend the latitude that I demand, then the whole sky is going to come crashing down. The economic world will collapse. Because he had been thinking about it for 13 months, he presumed we had only thought about it for 24 hours, and we had to bite the bullet and take the bait so that they could set the hook and reel us in on TARP.

Well, Mr. Speaker, that was one of the things that happened. It wasn't actually the first. But through the course of this, President Obama, then-Senator Obama, was right along the way supporting for, voting for every irresponsible spending that took place as a United States Senator, and then as a President-elect United States Senator, then as President of the United States newly inaugurated. That is when he really turned up the heat. That is when he really opened the floodgates, and that's when the spending really moved on and that is when we really saw the nationalization of these eight huge entities. That would be three large investment banks, Mr. Speaker. It would be AIG, the insurance company. It would be Fannie Mae, Freddie Mac.

□ 2130

Now, that's six of the eight. The American people are watching this, and they're thinking we have a constitutional republic. We elect our representatives. Their job is to use their best judgment and their best resources to come to the best conclusions possible and to make decisions for the American people because, first of all, the American people can't all be investment bankers. They can't all know what's going on on the inside of Wall Street. They can't all know what the United States Treasurer is doing, and they can't understand necessarily all of the advice that's going into the White House or into the offices of the Members of Congress.

They can provide their input, and we need to listen, but they also trusted the judgment. That's how our Founding Fathers set this up. That's why this is a constitutional republic, because every one of us has his own unique franchise. Every one of the 435 Members of the House and of the 100 Members of the Senate has a unique franchise.

We owe the American people this, Mr. Speaker: first, our best effort; second, our best judgment.

Our best effort is clear, which is to work as hard, as diligently and as efficiently as you can. Our best judgment includes input from the American people, and it includes input that comes from the experts and the data and the analyses and the studies and the testimony and the hearings that come before these committees so that we can come to a good conclusion.

The American people, to some degree, trusted those conclusions, but they saw TARP come down the pike. Then they saw the takeover of some of the large investment banks and the investment brokers like Bear Stearns, Bank of America, Citigroup, AIG—bing, bing, bing, one after another—Fannie Mae and Freddie Mac taken over by the Federal Government. They are getting more and more uneasy as this unfolds.

Then, Mr. Speaker, as the American people had this knot in their guts, along came the nationalization of General Motors and Chrysler. That's when the credibility of the White House

tanked, because, even though the American people don't necessarily understand Wall Street, they understand cars. Most of us own one or more of them. We know pickups, too, and people who know pickups certainly know cars. I'm not sure it's the other way around, Mr. Speaker. We know cars. We make cars. We market them. We sell them. We fix them. We race them. We buy them, sell them, trade them. We collect them. Americans have a love affair with cars, especially with their American cars.

The President of the United States nationalized two huge, important American automakers. He took them over. He dictated the terms to the bankruptcy court, and the hearings that were held before bankruptcy changed not one single dot or cross on a ''t'' from the proposal that was dictated by the White House going into the bankruptcy court, according to testimony in the Judiciary Committee on just this.

So the President dictated the terms, or his people dictated the terms, and the President appointed a car czar, a 31-year-old car czar who had never made a car or sold a car. We don't think he has ever fixed a car. We don't even know if he owned a car at the time, but if he did, we ought to take a look and see if it was an American car or if it was a foreign-made car. We began to lose faith quickly when we saw the White House take over our automobile business.

The Speaker of the House, Mr. Speaker, made the point that she would not give the automakers bargaining control over the unions, over the United Auto Workers union. When she said that and when that term stuck and when the President of the United States and others leveraged the bondholders out—the secured creditors who had hard collateral invested in these companies—and when they had secured collateral that they could foreclose on, they were aced out. One of the reasons they were is that those secured entities that held those were some of the investment banks that were bailed out by TARP. So they had leverage that said, Give up your positions because we've got the money, and we can control your boards of directors.

So the White House dictated then the terms of these bankruptcies to the automakers. They took the secured credit away from the investors, and they handed it over to the labor unions. Additionally to that, the President of the United States fired the CEO of General Motors, and replaced the board of directors of General Motors down to the last two. All but two were directed by the President of the United States, and the American people were repulsed by the very idea that the President of the United States would be engaged in nationalizing companies.

As I look at this, I just have a little piece of document that I've printed off of the socialist Web site, the Democratic Socialists of America. Mr. Speaker, I would encourage you and the others who are interested in this to go to the Web site dsausa.org. There you will find some of the text of the strategy that appears to be the strategy of the White House.

''Social redistribution,'' it reads. Social redistribution is one of the goals. ''The shift of wealth and resources from the rich to the rest of society will require''—this is the Democratic Socialists' Web site—''the shift of wealth and resources from the rich to the rest of society will require, No. 1, massive redistribution of income from corporations and the wealthy to wage earners and the poor and the public sector in order to provide the main source of new funds for social programs, income maintenance, and infrastructure rehabilitation.''

A massive shift of income from corporations and the wealthy. In other words, share the wealth, Mr. Speaker. This is right off the socialists' Web site.

Item No. 2 reads, ''A massive shift of public resources from the military to civilian uses.'' We've seen that, too.

Furthermore, on the socialists' Web site, it talks of the nationalization of major corporations. It says they don't have to do it all at once. They can do it gradually. They want to nationalize the oil refinery business. They want to nationalize the energy industry in America. All of that is on the socialists' Web site, Mr. Speaker. All of that looks stunningly like what we've seen happen over the last year and a half.

The American people have had enough. Eight large entities. The last two were the automakers, and the automakers were the ones that gave the American people the insight into what the rest of those decisions were.

Right after that came the stimulus plan—$787 billion poured into the economy for a purpose that only 6 percent of the people think it produced. Only 6 percent think that the stimulus plan worked.

Right behind that came cap-and-trade, cap-and-tax. This was another plan to punish American business and to punish everybody in America who uses energy under the extremely myopic and ill-informed idea that anybody is ''trying to save the planet, trying to save the planet.'' I don't want to sound like a broken record. I'm actually quoting a high-profile person in the House of Representatives, Mr. Speaker.

Well, you're not going to save the planet if you're going to use false data—data that has been either jiggered or data that has been sorted and selected to produce the results that they want. It looks like the data that produced the hockey stick graph was selected data, and the language that came out of some of the leaked emails said we have to hide the decline. Michael Mann wants to hide the decline. Phil Jones wants to hide the decline.

Well, the American people understand now that it wasn't just something that they didn't understand. Cap-and-trade, the science behind that—if you call it science—is another one of those things the American people thought they didn't understand, but surely, the experts did, just like they didn't understand Wall Street, but surely, the experts did. Now they're finding out the American people knew more about Wall Street than the people of Wall Street did, because they want fiscal responsibility. They aren't skimming the cream out every quarter and, come what may, letting the economy become unstable and, perhaps, crash. It's the same with cap-and-trade, cap-and-tax, and the pseudoscience behind that. They understand now that the results have been rigged to some degree—they don't quite know what.

Right behind that came comprehensive health care reform—socialized medicine, Mr. Speaker. The American people rose up again, and they filled the town hall meetings in August, and they kept them full into September, and we came back here and argued and fought this legislation. As that unfolded, finally, on the 7th of November, a version from the House passed here on the floor. In the following month, on Christmas Eve, a version in the Senate, a significantly different version, passed there with a 60-vote super majority. On Christmas Eve, the elves were just putting away the last gift that they had put together, the last toy for the kids, and they were going to go to bed to sleep while Santa delivered, but HARRY REID had to have a vote over in the United States Senate. So the Christmas Eve gift to the American people was socialized medicine, Senate style.

Now we have a House version and we have a Senate version, and the American people rose up. Not a single pundit on Christmas Eve, on the day that that bill passed, had said that there was a chance for SCOTT BROWN to win the United States Senate race in the special election in Massachusetts, which was scheduled for and did take place on January 19 of this year. Not a single pundit predicted it on that date. No one saw it coming. Some poll showed SCOTT BROWN down 30 percent. Others showed him down 21 percent on that day. His opponent went dark, and they stopped the campaign. People thought that everybody would be distracted over Christmas, and so there wasn't any point in doing politics during that period of time from Christmas Eve on through New Year's Eve and on into the new year, when you finally get back into the rhythm of things.

Yet the thing that didn't get anticipated was that, oh, we talked politics all right when we got together for the holidays. We do several King Christmases to get it all taken care of in the right way. We talk about politics. We talk about religion. We talk about the weather. So do all kinds of Americans, and so do people in Massachusetts. So, when they came through the other side of that and with the intervention that

we had, SCOTT BROWN obviously won the election in Massachusetts in the ''Scott Heard Round the World.'' That was the death knell for socialized medicine in America. The President of the United States immediately refused to receive the message from the people in Massachusetts, and he insists on pushing ObamaCare back at us over and over and over again.

While that was going on—excuse me, Mr. Speaker. I think I need to make this point—from the 19th of January, there were a lot of other maneuverings that went on. Senator TOM HARKIN said that they had already negotiated a settlement between Democrats so that they could figure out how to pass a bill before SCOTT BROWN won the election. That strategy, I presume, was predicated upon an assumption that they would have 60 votes in the Senate. In any case, they contemplated the idea that they might have to try to move something through on reconciliation—the tactic that they use in the Senate on rare occasions which Democrats call the ''nuclear option,'' but it's not too handy to call it a ''nuclear option'' today.

Mr. Speaker, even though the blizzard shut this town down for a week and it was hard to get some business done, they have been meeting behind closed doors again. Even though the American people are revolted at the idea of cooking up this toxic stew called ObamaCare—''TroikaCare'' I called it earlier—this toxic stew that started with socialized medicine, single-payer government runs it all, this big, old, dated, 15-year-old, tainted soup bone called HillaryCare, they dropped it into a pot to cook up this health care bill. Then they saw that nobody wanted it. Nobody wanted the plain old, straight, single-payer that President Obama, as candidate Obama, had promised that he was for to the American people.

So they started throwing in some other kinds of vegetables and things to change the flavor of it or the looks of it a little bit. So they gave some options about it the other way, but it still turned out to be the same soup bone in there, that same tainted meat that cooked up this toxic stew. This toxic stew, called ObamaCare, is something the American people don't want. They don't want the taste of any toxic stew, and once it is, no matter what you add to it it's still toxic. It's still tainted. The American people don't want a potful, and they don't want a bowlful, and they don't want a cupful, and they don't want a spoonful. Mr. Speaker, they want no measure of this national health care plan that has been cooked up. It's tainted. It needs to be thrown over the side, thrown out, and we need to start over. That's what 47 percent of the people say—they want to start over. Another quarter of them says to just throw it out and do nothing. There is maybe a quarter of them who think—I think the number was actually 23 percent—that ObamaCare should be passed, and that's a pretty low percentage.

Thomas Jefferson said a large initiative should not be passed on slender majorities. Well, now they're trying to push a large initiative through without a majority. I say that because, Mr. Speaker, the American people have spoken. The American people realize now what they have produced in the past election. They know they have got a new election coming up here in November of this year. The political center of America has moved, and the elections haven't caught up to reflect the movement of the political center, but no one doubts it will happen. They are just as confident that there are going to be significant seats that are going to be picked up here in the House of Representatives.

So I'm going to make this point, Mr. Speaker, which is that nothing good can come from the President's insisting on pushing ObamaCare back out onto the table on Thursday. Nothing good can come from closed-door, secret meetings, planning a strategy called ''reconciliation-nuclear option,'' which is the equivalent of holding a gun to the heads of Republicans, figuratively speaking, and then saying, Listen, I have all the cylinders full; the hammer is cocked. This is reconciliation-nuclear option. Now you can either accept this that we offer to you, ObamaCare through this version, or, if you don't, we're just going to pull the trigger, drop the hammer and run that reconciliation package through the Senate and over here to the House where the House would be sitting with two Senate versions passed.

Then they would pass the reconciliation, which are the changes that the House insists on in the Senate bill—not the House—excuse me—the Speaker and the House Democrats insist on in the Senate bill. If they pass that, they would then hold it and not message it to the President. They would wait, and then they would pass the Senate version of the bill, message that to the President, ask him to sign the Senate version. Then the reconciliation-nuclear option package would go to the President of the United States, and he would sign that right afterwards, probably in the same bill-signing ceremony, and the second bill amends the first bill.

That, Mr. Speaker, is how honest this is, and I'm not suggesting that it is. That should give the American people an idea of what's going on here, and it is something that repulses them and me.

□ 2145

The job of the Speaker is to bring out the will of the group, not to bring out the will of the Speaker.

We have some negotiations to take place. Before we go to those, I want to make a point that is very useful to me, and it is something that was originated within the mind and the thought process of my friend from Minnesota. This is the Declaration of Health Care Independence. I could read this whole thing down here, but it recognizes six points above of what went wrong. Those six points are that everything that's going on right now, except for what Republicans have done, has denied our American liberty. It increases our taxes. It cripples the economy. It creates a new tax. It creates a bureaucracy that will devise ways to increase the spending. It empowers bureaucrats to do what they will to us. And it costs us quality and choice. Those are the negatives.

Mr. Speaker, the positives are these in this Declaration of Health Care Independence: These are the things that we say are the new rules for the road going forward. We're going to consider working with people who believe in these principles. These principles are, number one, we're going to protect the doctor-patient relationship. Number two, we're not going to add to the debt. Number three, we're going to improve, not diminish, the quality of care. What we do is going to be transparent in its negotiations and in its meaning with no favoritism to anyone from any State, equal protection under the law. We're going to treat people the same whether they're Members of Congress or whether they are your regular citizens that don't have the privileges that we have here. We are not going to fund abortion. We are not going to fund illegals. There will be no new mandates on the States, individuals, businesses, or employers. I said equal protection. And we're going to utilize the marketplace of ideas and choice with competition.

That, Mr. Speaker, is what this Declaration of Health Care Independence does. It currently has at least the signatures of 96 Members of Congress. Somebody printed that there was a small number of people that have supported this. That's only 2 days of trying. Ninety-six Republicans have signed this. Not a single Democrat has come forward and been willing to sign it at this point. And we need to send a strong message to the leadership, going cheek to cheek with the President of the United States and dancing a tango and acting like we want to do business and we don't have any rules for the road. These are the rules of the road. And I will, Mr. Speaker, make the announcement here that I will not vote for a bill that doesn't honor and respect these parameters. And I want to start with single standalone pieces of legislation, and I want to start with tort reform.

I need to recognize the gentlewoman from Minnesota because she was here first for so much time as she may consume until such time as Mr. GOHMERT gets nervous about it.

Mrs. BACHMANN. I thank the gentleman from Iowa for yielding.

I'm so thankful that you're bringing up the Declaration of Health Care Independence. I believe that viewers may be able to see that on your Web site at king.house.gov. Also it would be available at my Web site as well, which is

bachmann.house.gov. We encourage viewers to go and view this document and take a look for themselves. As I understand, we have about a hundred Members of Congress that have already signed this. I understand that anyone can go ahead and take a copy of this bill and post it on their Web site. They can download it. They can do whatever they would like. They can take it to their Member of Congress, their Senator. Whatever they want to do they can do with this. I understand that some people have taken this and posted it on Web sites and have gotten at least 10,000 signatures of the American people. So it's interesting how this has captivated the imagination of the American people because going forward with this health care summit on Thursday, we need to have a roadmap. The President has indicated what his roadmap is, and many of us—I know that Mr. GOHMERT, Mr. KING, myself, other Members of Congress spent hours working on this Declaration of Health Care Independence. We labored over this, particularly Mr. GOHMERT, particularly Mr. KING, wordsmithing every word to make sure this was exactly right. That's why we're very proud to have the American people see this as a roadmap going forward on health care, unlike what we believe will be seen this coming Thursday. I just want to let the American people know ahead of time. It's now Monday; so we're within the 72-hour window of when this health care ''summit'' will occur. I say it's summit in name only because I say be prepared, America, Mr. Speaker. I say be prepared, because we probably had more substance come out of the beer summit that was at the White House than we will in all likelihood see come out of 6 hours of TV cameras on Thursday coming up.

Why do I say that? I say that because this dog and pony show that is planned for this upcoming Thursday needs to be about what the American people want it to be about, and the President is demonstrating, in essence, a very deaf ear to what the American people have asked for.

The American people overwhelmingly have repudiated the Democrat job-killing government takeover of health care. Again, as Mr. KING has said, this is the government's taking over one-sixth of the American company, or 18 percent of the private sector. Just like that, in one fell swoop, taking it over so that rather than the American people having the say over their health care decisions, now the say goes to the Federal Government so the Federal Government gets to decide. So egregious is this bill, in fact, it's not even a bill. It's an 11- or 12-page proposal that the White House just put up online today. It says in essence the Federal Government would be able to price-fix on health insurance policies. We've been down this road before. This is an old movie. It's a B movie at that. It's been repeated over and over. Any time government gets the wise idea of putting its hand in on price fixing any commodity, any service, any wage in the United States, inevitably the result, and it's always been this way, is scarcity.

So now think of that in terms of health insurance. The Federal Government says how much a policy can be in the United States. Inevitably there will be less of that product. Why? Why would a private organization decide to put a product out and can only spend so much on that product? The only option this organization would have would be to offer less of it. Fewer options, less care. In other words, the Federal Government is going to mess up health care even more than they already have done. We know this because the President has decided he's going to begin on Thursday with a plan that already the American people have repudiated. The American people have said clearly what they want in all of this is lower costs and more competition. That isn't done at all. As a matter of fact, the President's own economic adviser, Christina Romer, has already said if the President's plan goes through, it's 5½ million jobs lost.

Now, things haven't gone real well already by the estimates from the President's advisers. They said if we passed the stimulus plan when we had 7.6 percent unemployment that we wouldn't rise above 8 percent. They said if we do nothing, it will go up to 9 percent unemployment. Well, we're now millions of jobs lost later and we're still hovering at 10 percent unemployment. And the President's own economic adviser says if we put his plan in place, we'll lose another 5½ million? I think that alone is reason enough to reject his plan.

But that isn't enough. This plan also we know is massive tax increases in violation of what the President promised the American people. It's also massive job killing, as the President's own economic adviser said. And it cuts half a trillion dollars out of Medicare. That's right, Mr. Speaker. While we will be adding in about 47 million more people into receiving services, we're going to cut $500 billion out of Medicare. Who's going to be hurt by all of this? Senior citizens.

Senior citizens are so smart. They have been on to this from the beginning, and that's why overwhelmingly senior citizens have said, Mr. President, don't do this thing. I'm the one that's going to pay the price.

That's right. Only every American will pay the price because all of us will see tax increases. All of us will suffer from these job-killing actions. This will force Americans again to pay for other people's abortions, and it will force Americans to pay for people's health care that aren't in this country legally.

Every word in the health care bill was negotiated by Democrats behind closed doors. In fact, they said today that if the Republicans won't go along with their bill, they're going to go forward with it anyway. Well, then what in the world are we going to this summit in name only for? If the Democrats have already said we've figured out our legislative trick, according to the chief negotiator for Speaker PELOSI, we've got our trick, we know how we're going to trick the American people and pass through a bill that two-thirds of the American people said they don't want. Well, if that's the case, what's this about?

Well, we know what this is about. Today the White House Communications Director gave a quote, and he said that they want the American people to see the negotiations played out on TV among Democrats and Republicans. And why do they want that to happen? Well, Mr. Pfeiffer said, ''The fact that the summit,'' and I quote, ''will be on TV and that the legislation is posted online will help take away a little of the concern of this being something hatched behind closed doors.''

Well, I hate to break it to you, but this has already been done behind closed doors. As Mr. KING said, while the snow shut down Washington, D.C., that didn't shut down the Democrats, who control every lever of power in Washington, from staying behind closed doors.

Remember, every minute of this health care bill, every minute, has been negotiated behind closed doors with all the special interest groups who don't want to get whacked by the President. Except for the American people. They did not get access behind those closed doors. It's been negotiated behind closed doors. It's going to result in tax increases. It's going to result in less health care. And it's going to hurt senior citizens the most.

Mr. KING of Iowa. Exclusively with Democrats.

Mrs. BACHMANN. Exclusively by Democrats. They have been the only ones behind closed doors with these negotiations. So don't for a moment suffer the delusion to think that what's going to happen this Thursday in a 6-hour time period—remember, the President on Saturday in his weekly radio address said that when we have these negotiations, he doesn't want to see any political theater. Oh, really? He also said that he wants to go through section by section a 2,700-page bill. In a 6-hour period, Mr. President, you're going to go through section by section a 2,700-page bill, which, by the way, none of us have seen yet?

Mr. GOHMERT, have you seen this bill? Mr. KING, have you seen the bill?

Mr. KING of Iowa. I have not seen the bill.

Mrs. BACHMANN. That's because no one has seen this bill. It's not online. How do we know that? Today the Director of the Congressional Budget Office, Mr. Douglas Elmendorf, said, We can't score how much this bill is going to cost. Why? We don't have the legislation. In fact, he said, We don't even have enough details out of this, quote, little 11-page proposal to even say how much the thing is going to cost.

So we don't know exactly who the players are that are going to go to this summit in name only on Thursday. We don't have a bill yet that we can negotiate. Yet this is going to impact every American, raise taxes, kill jobs. We don't even know what the bill is. We don't even know who the players are that are going to be in the room. And somehow this is a negotiation when the President has already said through his mouthpiece, his spokesmen, they have already said, well, it doesn't matter if the GOP turns it down, we're going to go our own way anyway. So agree with us. That's your option, Republicans. Agree with us or take a hike. Doesn't that make the American people feel good?

I thought the Declaration of Independence said that we rule by the consent of the governed; that we pass laws with what our constituents want. I spoke to STEVE KING earlier; I spoke to LOUIE GOHMERT earlier. They were both home over these last 2 weeks in their respective districts. Their constituents told them, We don't want this job-killing government takeover of health care. That's what my constituents told me. I was just this weekend in St. Cloud, St. Martin, in Stillwater, in Woodbury. I was up in Anoka County. Everywhere I went people said, Michele, please, you don't think they're going to pass this health care, do you? Well, President Obama plans to. He must have his fingers in his ears or something must be happening, with all due respect, because that's not what my people are telling me in my district. All I can say is, Mr. President—Mr. Speaker, I am speaking through you. Mr. President, I beg you, listen to the heart cry of the American people. They don't want this clunker, for cash or otherwise. They don't want this thing. Let's start over and have a true legitimate negotiation. Let's not insult the intelligence of the American people. That's all this summit in name only is. There is more respect for the beer summit than there is for this so-called ''summit'' in name only on Thursday. It's a travesty.

Mr. KING of Iowa. Reclaiming my time, I very much thank the gentlewoman from Minnesota.

In transition to the gentleman from Texas, I will just say I can tell you, Mr. Speaker, who will not be at the summit, who will not have a forum, who will not have a microphone, and that will be there will be no outspoken conservatives allowed to address that issue on Thursday at the Blair House. That's a given. I make that prediction for the American people, Mr. Speaker.

I yield to the gentleman from Texas who has so patiently waited and has so much to say. And I thank the gentlewoman from Minnesota for joining us.

Mr. GOHMERT. I thank the gentleman for yielding.

It's a pleasure to wait. It's not patiently. I'm just sitting and taking in everything that has been said and benefiting from that.

My friends here, the gentlewoman from Minnesota, the gentleman from Iowa, and others, have worked very hard on the Declaration of Health Care Independence.

□ 2200

But it must it be noted that these last 10 things that are pledges are things the President has already promised. You know, and it is important that people in Washington keep their word. You give your word and say, this is what we're going to do, we will not do that, then it's important that we keep our word.

So we were hoping that the President—and there's still time, and we would ask, Mr. Speaker, that the President go ahead and note these 10 things, all of which he has promised, and say, you know what? Even though our leaders didn't make these preconditions, they're not really preconditions. They're just saying, will you live up to what you've promised before? Please, Mr. President, live up to what you promised before. That's all this is asking. That's all it's stating. That's what the pledge is.

Number 1, protect as inviolate the vital doctor-patient relationship. That's been promised by the President. We're going to protect the doctor-patient relationship. So that shouldn't be a tough one to agree to.

Number 2, reject any addition to the crushing national debt heaped upon all Americans. The President promised when he was running for the Presidency and after he's elected to the Presidency, we're not going to heap on any debt. And, in fact, I've enjoyed his speeches recently where he has chastised Congress for spending too much money, and that he's having to do by Executive order what didn't pass in Congress.

And I'm sorry. I haven't heard anybody point out the irony of saying, you know what? I am going to appoint an executive committee, people that I choose, and heck, I'll let you throw some people in there, but I'm going to sign an order to create a panel to save money. Now, this panel is going to cost millions and millions of dollars. But we're going to have a panel that will cost us millions and millions of dollars, but we're hoping somehow in the end we'll finally get this Democratic majority to do what they haven't done before, and that is rein in spending.

You know, Republicans lost the majority in 2006 because they had not reined in spending. Yeah, it was the Republican Congress in 1995 through 2000 that did as they said, they reined in spending. This President has said that.

And I don't know what happened to the Vice President. I do know the President said, you know, he's going to put him in charge and people would be afraid to mess with the Vice President.

But what happened to scrubbing the budget line by line? We just shot up $3.8 trillion, never a budget that high in the history of the country ever. And yet, just crushing national debt will be heaped upon all Americans.

So, the ask here, Mr. Speaker, is that the President go back and listen to some of his own speeches recently where he has said we have got to stop this runaway spending. So if he'll listen to what he said himself there, then we'll be able to get him to agree to Number 2 because he said it himself.

Number 3, improve rather than diminish the quality of care that Americans enjoy. Now, it's one thing to come before the American public and say nobody's going to be denied any type of coverage. Yet, you talk to people in England, you talk to people in Canada, they're not denied coverage.

So we're not going to say you can't have that surgery. You can't have that radiation. We're going to put you on a list and one in five of you, like for with localized breast cancer tumor, one in five of you here in England are going to die waiting on a list; whereas, if you were in America, you would get that treatment anyway. So let's improve, rather than diminish the quality of care. That ought to be the goal.

Number 4, negotiate it publicly, transparently, with genuine accountability and oversight, and be free from political favoritism. I know eight times the President promised on television that he—it's on video eight different times that the negotiations would be done on C–SPAN.

Well, that doesn't mean when you're going to come bring a bunch of people in and talk for 6 hours when the negotiation already occurred, because we've already heard from AARP and union reps, those folks that have said, oh, yeah, we've already negotiated this deal. We've come up with a compromise between the House and the Senate bill. That's not transparent.

He promised everybody would get to see who was siding with the pharmaceutical companies—I've heard the President say this stuff—and who's siding with the union, who's siding with the AARP and who's siding with people. And when I say ''AARP,'' I mean that entity. I don't mean retired people, because all of us, I think, in this Chamber right now side with the retired people whether we do with AARP or not.

Number 5, treat private citizens at least as well as political officials. What that means is, particularly, the little phrase that was added to the House bill when people had an outcry from around the country that we expect Members of Congress to have to live with whatever they do to us, there was that line inserted into the House bill that just said Members of Congress may participate in this program.

Well, I haven't found anybody in America, when you read that line to them, that doesn't immediately pick up on the word ''may.''

Now, this pledge that we're asking of the President, that so many people across America have already signed on

to, just says, you know, treat private citizens at least as well as the public officials.

We're called public servants for a reason. We're the servants. We're not supposed to be the masters.

Number 6, protect taxpayers from compulsory funding of abortion. Well, the President said right in here in September, there are those who claim that our reform efforts—well, let's see. Under our plan, no Federal dollars will be used to fund abortions. He said that.

Well, the truth is, we had to have the Bart Stupak amendment to prevent what the President said from being false. And if the Stupak amendment hadn't passed here in the House, then what the President said would not have been true. In fact, at the time he said it, it wasn't true. I'm sure he didn't realize that he was stating something false, but it wasn't true. That's why the Stupak amendment was necessary. And the Stupak amendment was not used in the Senate version.

Number 7, reject all new mandates on patients, employers, individuals, or States.

Well, originally, that's what was promised by the President, so hopefully he'd be willing to go back and live up to that.

Prohibit expansion of taxpayer funded health care to those unlawfully present in the United States. The President said in September, those who claim that our reform efforts would insure illegal immigrants, this too is false. The reforms I'm proposing would not apply to those who are here illegally.

Unless you require identification, it's not going to happen. We want the President to the live up to his promise, and we'd ask that that pledge be made.

Number 9, guarantee equal protection under the law and the Constitution. That means it applies across the board to everyone, every State.

Number 10, empower, rather than limit, an open and accessible marketplace of health care choice and opportunity.

I've heard people say I want the same health care coverage you have. Well, you don't want what I had last year. I didn't want it. I got rid of that at the end of last year, and I went through that big publication we had that every Federal employee has, and I chose a different insurance for this year. I hope it works out.

You don't want my insurance I had last year. You want my choices, and that's what Number 10 is talking about. American people ought to have a choice.

And with those 10 things being covered, I sure hope the President will be willing to live up to those things he's promised over the last year and half.

And I yield back to my friend, Mr. KING.

Mr. KING of Iowa. I thank my friend the judge and Congressman from Texas for joining us here this evening. And to bring this together and bring it to a close, Mr. Speaker, I'd just say this, that there will not be outspoken conservatives that will be part of this discussion. There may be outspoken liberals; that would be if the President speaks up. That would confirm that, in my view, Mr. Speaker.

But the American people have rejected the very idea that the Federal Government would do what it would do, take over 100 percent of the health care in America and all of the health insurance policies that are in America, and, by the way, if they say that they won't, but they'd actually regulate every single one, it's true.

□ 2210

I talked a moment earlier, some minutes earlier, about the nationalization of these eight huge entities and what that means to free enterprise, but the real utter irony that we have, Mr. Speaker, is that not since 1973, since Roe v. Wade, have there been thousands and thousands of people who have stood up and said the government has no business telling a woman what she should do with her body. That is a sacrosanct decision made by the woman and her doctor and her pastor or her priest. I've heard the argument over and over and over again. And it is made by men and women. It's been made for two generations. And now the very same people that are arguing that you can't tell a woman what to do with her body, are now advocating that the Federal Government should take over the management of everybody's body.

The utter nationalization of the most private thing we have, our health care. Take away our choices, take it over and manage it, give us whatever insurance policy the Federal Government will approve, tell us what we have to pay for it, tell us what mandates will be included in it. And if we can't afford it, they will give us a refundable tax credit, and if we can't afford it and don't buy it, they're going to fine us, and they're going to fine the employer that doesn't produce it.

This is a mandate for the first time in the history of America that the Federal Government would mandate that a person has to buy something that is imposed on us by the Federal Government, and I say ''no'' to it all.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUELLAR (at the request of Mr. HOYER) for today on account of death in the family.

Ms. KILPATRICK of Michigan (at the request of Mr. HOYER) for today on account of inclement weather and travel delays.

Ms. MCCOLLUM (at the request of Mr. HOYER) for today on account of business in the district.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of personal business.

Mr. DREIER (at the request of Mr. BOEHNER) for today on account of events in the district.

Mr. POE of Texas (at the request of Mr. BOEHNER) for today on account of other district-related business.

Mr. REICHERT (at the request of Mr. BOEHNER) for today and the balance of the week on account of supporting his family after the sudden and unexpected death of his 16-year-old niece.

Mr. SESSIONS (at the request of Mr. BOEHNER) for today on account of official business in the district, scheduled before the majority leader's announcement that votes would be held today.

Mr. DENT (at the request of Mr. BOEHNER) for today on account of a death in the family.

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 Ms. FUDGE) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

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

Mr. MORAN of Kansas, for 5 minutes, February 23, 24, and 25.

Mr. BURTON of Indiana, for 5 minutes, today, February 23, 24, 25, and 26.

Mr. POE of Texas, for 5 minutes, February 23, 24, 25, and 26.

Mr. JONES, for 5 minutes, February 23, 24, 25, and 26.

Mr. INGLIS, for 5 minutes, February 23, 24, and 25.

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

Mr. PAUL, for 5 minutes, today, February 23, 24, and 25.

Ms. ROS-LEHTINEN, for 5 minutes, February 23, 24, and 25.

Mr. SHIMKUS, for 5 minutes, February 23.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following title:

S. 2950. A act to extend the pilot program for volunteer groups to obtain criminal history background checks.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 12 minutes p.m.), under its previous order and pursuant to House Resolution 1084, the House adjourned until tomorrow, Tuesday, February 23, 2010, at 10:30 a.m., for morning-hour debate, as a further mark of respect to the memory of the late Honorable John P. Murtha.

EXECUTIVE COMMUNICATIONS, ETC.

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

6057. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt From Certification; Astaxanthin Dimethyldisuccinate [Docket No.: FDA–2007–C–0044] (Formerly Docket No.: 2007C–0474) received December 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6058. A letter from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting a proposed FY 2010 budget for High Intensity Drug Trafficking Areas (HIDTA) Program; to the Committee on Appropriations.

6059. A communication from the President of the United States, transmitting FY 2011 Budget Amendments for the Departments of Defense, Education, Energy, Health and Human Services, the Treasury, Veterans Affairs and the National Aeronautics and Space Administration; (H. Doc. No. 111–91); to the Committee on Appropriations and ordered to be printed.

6060. A communication from the President of the United States, transmitting A Request For Budget Amendments For Fiscal Year 2010 proposals in the Fiscal Year 2011 Budget for the Department of Homeland Security; (H. Doc. No. 111–92); to the Committee on Appropriations and ordered to be printed.

6061. A letter from the Deputy Under Secretary of Defense (Plans), Department of Defense, transmitting notification of the Department's intention to close the Defense commissary store at Naval Air Station (NAS) Barbers Point on May 1, 2010; to the Committee on Armed Services.

6062. A letter from the Acting Secretary of the Navy, Department of Defense, transmitting a report detailing a Program Acquisition Unit Cost breach in the DCC 1000 Program; to the Committee on Armed Services.

6063. A letter from the Assistant Secretary, Department of Defense, transmitting a letter reguarding the extention of the due date for a report on the current and future military strategy of Iran; to the Committee on Armed Services.

6064. A letter from the Assistant Secretary, Department of Defense, transmitting a report on assistance provided by the Department of Defense to civilian sporting events in support of essential security and safety, covering the period of calendar year 2009, pursuant to 10 U.S.C. 2564(e); to the Committee on Armed Services.

6065. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's ''Major'' final rule—Fair Credit Reporting Risk-Based Pricing Regulations [Regulation V; Docket No. R–1316] (RIN: 3084–AA94) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6066. A letter from the Secretary, Department of Health and Human Services, transmitting final Head Start Impact Study report to Congress; to the Committee on Education and Labor.

6067. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Civil Penalty Factors received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6068. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Children's Products Containing Lead; Determinations Regarding Lead Content Limits on Certain Materials or Products; Final Rule received January 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6069. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Children's Products Containing Lead; Interpretative Rule on Inaccessible Component Parts received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6070. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Ban of Lead-Containing Paint and Certain Consumer Products Bearing Lead-Containing Paint received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6071. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Labeling Amendment of Blasting Caps received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6072. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Final Rule: Standard for All Terrain Vehicles received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6073. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Children's Products Containing Lead; Final Rule; Procedures and Requirements for a Commission Determination or Exclusion received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6074. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Children's Products Containing Lead; Exemptions for Certain Electronic Devices; Interim Final Rule received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6075. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Labeling Requirement for Toy and Game Advertisements; Final Rule received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6076. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Exemption From Classification as Banned Hazardous Substance; Exemption for Boston Billow Nursing Pillow and Substantially Similar Nursing Pillows received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6077. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Information Disclosure Under Section 6(b) of the Consumer Product Safety Act received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6078. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commmission's final rule—Certificates of Compliance received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6079. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Technical Amendment to the Flammability Standards for Carpets and Rugs received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6080. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule—Portable Generators; Final Rule; Labeling Requirememts received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6081. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder [EPA-HQ-OAR–2007–0121; FRL–9097–4] (RIN: 2060–AO38) received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6082. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to: The Requirements for Transboundary Shipments of Hazardous Wastes between OECD Member Countries, the Requirements for Export Shipments of Spent Lead-Acid Batteries, the Requirememts for Submitting Exception Reports for Export Shipments of Hazardous Wastes, and the Requirements for Imports of Hazardous Wastes [EPA-HQ-RCRA–2005–0018; FRL–9098–7] (RIN: 2050–AE93) received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6083. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; South Carolina; Approval of Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard for Cherokee County; Correcting Amendment [EPA–R04–OAR–2008–0797–200824(c); FRL–9099–9] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6084. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Georgia: State Implementation Plan Revision [EPA–R04–OAR–2007–0113–200709(a); FRL–9098–5] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6085. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee; Redesignation of the Shelby County, Tennessee Portion of the Memphis, Tennessee-Arkansas 1997 8–Hour Ozone Nonattainment Area to Attainment [EPA-R04–OAR–2009–0164–200916; FRL–9099–1] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6086. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes;

North Carolina: Hickory-Morganton-Lenoir; Determination of Attaining Data for the 1997 Fine Particulate Matter Standard [EPA-R04–OAR–2009–0751–200928; FRL–9098–9] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6087. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Failure to Submit Certain State Implementation Plans Required for the 1-Hour Ozone NAAQS [EPA-HQ-OAR–2009–0898; FRL–9099–7] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6088. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; North Carolina: Greensboro-Winston Salem-High Point: Determination of Attaining Data for the 1997 Fine Particulate Matter Standard [EPA-R04–OAR–2009–0561–200929; FRL–9098–8] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6089. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Oregon; Final Authorization of State Hazardous Waste Management Program Revision [EPA-R10–RCRA–2009–0766; FRL–9098–6] received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6090. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—TSCA Section 5 Premanufacture and Significant New Use Notification Electronic Reporting; Revisions to Notification Regulations [EPA-HQ-OPPT–2008–0296; FRL–8794–5] (RIN: 2070–AJ41) received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6091. A letter from the Vice Admiral, USN Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the 30 September 2009 status of loans and guarantees issued under the Arms Export Control Act; to the Committee on Foreign Affairs.

6092. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting 2009 Fiscal Year report in accordance with the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

6093. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the FY 2009 annual report on Military Assistance, Military Exports, and Military Imports, as required by Section 655 of the Foreign Assistance Act of 1961 (FAA); to the Committee on Foreign Affairs.

6094. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Australia (Transmittal No. 07–09) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6095. A letter from the Secretary, Department of Commerce, transmitting the Department's report on Foreign Policy-Based Export Controls for 2010; to the Committee on Foreign Affairs.

6096. A letter from the Secretary, Department of Commerce, transmitting letter of certification, pursuant to Public Law 105–261, section1512; to the Committee on Foreign Affairs.

6097. A letter from the Deputy Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule—Removal of Entry from the Entity List: Preson Removed Based on Removal Request [Docket No.: 0910231375–91388–01] (RIN: 0694–AE75) received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6098. A letter from the Deputy Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule—Amendments to the Export Administration Regulations (EAR) Based upon the Accession of Albania and Croatia to Formal Membership in the North Atlantic Treaty Organization (NATO) [Docket No.: 0907241162–91276–01] (RIN: 0694–AE62) received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6099. A letter from the Secretary, Department of Commerce, transmitting consistent with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997, and Executive Order 13346 of July 8, 2004, certification for calendar year 2009; to the Committee on Foreign Affairs.

6100. A letter from the Deputy Secretary, Department of Defense, transmitting the report on Measuring Stability and Security in Iraq, pursuant to Section 9204 of the Supplemental Appropriations Act for 2008, Pub. L. 110–252 and Section 1508(c) of the Department of Defense Authorization Act for 2009, Pub. L. 110–417; to the Committee on Foreign Affairs.

6101. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6102. A letter from the Assitant Secretary, Political Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 09–141, pursuant to Public Law 110–429, section 201; to the Committee on Foreign Affairs.

6103. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 09–105, certification of a proposed technical assistance agreement to include the export of technical data, and defense services, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6104. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6105. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

6106. A letter from the President, transmitting a report on the Democratic People's Republic of Korea from June 26, 2008 through November 16, 2009; to the Committee on Foreign Affairs.

6107. A letter from the Deputy Executive Secretary, Agency for International Development, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6108. A letter from the Secretary, American Battle Monuments Commission, transmitting Fiscal Year 2010–2015 Strategic Plan, pursuant to 31 U.S.C. 1115; to the Committee on Oversight and Government Reform.

6109. A letter from the Executive Director, Comsumer Product Safety Commission, transmitting in accordance with Pub. L. 105–270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Department's inventory of commerical activities for fiscal year 2009; to the Committee on Oversight and Government Reform.

6110. A letter from the Secretary, Mississippi River Commission, Department of the Army, Deaprtment of Defense, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act covering the calendar year 2009, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

6111. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting notification that the Administration is in compliance with the Government in Sunshine Act for calendar year 2009; to the Committee on Oversight and Government Reform.

6112. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the FY 2009 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Oversight and Government Reform.

6113. A letter from the Associate Special Counsel, Office of Special Counsel, transmitting the Counsel's fiscal year 2009 Performance and Accountability Report; to the Committee on Oversight and Government Reform.

6114. A letter from the Secretary of the Board of Govenors, Postal Service, transmitting the Service's report, as required by Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

6115. A letter from the Secretary, Department of the Interior, transmitting Annual Operating Plan for Colorado River System Reservoirs for 2010; to the Committee on Natural Resources.

6116. A letter from the Director, Administrative Office of the United States Courts, transmitting fifth annual report on crime victims' rights; to the Committee on the Judiciary.

6117. A letter from the Staff Director, Sentencing Commission, transmitting report on the compliance of the federal district courts with documentation submission requirements on sentencing, pursuant to 28 U.S.C. 994(w)(1); to the Committee on the Judiciary.

6118. A letter from the National President, Women's Army Corps Veterans' Association, transmitting the annual audit of the Association as of June 30, 2009, pursuant to 36 U.S.C. 1103 and 1101(64); to the Committee on the Judiciary.

6119. A letter from the Secretary, Department of Energy, transmitting notification to authorize a noncompetitive exention of a contract for up to five years; to the Committee on Science and Technology.

6120. A letter from the Chair, NASA Aerospace Safety Advisory Panel, transmitting the Panel's Annual Report for 2009, pursuant to Public Law 109–155, section 106(b); to the Committee on Science and Technology.

6121. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a statement of actions with respect to the report numbered GAO–10–200; to the Committee on Science and Technology.

6122. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—Class 9 Bonded Warehouse Procedures [Docket No.: USCBP–2007–0080] (RIN: 1505–AB85) received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6123. A letter from the Chief, Trade & Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—''Imported Directly'' Requirement Under The United States—Bahrain Free Trade Agreement [Docket No.: USCBP–2009–0015] (RIN: 1505–AC13) received December 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6124. A letter from the Administrator, Social Security Administration, transmitting proposed legislation to extend funding for the Work Incentive Planning and Assistance and the Protection and Advocacy for Beneficiaries of Social Security Programs; to the Committee on Ways and Means.

6125. A letter from the Administrator, FEMA, Department Homeland of Security, transmitting the Department's report on the denial of appeal for disaster assistance for the State of California; jointly to the Committees on Transportation and Infrastructure, Appropriations, and Homeland Security.

6126. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting the Department's report on the denial of appeal for disaster assistance for the State of Indiana; jointly to the Committees on Transportation and Infrastructure, Appropriations, and Homeland Security.

6127. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting the Department's report on the denial of appeal for disaster assistance for the Sovereign Tribal Nation of the Havasupai Tribe; jointly to the Committees on Transportation and Infrastructure, Appropriations, and Homeland Security.

6128. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA–1861–DR for the State of Arkansas; jointly to the Committees on Transportation and Infrastructure, Appropriations, and Homeland Security.

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. RAHALL: Committee on Natural Resources. H.R. 2314. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (Rept. 111–412). Referred to the Committee of the Whole House on the State of the Union.

Mr. POLIS of Colorado: Committee on Rules. House Resolution 1083. Resolution providing for consideration of the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (Rept. 111–413). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3562. A bill to designate the Federal building under construction at 1220 Echelon Parkway in Jackson, Mississippi, as the ''Chaney, Goodman, Schwerner Federal Building''; with amendments (Rept. 111–414). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 917. Resolution recognizing the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of Transportation; with an amendment (Rept. 111–415). Referred to the House Calendar.

Mr. CONYERS: Committee on the Judiciary. H.R. 3695. A bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons system, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes; with an amendment (Rept. 111–416). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PERRIELLO (for himself, Ms. MARKEY of Colorado, Ms. SLAUGHTER, Mr. DEFAZIO, Mr. ANDREWS, Mr. BOSWELL, Mr. BOUCHER, Mrs. CAPPS, Mr. CAPUANO, Mr. CARNAHAN, Ms. CHU, Mr. CONNOLLY of Virginia, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. ELLISON, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HALL of New York, Mr. HARE, Ms. NORTON, Mr. HOLT, Mr. JOHNSON of Georgia, Mr. KILDEE, Ms. KILROY, Mr. KISSELL, Mr. KLEIN of Florida, Mr. LANGEVIN, Mr. LUJÁN, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MASSA, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. NADLER of New York, Mr. OLVER, Mr. OWENS, Mr. PASCRELL, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS of Colorado, Mr. QUIGLEY, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. STUPAK, Ms. SUTTON, Mr. TAYLOR, Mr. TEAGUE, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Ms. WOOLSEY, Mr. WU, Mr. BARROW, and Ms. HIRONO):

H.R. 4626. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Mr. KRATOVIL:

H.R. 4627. A bill to amend the Immigration and Nationality Act to impose new penalties for the knowing unlawful employment of aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. GARRETT of New Jersey (for himself, Mr. ADLER of New Jersey, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. LANCE, Mr. LOBIONDO, Mr. PASCRELL, Mr. ROTHMAN of New Jersey, Mr. SIRES, Mr. SMITH of New Jersey, Mr. PAYNE, and Mr. PALLONE):

H.R. 4628. A bill to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the ''Sergeant Christopher R. Hrbek Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. LEVIN (for himself, Mr. FRANK of Massachusetts, Mr. PETERS, Mr. MOORE of Kansas, Mr. DINGELL, Mr. KANJORSKI, Mr. RANGEL, Ms. FUDGE, Mr. KILDEE, Mr. PASCRELL, Mr. LIPINSKI, Mr. DOYLE, Ms. SCHWARTZ, Mr. BUTTERFIELD, Mr. ETHERIDGE, and Mr. RYAN of Ohio):

H.R. 4629. A bill to create a loan program to provide funds to State special purpose vehicles for use in collateral support programs and loan participation programs to benefit qualified manufacturers; to the Committee on Financial Services.

By Mr. ACKERMAN (for himself, Ms. HIRONO, Mr. CAPUANO, Mrs. MALONEY, and Mr. GUTIERREZ):

H.R. 4630. A bill to amend the securities laws to require that registration statements, quarterly and annual reports, and proxy solicitations of public companies include a disclosure to shareholders of any expenditure made by that company in support of or in opposition to any candidate for Federal, State, or local public office; to the Committee on Financial Services.

By Mr. ALEXANDER:

H.R. 4631. A bill to amend section 1105 of title 31, United States Code, to require that annual budget submissions of the President to Congress provide certain information regarding companies in which the Government holds stock, and for other purposes; to the Committee on the Budget.

By Mr. BISHOP of New York (for himself, Mr. KING of New York, Mr. LEE of New York, Mr. COURTNEY, Mr. HEINRICH, Mr. KAGEN, Mr. WEINER, Mr. PETERSON, Mrs. HALVORSON, Mr. ISRAEL, Ms. BORDALLO, Mr. SOUDER, Mr. LUJÁN, Mr. MCMAHON, Ms. KAPTUR, and Mr. GRIJALVA):

H.R. 4632. A bill to amend the Housing and Community Development Act of 1974 to set-aside community development block grant amounts in each fiscal year for grants to local chapters of veterans service organizations for rehabilitation of their facilities; to the Committee on Financial Services.

By Mr. BRALEY of Iowa:

H.R. 4633. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from employer social security taxes with respect to previously unemployed individuals, and to provide a credit for the retention of such individuals for at least 1 year; to the Committee on Ways and Means.

By Mr. BROWN of South Carolina (for himself, Mr. MCINTYRE, Mr. WILSON of South Carolina, Mr. MICA, Mr. BARRETT of South Carolina, Mr. JONES, and Ms. KOSMAS):

H.R. 4634. A bill to limit the authority of the Secretary of Commerce to implement certain fishery closures unless the Secretary certifies that closure is the only option available for maintaining a fishery at a sustainable level, and for other purposes; to the Committee on Natural Resources.

By Ms. FUDGE (for herself, Ms. WATERS, Mr. MEEK of Florida, Ms. SUTTON, and Ms. KILROY):

H.R. 4635. A bill to require lenders of loans with Federal guarantees or Federal insurance to consent to mandatory mediation; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT:

H.R. 4636. A bill to prohibit United States assistance to foreign countries that oppose the position of the United States in the

United Nations; to the Committee on Foreign Affairs.

By Mr. HALL of New York:

H.R. 4637. A bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures, to provide a standard home office deduction, to increase the amount allowed as a deduction for meals and entertainment expenses of small businesses, and to extend bonus depreciation, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN (for herself, Mrs. EMERSON, Mr. SHULER, Mr. THOMPSON of Mississippi, and Mr. HIMES):

H.R. 4638. A bill to amend the Richard B. Russell National School Lunch Act to provide commodity assistance to States participating in the school breakfast program established under the Child Nutrition Act of 1966; to the Committee on Education and Labor.

By Mr. JONES:

H.R. 4639. A bill to amend title 10, United States Code, to authorize the adoption of a military working dog by the family of a deceased or seriously wounded member of the Armed Forces who was the handler of the dog; to the Committee on Armed Services.

By Mr. LEE of New York (for himself, Mr. SCHOCK, Mr. LANCE, Mr. BURTON of Indiana, Mr. BURGESS, Mr. BARTLETT, Mr. FLEMING, Mrs. SCHMIDT, Ms. GRANGER, Mr. RYAN of Wisconsin, Mr. AKIN, Mr. BRADY of Texas, Mr. MARCHANT, Mr. MCHENRY, Mr. LAMBORN, Mrs. LUMMIS, Mr. POSEY, Mr. HENSARLING, Mr. KING of Iowa, Mr. ROONEY, Mr. JORDAN of Ohio, Mr. BILBRAY, Mr. PAULSEN, Mr. CHAFFETZ, Mr. SOUDER, Mr. HOEKSTRA, Mr. GARRETT of New Jersey, Ms. JENKINS, Mr. CAO, Ms. WATSON, Mr. EHLERS, Mr. HINCHEY, Mr. POLIS of Colorado, Mr. MINNICK, Mr. CARNAHAN, Mr. SMITH of Washington, and Mr. POMEROY):

H.R. 4640. A bill to amend title 44, United States Code, to eliminate the mandatory printing of bills and resolutions by the Government Printing Office for the use of the House of Representatives and Senate; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ZOE LOFGREN of California (for herself, Mr. CAMPBELL, Mr. FRANK of Massachusetts, Ms. BEAN, Mr. FILNER, and Mrs. NAPOLITANO):

H.R. 4641. A bill to amend title 18, United States Code, to prohibit the making of political robocalls during certain periods, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY:

H.R. 4642. A bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome; to the Committee on Energy and Commerce.

By Mr. OBERSTAR (for himself, Mr. DEFAZIO, and Ms. EDWARDS of Maryland) (all by request):

H.R. 4643. A bill to amend chapter 53 of title 49, United States Code, to establish a public transportation safety program; to the Committee on Transportation and Infrastructure.

By Mr. SESTAK:

H.R. 4644. A bill to amend the Federal Election Campaign Act of 1971 to prohibit a corporation from making any independent expenditure or disbursing funds for any electioneering communication without obtaining the prior approval of a majority of its shareholders, and for other purposes; to the Committee on House Administration.

By Mr. KLEIN of Florida (for himself, Mr. WAXMAN, Mr. CANTOR, Mr. LATOURETTE, and Ms. GIFFORDS):

H. Con. Res. 236. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mrs. DAVIS of California (for herself and Ms. ROS-LEHTINEN):

H. Con. Res. 237. Concurrent resolution authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to the Women Airforce Service Pilots; to the Committee on House Administration.

By Mr. LEWIS of Georgia (for himself, Mr. KENNEDY, Ms. WASSERMAN SCHULTZ, Mr. MCGOVERN, and Ms. SCHAKOWSKY):

H. Res. 1081. A resolution supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Month; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HINOJOSA, and Mrs. BIGGERT):

H. Res. 1082. A resolution supporting the goals and ideals of the fourth annual America Saves Week; to the Committee on Financial Services.

By Mr. KANJORSKI:

H. Res. 1084. A resolution expressing the condolences of the House of Representatives on the death of the Honorable John P. Murtha, a Representative from the Commonwealth of Pennsylvania; considered and agreed to.

By Ms. CORRINE BROWN of Florida (for herself, Mr. OBERSTAR, Mr. CUMMINGS, Ms. RICHARDSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. NAPOLITANO, Mr. HARE, Mr. PERRIELLO, Mr. BOSWELL, Mr. SIRES, Mr. FILNER, Ms. NORTON, Mr. COHEN, Ms. EDWARDS of Maryland, Mr. SHULER, Ms. HIRONO, Mr. HOLDEN, Mr. COSTELLO, Mr. DEFAZIO, Mr. DAVIS of Illinois, Mr. JOHNSON of Georgia, Ms. JACKSON LEE of Texas, Mr. MEEK of Florida, and Mr. TOWNS):

H. Res. 1085. A resolution honoring and celebrating the contributions of African-Americans to the transportation and infrastructure of the United States; to the Committee on Transportation and Infrastructure.

By Mr. BACA (for himself, Mr. HEINRICH, Ms. RICHARDSON, and Mrs. CHRISTENSEN):

H. Res. 1086. A resolution recognizing the importance and significance of the 2010 Census and encouraging each community within the Indian Country to name an elder to be the first member of that community to answer the 2010 Census; to the Committee on Oversight and Government Reform.

By Mr. BARROW (for himself, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, Mr. BROUN of Georgia, Mr. BISHOP of Georgia, Mr. KINGSTON, Mr. WESTMORELAND, Mr. SCOTT of Georgia, Mr. LINDER, Mr. MARSHALL, Mr. PRICE of Georgia, Mr. DEAL of Georgia, and Mr. GINGREY of Georgia):

H. Res. 1087. A resolution honoring the life of John H. ''Jack'' Ruffin, Jr; to the Committee on the Judiciary.

By Mr. CONNOLLY of Virginia (for himself, Mr. WOLF, Mrs. CAPPS, Ms. BALDWIN, Ms. BERKLEY, Mr. FALEOMAVAEGA, Ms. WATSON, Mr. INGLIS, Mr. SCOTT of Georgia, Mr. SCHAUER, Mr. PAYNE, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. LANCE, Mr. JOHNSON of Georgia, Mr. HASTINGS of Florida, Ms. NORTON, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. CLYBURN, Mr. CROWLEY, Mr. MCMAHON, Ms. GRANGER, Mr. MCCAUL, Mr. SARBANES, Mrs. SCHMIDT, Mr. COHEN, Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Ms. HARMAN, Mr. MURPHY of New York, Mrs. MALONEY, Mr. SCHOCK, Mr. ROHRABACHER, Mr. MATHESON, and Ms. LEE of California):

H. Res. 1088. A resolution recognizing the plight of people with albinism in East Africa and condemning their murder and mutilation; to the Committee on Foreign Affairs.

By Mr. HARE:

H. Res. 1089. A resolution recognizing the 150th anniversary of Augustana College; to the Committee on Education and Labor.

By Mr. HASTINGS of Florida (for himself, Mr. MORAN of Virginia, Ms. SPEIER, Mr. FARR, Mr. GRIJALVA, Mr. HONDA, Mr. GUTIERREZ, Ms. PINGREE of Maine, Ms. BERKLEY, Ms. WATSON, Mr. FRANK of Massachusetts, Ms. KILPATRICK of Michigan, Ms. CHU, Mr. FILNER, Mrs. CHRISTENSEN, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. ISRAEL, Mr. HINCHEY, Mr. BERMAN, Mr. DINGELL, Mr. CUMMINGS, Ms. JACKSON LEE of Texas, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. MICHAUD, and Mr. POLIS of Colorado):

H. Res. 1090. A resolution recognizing the hearing of the Committee on Armed Services of the Senate on the Don't Ask, Don't Tell policy, and the testimony of Secretary of Defense Robert M. Gates and Admiral Michael G. Mullen at the hearing, as an important first step in permitting gay and lesbian Americans to serve openly in the Armed Forces and expressing the sense of the House of Representatives that the policy should be repealed in 2010; to the Committee on Armed Services.

By Mr. KENNEDY (for himself, Ms. BORDALLO, Mr. DAVIS of Illinois, Mr. EHLERS, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINCHEY, Mr. LANGEVIN, Mr. LOEBSACK, Mr. MOORE of Kansas, Mr. RODRIGUEZ, Ms. LINDA T. SÁNCHEZ of California, Mr. YARMUTH, Mr. HARE, Mr. KISSELL, Ms. SCHWARTZ, Mr. MEEKS of New York, and Ms. MCCOLLUM):

H. Res. 1091. A resolution expressing support for designation of the week of February 28 through March 7, 2010, as ''School Social Work Week''; to the Committee on Education and Labor.

By Mr. LOEBSACK (for himself, Mr. BOSWELL, Mr. KING of Iowa, Mr. BRALEY of Iowa, and Mr. LATHAM):

H. Res. 1092. A resolution congratulating the University of Iowa Hawkeyes football team for winning the 2010 FedEx Orange Bowl; to the Committee on Education and Labor.

By Mr. MORAN of Virginia:

H. Res. 1093. A resolution expressing support for designation of March as ''National Whole Child Month''; to the Committee on Education and Labor.

By Ms. WATSON:

H. Res. 1094. A resolution commemorating the life of the late Cynthia DeLores Tucker; to the Committee on the Judiciary.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Ms. NORTON.
H.R. 39: Mr. CHANDLER, Ms. ROYBAL-ALLARD, Mr. FILNER, Mr. HASTINGS of Florida, Mr. BAIRD, and Mr. GUTIERREZ.
H.R. 43: Mr. DRIEHAUS and Mr. CLAY.
H.R. 197: Mr. JOHNSON of Illinois, Mr. INGLIS, Mr. DONNELLY of Indiana, and Ms. ROS-LEHTINEN.
H.R. 211: Mr. TEAGUE, Ms. WATERS, and Mr. PERRIELLO.
H.R. 417: Mr. VAN HOLLEN.
H.R. 424: Mr. COURTNEY.
H.R. 442: Mr. GRAVES, Ms. GRANGER, and Mr. JOHNSON of Illinois.
H.R. 444: Mr. LATOURETTE and Ms. NORTON.
H.R. 450: Mr. BRADY of Texas.
H.R. 467: Mr. SALAZAR.
H.R. 476: Mr. DICKS.
H.R. 482: Mr. KILDEE, Mr. OWENS, Mr. UPTON, Mr. MILLER of Florida, and Mr. WILSON of South Carolina.
H.R. 517: Mr. HINCHEY.
H.R. 571: Ms. WASSERMAN SCHULTZ.
H.R. 606: Mr. POLLS of Colorado and Mr. GRAYSON.
H.R. 658: Mr. MAFFEI.
H.R. 690: Mr. DOGGETT.
H.R. 734: Ms. WOOLSEY, Ms. CASTOR of Florida, Mr. MURPHY of Connecticut, Mr. HIMES, Mr. VISCLOSKY, Mr. PUTNAM, Ms. BALDWIN, Mr. LARSON of Connecticut, Mr. KILDEE, Mr. HARPER, Mr. COFFMAN of Colorado, Mr. BACA, and Mr. ISRAEL.
H.R. 745: Mr. HONDA.
H.R. 789: Mr. GRAYSON and Mr. KENNEDY.
H.R. 795: Mr. MCDERMOTT.
H.R. 840: Ms. CHU.
H.R. 930: Mr. HALL of Texas and Mr. ISRAEL.
H.R. 984: Ms. CHU, Mr. WATT, and Mr. COHEN.
H.R. 1024: Ms. WATERS.
H.R. 1079: Mr. BLUNT and Mr. ELLSWORTH.
H.R. 1144: Ms. FUDGE.
H.R. 1308: Mr. SESTAK.
H.R. 1402: Mr. HOLDEN.
H.R. 1443: Ms. ESHOO and Ms. CHU.
H.R. 1500: Ms. NORTON.
H.R. 1520: Mr. CHAFFETZ.
H.R. 1521: Mr. SALAZAR, Ms. RICHARDSON, Mr. KINGSTON, Mr. BURTON of Indiana, and Mr. BURGESS.
H.R. 1523: Ms. TSONGAS and Mr. POLIS of Colorado.
H.R. 1526: Mr. CASSIDY.
H.R. 1547: Ms. ROS-LEHTINEN and Mr. THORNBERRY.
H.R. 1552: Ms. BERKLEY and Mr. MCMAHON.
H.R. 1557: Mr. SCHRADER.
H.R. 1629: Ms. GRANGER.
H.R. 1686: Mr. HOLT, Mr. TIERNEY, and Mr. WALZ.
H.R. 1718: Mr. AKIN.
H.R. 1800: Mr. CAPUANO.
H.R. 1826: Mr. QUIGLEY and Mr. PAYNE.
H.R. 1866: Mr. MCDERMOTT.
H.R. 1895: Mr. MCGOVERN.
H.R. 1908: Mr. GUTHRIE.
H.R. 1912: Ms. NORTON, Mr. BOUCHER, Mr. ISRAEL, Mr. HASTINGS of Florida, and Mr. DOYLE.
H.R. 1943: Mrs. MCCARTHY of New York.
H.R. 1960: Mr. FORBES.
H.R. 2000: Mr. MEEK of Florida, Mr. JOHNSON of Georgia, and Mr. CAO.
H.R. 2067: Ms. PINGREE of Maine.
H.R. 2089: Mr. POLIS of Colorado.
H.R. 2102: Ms. SUTTON, Ms. ZOE LOFGREN of California, and Mr. LUJÁN.
H.R. 2110: Mr. HIMES.
H.R. 2116: Mr. SCHRADER.
H.R. 2160: Mr. KLEIN of Florida.
H.R. 2227: Mr. DONNELLY of Indiana.
H.R. 2296: Mr. INGLIS and Mr. SHADEGG.
H.R. 2365: Mr. HOLT.
H.R. 2377: Mrs. DAVIS of California.
H.R. 2478: Mr. BISHOP of New York, Ms. KOSMAS, and Mr. HODES.
H.R. 2546: Ms. SHEA-PORTER.
H.R. 2567: Mr. BAIRD.
H.R. 2669: Mr. COHEN.
H.R. 2682: Mr. GRAVES.
H.R. 2724: Mrs. CAPPS.
H.R. 2746: Mr. LANGEVIN, Ms. TITUS, and Ms. SHEA-PORTER.
H.R. 2764: Mr. COHEN and Mr. HARE.
H.R. 2807: Ms. SHEA-PORTER.
H.R. 2817: Ms. ZOE LOFGREN of California and Mrs. CAPPS.
H.R. 2819: Ms. NORTON and Mr. FILNER.
H.R. 2842: Mr. AUSTRIA.
H.R. 2849: Mr. MARKEY of Massachusetts and Ms. ESHOO.
H.R. 2882: Mr. CARNAHAN, Mr. BOUCHER, Mr. GUTIERREZ, and Ms. CHU.
H.R. 2906: Mr. CUMMINGS, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. RUSH, and Mr. CAPUANO.
H.R. 2909: Ms. WOOLSEY.
H.R. 2941: Mr. DICKS.
H.R. 3018: Mr. GONZALEZ.
H.R. 3048: Ms. NORTON.
H.R. 3059: Mrs. HALVORSON.
H.R. 3101: Ms. SLAUGHTER and Mr. BERMAN.
H.R. 3238: Mr. GRAYSON.
H.R. 3264: Mr. CUMMINGS and Mr. CLAY.
H.R. 3286: Ms. MATSUI, Mr. HIGGINS, and Mr. DAVIS of Tennessee.
H.R. 3308: Mrs. MILLER of Michigan and Mr. SESSIONS.
H.R. 3332: Ms. ZOE LOFGREN of California.
H.R. 3339: Ms. TITUS.
H.R. 3381: Mr. AL GREEN of Texas and Mr. GONZALEZ.
H.R. 3415: Mr. ALEXANDER.
H.R. 3464: Mrs. CHRISTENSEN, Mr. ROSS, Mr. LUCAS, Mr. MINNICK, Ms. JENKINS, Mr. GRAVES and Mr. CHANDLER.
H.R. 3517: Mr. HIMES.
H.R. 3554: Mr. TIBERI and Mr. WELCH.
H.R. 3560: Ms. KILPATRICK of Michigan.
H.R. 3592: Mr. WILSON of South Carolina.
H.R. 3652: Mr. ROTHMAN of New Jersey, Mr. CARSON of Indiana, Ms. MCCOLLUM, and Ms. BEAN.
H.R. 3670: Mr. OWENS.
H.R. 3699: Ms. PINGREE of Maine.
H.R. 3734: Mr. TURNER.
H.R. 3735: Mr. GRAVES.
H.R. 3742: Mr. BISHOP of New York.
H.R. 3787: Mr. COHEN.
H.R. 3790: Mr. REHBERG, Mr. BONNER, Mr. CRENSHAW, Mr. ADERHOLT, and Mr. INGLIS.
H.R. 3800: Mr. SESTAK.
H.R. 3810: Mr. RAHALL.
H.R. 3888: Mr. HALL of New York and Mr. MCDERMOTT.
H.R. 3907: Mr. COHEN, Mr. HIGGINS, Ms. ROS-LEHTINEN, Ms. MCCOLLUM, Mr. MAFFEI, Mr. REYES, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. KISSELL, and Mr. GONZALEZ.
H.R. 3922: Mr. MCCOTTER.
H.R. 3939: Ms. ZOE LOFGREN of California.
H.R. 3952: Mr. LOBIONDO.
H.R. 3990: Ms. JACKSON LEE of Texas and Mr. AL GREEN of Texas.
H.R. 4004: Ms. JACKSON LEE of Texas and Mr. AL GREEN of Texas.
H.R. 4036: Ms. FUDGE.
H.R. 4037: Mr. SESTAK and Ms. NORTON.
H.R. 4045: Mr. KLEIN of Florida.
H.R. 4068: Ms. SCHWARTZ and Mr. DAVIS of Illinois.
H.R. 4091: Ms. JACKSON LEE of Texas and Ms. HERSETH SANDLIN.
H.R. 4107: Mr. MORAN of Kansas.
H.R. 4108: Mr. HONDA.
H.R. 4115: Ms. WATERS.
H.R. 4116: Mr. SESTAK, Mr. KAGEN, Mr. HINCHEY, and Mr. GUTIERREZ.
H.R. 4128: Mr. RUSH and Mr. DOGGETT.
H.R. 4140: Mr. RYAN of Ohio.
H.R. 4148: Mr. ROTHMAN of New Jersey.
H.R. 4163: Ms. NORTON.
H.R. 4196: Mr. HINCHEY and Ms. JACKSON LEE of Texas.
H.R. 4197: Mr. GINGREY of Georgia.
H.R. 4202: Ms. ZOE LOFGREN of California, Mr. KAGEN, and Ms. SHEA-PORTER.
H.R. 4227: Mr. BOREN.
H.R. 4247: Mr. KENNEDY, Mr. COHEN, Mr. HINCHEY, Ms. DELAURO, and Mr. FRANK of Massachusetts.
H.R. 4249: Mrs. BLACKBURN.
H.R. 4255: Mr. HOLT and Mr. WOLF.
H.R. 4279: Mr. MILLER of Florida.
H.R. 4296: Mrs. NAPOLITANO, Mr. ROSS, Mrs. MALONEY, and Mr. PETERS.
H.R. 4309: Mr. ELLSWORTH.
H.R. 4311: Mr. SKELTON.
H.R. 4312: Mr. CHAFFETZ.
H.R. 4324: Mr. CARDOZA, Ms. CHU, Ms. SHEA-PORTER, and Mr. MASSA.
H.R. 4332: Mr. BERMAN.
H.R. 4354: Mr. SESTAK and Ms. FUDGE.
H.R. 4378: Mrs. MYRICK and Mr. COHEN.
H.R. 4389: Mr. MICHAUD and Mr. KAGEN.
H.R. 4400: Mr. OLSON, Mrs. HALVORSON, Mr. UPTON, Ms. SHEA-PORTER, Mr. HARE, Mr. TIERNEY, and Mr. ROSS.
H.R. 4404: Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. CONYERS, and Mr. BISHOP of Georgia.
H.R. 4405: Mrs. DAVIS of California, Mrs. CHRISTENSEN, Mr. CLAY, and Mr. MCDERMOTT.
H.R. 4413: Mr. PIERLUISI, Ms. FUDGE, and Ms. RICHARDSON.
H.R. 4420: Mr. ELLSWORTH.
H.R. 4427: Mrs. MCMORRIS RODGERS.
H.R. 4428: Mr. LARSON of Connecticut.
H.R. 4463: Mr. SAM JOHNSON of Texas, Mr. MARCHANT, and Mr. LINDER.
H.R. 4489: Mr. DOGGETT.
H.R. 4491: Mr. JACKSON of Illinois.
H.R. 4496: Mr. MICA.
H.R. 4505: Mr. MCKEON and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 4509: Mr. FRANK of Massachusetts and Mr. MINNICK.
H.R. 4512: Mr. GRAYSON.
H.R. 4517: Mr. HINCHEY.
H.R. 4520: Mr. CAO.
H.R. 4522: Mr. STUPAK.
H.R. 4530: Mr. TONKO and Ms. MATSUI.
H.R. 4534: Ms. FUDGE.
H.R. 4540: Mr. WAXMAN, Ms. MCCOLLUM, Mr. THOMPSON of Mississippi, Mr. ISRAEL, and Mr. FILNER.
H.R. 4541: Mr. FRANK of Massachusetts and Mr. MCGOVERN.
H.R. 4542: Mr. BOREN and Ms. FOXX.
H.R. 4548: Mr. BURTON of Indiana, Mr. MARCHANT, Mr. JONES, and Mr. MCKEON.
H.R. 4553: Mr. STUPAK, Ms. DELAURO, Mrs. NAPOLITANO, and Mr. WILSON of Ohio.
H.R. 4554: Mr. COSTELLO, Mr. WILSON of Ohio, Mr. SESTAK, Mr. CONYERS, and Mr. MEEKS of New York.
H.R. 4559: Mr. MICHAUD.
H.R. 4563: Ms. RICHARDSON.
H.R. 4564: Mr. FARR, Ms. RICHARDSON, Ms. BERKLEY, Ms. CORRINE BROWN of Florida, Ms. ESHOO, Mr. CLEAVER, Mr. BRADY of Pennsylvania, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. CARDOZA, Mr. HASTINGS of Florida, Ms. HIRONO, and Mr. HARE.
H.R. 4568: Mr. MASSA.
H.R. 4572: Ms. HERSETH SANDLIN, Mr. TERRY, Mr. BOSWELL, Mr. MCCOTTER, Mr. HOLDEN, Mr. SIMPSON, and Mr. BURTON of Indiana.
H.R. 4573: Ms. KILPATRICK of Michigan and Ms. RICHARDSON.
H.R. 4598: Mr. LANCE, Mr. CARNAHAN, Mr. LIPINSKI, and Mr. AL GREEN of Texas, Mr. LEE of New York, and Mr. CHILDERS.
H.R. 4607: Ms. NORTON.

H.R. 4615: Mr. BURTON of Indiana.

H.R. 4616: Mr. GUTIERREZ, Ms. SCHAKOWSKY, and Mr. MORAN of Virginia.

H.R. 4621: Mr. SERRANO, Mr. REYES, Mr. AL GREEN of Texas, Ms. NORTON, Mr LEWIS of Georgia, Ms. BERKLEY, and Mr. HONDA.

H.J. Res. 61: Mr. GUTIERREZ.

H.J. Res. 74: Ms. NORTON, Mr. MCGOVERN, Mr. ELLISON, Ms. PINGREE of Maine, Ms. LEE of California, Ms. SUTTON, Mr. CARSON of Indiana, Ms. CLARKE, Mr. JACKSON of Illinois, Mr. MARKEY of Massachusetts, Mr. GRIJALVA, Mr. RAHALL, Mrs. MALONEY, Ms. SLAUGHTER, and Mr. GRAYSON.

H. Con. Res. 227: Mr. JOHNSON of Georgia and Ms. MCCOLLUM.

H. Con. Res. 230: Mr. LAMBORN, Mr. BISHOP of Utah, and Ms. BORDALLO.

H. Con. Res. 232: Mr. MILLER of Florida, Mr. KING of New York, Mr. CARNEY, Mr. OWENS, and Mr. MASSA.

H. Con. Res. 233: Ms. BORDALLO, Ms. RICHARDSON, and Mr. CUMMINGS.

H. Res. 330: Mr. BOYD, Mr. RANGEL, Mr. ORTIZ, Mr. ROGERS of Kentucky, Mr. DAVIS of Kentucky, Mr. SNYDER, Ms. NORTON, Mr. HUNTER, Mr. SIRES, Mr. DINGELL, and Mr. COURTNEY.

H. Res. 397: Mr. INGLIS.

H. Res. 526: Mr. TANNER, Ms. HIRONO, and Mr. CLEAVER.

H. Res. 716: Mr. GRAYSON, Ms. WATSON, and Ms. CHU.

H. Res. 764: Mr. WILSON of South Carolina and Mr. SHULER.

H. Res. 870: Mr. GALLEGLY, Mr. LINDER, Mr. SHADEGG, Mr. GRIFFITH, Mr. ROGERS of Alabama, and Mr. ROHRABACHER.

H. Res. 902: Mr. COHEN.

H. Res. 919: Mr. MCCOTTER.

H. Res. 935: Mr. POLIS of Colorado.

H. Res. 936: Mr. ELLSWORTH and Mr. JOHNSON of Georgia.

H. Res. 947: Mr. SIRES.

H. Res. 996: Ms. DELAURO, Mr. ISRAEL, Mr. ROGERS of Kentucky, Mrs. NAPOLITANO, Ms. WATSON, Mr. RODRIGUEZ, Mr. JOHNSON of Illinois, Mr. GONZALEZ, Mr. RYAN of Ohio, Ms. SLAUGHTER, Mr. COHEN, and Mr. CAO.

H. Res. 1019: Mr. MCCOTTER.

H. Res. 1026: Mr. NEUGEBAUER, Mr. POE of Texas, Mr. MANZULLO, Mr. BURTON of Indiana, and Mr. MCKEON.

H. Res. 1032: Ms. WATERS and Mr. BACA.

H. Res. 1036: Mr. CONNOLLY of Virginia, Mr. INGLIS, Mr. MCMAHON, Mr. HOLT, Mr. DELAHUNT, Mr. ROSKAM, Mr. LANCE, and Mr. ROYCE.

H. Res. 1039: Mr. PRICE of Georgia.

H. Res. 1041: Mr. COOPER and Mr. SHULER.

H. Res. 1042: Mr. COOPER and Mr. SHULER.

H. Res. 1048: Mr. WOLF, Mr. MCDERMOTT, and Mr. CUMMINGS.

H. Res. 1053: Mr. GRAYSON, Mr. MOORE of Kansas, and Mr. MORAN of Virginia.

H. Res. 1059: Ms. WASSERMAN SCHULTZ.

H. Res. 1060: Mr. INGLIS, Mr. SCHOCK, Mr. WILSON of South Carolina, Mr. TURNER, Mr. MASSA, Mr. ARCURI, Mrs. MYRICK, Mr. ORTIZ, Mr. BARTLETT, Mr. CONAWAY, and Mr. MCKEON.

H. Res. 1063: Mr. SOUDER, Mr. NUNES, and Mr. BURTON of Indiana.

H. Res. 1066: Ms. WASSERMAN SCHULTZ, Mr. BLUNT, Mrs. HALVORSON, Mr. FORBES, and Mr. JONES.

H. Res. 1074: Mr. SCOTT of Virginia, Mr. GRAYSON, Ms. RICHARDSON, Mr. HOLT, and Ms. ROS-LEHTINEN.

H. Res. 1075: Mr. BOREN, Mr. SCHIFF, Mr. PUTNAM, Mr. LATHAM, Mr. COLE, Mrs. BLACKBURN, Mr. MCCAUL, Mr. BISHOP of Utah, Mr. THORNBERRY, Mr. ORTIZ, Mr. SCHOCK, and Mr. MCINTYRE.

H. Res. 1077: Mr. HOLT.

H. Res. 1079: Mr. ROSKAM, Mr. BLUMENAUER, Mr. ISSA, Mr. WALDEN, Mr. KINGSTON, Ms. LEE of California, Mr. MCCARTHY of California, Mr. OLSON, Mr. TANNER, Mr. DAVIS of Kentucky, Mr. OWENS, Mr. GRIJALVA, Mr. COHEN, Ms. HIRONO, Mr. SABLAN, Mrs. EMERSON, Mr. ROE of Tennessee, Mr. BACA, Mr. YOUNG of Alaska, Mr. BUCHANAN, Mr. BACHUS, Mr. INGLIS, Mrs. BONO MACK, Mr. ROTHMAN of New Jersey, Mr. REICHERT, Mr. SHULER, Ms. ROS-LEHTINEN, Mr. WHITFIELD, Mr. POSEY, Mr. WOLF, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. GUTHRIE, Ms. MOORE of Wisconsin, Mr. LEWIS of California, Mr. LATOURETTE, Mr. LOBIONDO, Mr. STEARNS, Mrs. LUMMIS, Mr. WILSON of South Carolina, Mr. LANCE, Mr. THOMPSON of Pennsylvania, Mr. DANIEL E. LUNGREN of California, Mr. ROGERS of Kentucky, Mr. CONAWAY, Mr. BOOZMAN, Mr. FORBES, and Mr. WITTMAN.

H. Res. 1080: Mr. GINGREY of Georgia and Mr. NYE.

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. CONYERS

H.R. 4626, the Health Insurance Industry Fair Compensation Act of 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative ABERCROMBIE or a designee, to H.R. 2314 the Native Hawaiian Government Reorganization Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative HASTINGS of Washington, or a designee, to H.R. 2314 the Native Hawaiian Government Reorganization Act of 2009, does not contain nay congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9I(d), 9(e), or 9(f) of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, MONDAY, FEBRUARY 22, 2010 No. 22

Senate

The Senate met at 2 p.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of life, source of our strength, in You we take refuge. Empower our lawmakers to be faithful in that which is least, knowing that great good can come from small matters. Lord, teach them to love You with all their mind, heart, and strength, always remaining attentive to the leading of Your loving Providence.

Today, as we celebrate George Washington's birthday by reading his Farewell Address, inspire our Senators to lift some burden, bring light to some darkness, and stand firm against evil.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS 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, February 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Pursuant to the order of the Senate on January 24, 1901, the Senator from Illinois, Mr. BURRIS, having been appointed by the Vice President, will now read Washington's Farewell Address, as follows:

Mr. BURRIS, at the rostrum, read the Farewell Address, as follows:

To the President of the Senate and to the people of the United States:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured, that this resolution has not been taken without strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals, that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently, want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite movement that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess, are the work of joint councils and joint efforts—of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who

in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourself too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen, in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former, for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of fraction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it in the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, forments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary

purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that the public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity, or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation's subservient to projects of hostility, instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealously, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity gilding with the appearances of virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealously to be useful

must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements. (I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy)—I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed, in order to give trade a stable course—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that is must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress, without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

Mr. BURRIS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847, which the clerk will report.

The legislative clerk read as follows:

A House message to accompany H.R. 2847, a bill making appropriations for the Department of Commerce, Justice, Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Reid amendment No. 3310 (to the House amendment to the Senate amendment), in the nature of a substitute.

Reid amendment No. 3311 (to amendment No. 3310), to change the enactment date.

Reid amendment No. 3312, to provide for a study.

Reid amendment No. 3313 (to amendment No. 3312), of a perfecting nature.

Reid amendment No. 3314 (to amendment No. 3313), of a perfecting nature.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak as in morning business for as much time as I may consume.

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

Mr. DORGAN. Mr. President, later this afternoon, the Senate will consider a piece of legislation to try to create some jobs. I understand that the Federal Government, by passing legislation, doesn't automatically create jobs, although it can in some circumstances. For example, a summer youth program can put some kids to work in the summer if the Federal Government or State government sponsors it. By and large, the private sector creates jobs.

This piece of legislation this afternoon is a payroll tax exemption—trying to encourage small- and medium-sized businesses that are ready to expand and capable to expand—giving them extra incentive to hire people and put them back to work. Section 179, business expensing, is another incentive to business. The highway trust fund extension—we know building highways puts people to work almost instantly. We have plenty of backlog in highway and bridge repair.

This is a piece of legislation that will put people back to work and create the incentives for companies—whether it is highway contractors or small- and medium-sized businesses—to hire those employees. Why is that important? Because we have probably somewhere around 25 million people today who wake up without a job. The hard-core unemployment, as known in the statistics, is about 17 million people. But 20 million to 26 million people are effectively unemployed in this country. They woke up this morning wanting a job and looking for a job but cannot find a job.

I recognize that one of the prevailing moods in the Congress is to do nothing. Those are the two words that best describe what we have seen, particularly from the minority recently, ''do nothing.'' It is a pretty easy position to take, but it is so wrong. Generally, it has always been wrong on the significant issues of the day. If this country doesn't believe that having 20 million, 25 or 26 million people out of work—and they don't believe that is something that is significantly wrong, something that weakens our country, then there is something wrong with their thinking.

This is a serious and urgent priority the Congress must address.

The do-nothing approach to public policy is something we have seen before. It goes all the way back to the basic rights of people—women's rights, civil rights, workers' rights. I have spoken on the floor previously, talking about the struggles to improve in those areas. Those struggles were against those who said let's do nothing. Women didn't have the right to vote for over the first half of this country's existence. They weren't allowed to vote. It took the beating in Occoquan Prison in 1917, when Lucy Burns, at night, was manacled and a chain between her wrists, hung over a cell door, with blood running down her arms all night long; and Alice Paul, a tube forced down her throat, force-feeding, to where she nearly drowned in her own vomit. She and 33 other women were arrested and chained to the White House gate. That is how women got the right to vote in this country. It is not because we had people who said let's do nothing, it is fine that women cannot vote. People pushed back and said what is going on is wrong.

Workers' rights. I wrote a book about the struggle to get workers' rights in this country. I said James Fyler died of lead poisoning. James Fyler was shot 54 times. Why? He felt people who went underground to mine for coal ought to be paid a fair wage. Think of the struggle for workers' rights and civil rights. I served in the Congress with John Lewis in the House of Representatives, who was beaten in Montgomery, AL. He was beaten because he believed one ought to be able to sit at a lunch counter as an African American. In some areas, it was against the law to drink from certain water fountains and ride in the front of the bus. It was against the law to sit at the lunch counter at Woolworth's.

Workers rights, civil rights, women's rights—all these things were struggles. There were those all along the way who said let's do nothing. Today, they say let's do nothing about the fact that 25 million or 26 million Americans are out of work.

By the way, here is a new report that shows that not everybody is out of work. We know that. A lot of people are working. In fact, there is full employment, according to the Northeastern Center for Labor Studies, among those who earn more than $150,000 a year. Their unemployment is 3 percent, but that is called full employment. Not everybody is having trouble. The more affluent Americans have full employment. It is a lot of folks at the bottom who are struggling and getting laid off and are out looking for work. So change is very hard.

The question is, Is this Congress going to do something about it? Does it care about it? In every case, you can go back a century, and the wailing and the whining of those who have opposed everything for the first time and said it can't be done, it will not work, it will ruin our country—they are the ones who dug in their heels and said let's do nothing.

What about today? What is our responsibility today? Well, it seems to me, in this economic crisis—a crisis, by the way, that is not some natural disaster; this wasn't some massive storm that enveloped America, some tornado or cyclone or some massive natural event that occurred. This was an economic wreck that was caused by unbelievable avarice and greed in some of our Nation's largest institutions. There was nearly criminal negligence on the part of regulators who wouldn't regulate. There was shameful, greedy behavior by people at the top of the financial food chain, whose business philosophy was to maximize profits at any cost, it doesn't matter.

Now we find ourselves in a desperate position. Yes, I think we have a foundation where we have found the bottom and are going to try to build from this point on. The question is, How do we move this process along to give hope to people who, at this point, get up this morning and don't have a job? Some say let's work on the faucet—that is what this bill is today, and I will support it. Let's work on the faucet that will put more jobs in this tank. I say also let's work on the drain because you can turn the faucet on, if the drain is wide open you are not going to make much headway. I will talk about the drain, but first I will talk about the faucet.

There is no social program as important as a good job that pays well. That is why this needs to be a priority with us. It is why we should pass this piece of legislation this afternoon. No, it is not going to fix every issue. I understand that. I mentioned we have full employment with the people on the top. What about the people who shower after work—the people who work hard all day and have to take a shower after work to get rid of the evidence of that work? Well, let's talk about them for a moment. I met with a group of people who were losing their jobs just before Christmas this year—500 people who worked for a company that made one of America's best products. They were told their plant was going to close down—500 of them. Can you imagine the Christmas they spent with their families, because there were no other jobs in that area. Yet 500 jobs is a reasonably small amount of the total number of jobs we have been losing.

That describes the drain on this economy of ours with respect to jobs. Let me talk a bit about that.

I am talking about particularly jobs in which Americans make something, produce something. Our manufacturing sector is rapidly losing steam. We have lost 5½ million manufacturing jobs since 2000. We now have 11.7 million manufacturing jobs left. That is the fewest number of manufacturing jobs since the early 1940s. Since 2001, we have seen the closing of 42,000 factories in America. One-third of all the factories that employ over 1,000 people have closed since 2001 in this country. They are gone. Some people blame the workers because they want a living wage. They say: If you cannot compete with 50 cents an hour in China, tough luck, you don't deserve to compete. It is an international economic system and if you cannot compete, that is too bad. That is a pretty ignorant way to look at it. This is a global economy, but who decided, after spending a century lifting standards, requiring safe workplaces, better labor standards, better wages and benefits, that all that should be washed away because we can't compete with somebody who worked for 50 cents an hour, somebody who works in a factory where they live in cinder block, little rooms, with 12 in a room at night, and they work 7 days a week, 12 to 14 hours a day—who decided that ought to be the standard with which we have to compete? That doesn't make sense to me.

I guess there are people who believe that ''made in the USA'' doesn't matter anymore. We don't have to be a country that manufactures. If we don't have a strong manufacturing base, we will not long remain a world economic power. That is a fact. This manufacturing base of ours is being sequentially and systematically destroyed.

We have, essentially, lost the area of producing machine tools in this country. We have lost electronics. We have lost automobile parts. We have lost furniture manufacturing. We have lost telecom. We have lost appliances. I am talking about the manufacture of these things. In 1960, 30 percent of our GDP in this country was manufacturing. Now it is 11 percent. There are 1.2 billion cell phones sold on this planet every year. Not one is made in America—1.2 billion and not one is made in America. We have lost 60 percent of the furniture manufacturing. You don't need to know all the stories, but I have spoken about the one we lost in Pennsylvania. Pennsylvania House Furniture, which was an upscale fine furniture company. Governor Rendell did everything he could to stop it from moving to China. They used a special Pennsylvania wood to make this furniture. What they did is closed the plant and shipped the wood to China, made the furniture there and shipped it back and called it American production. The last piece of furniture that came down off the line—for a company that lasted 100 years, making top-of-the-line furniture—the very last piece of furniture, those workmen in that plant turned it over and all the people who worked in the plant signed their names because they said there would not be furniture such as this made again. Their jobs were gone in an instant, and 60 percent of furniture manufacturing is gone.

The list goes on and on and on. Eighty-four percent of the circuit boards, which used to be ours—we developed circuit boards—are now made in Asia. We defend, as all of us understand, our military security aggressively. Do we care about our economic security—that we are hollowing out the manufacturing base of our country? Apparently not.

In this economic recovery bill that was passed, I included on the Senate side something called ''Buy American.'' One would have thought I was exploding all of the relationships that existed around the globe. People here even had apoplectic seizures: What are you doing? Are you trying to start a trade war? No, I was not. ''Buy American'' is perfectly permitted in the WTO trade rules. In fact, Mr. Pascal Lamy, the WTO chief, says ''Buy American meets world trade rules.'' If we had not put a ''Buy American'' provision in so State and local governments and the Federal Government, when contracting to buy steel and to buy products with which to make highways and other items we are investing in, had we not done that, we would be spending our taxpayers' money to purchase from China, to import the steel from China. I thought we were doing that to put Americans back to work. So I put in a ''Buy American'' provision. If you read the New York Times and the Washington Post, you just thought they were having seizures about it. Unbelievable, they say. No, it is not unbelievable to me. If you are going to try to get economic recovery in this country, you do not do that by incentivizing production in China and Japan. By the way, in their programs in China and Japan, they have their own provisions to purchase at home.

Here is the trade deficit we have with the world. This is why I say I support trying to do something with the faucet about jobs, to put more jobs in this economy. I am going to vote this afternoon on the proposal coming before the Senate. But here is the drain. Even as we do that, more and more jobs are leaving this country. Anybody who talks about fiscal policy deficits and is really worried that these fiscal policy deficits are going to sink this country, you can make a case—I used to teach a little economics in college—you can make a case that the fiscal policy deficit is money we owe to ourselves. You cannot make a case that this amount of red—these red lines go down, down, down, $800 billion a year for the last 3 years in a row. That is money we owe to other countries. That is money that will be repaid by a lower standard of living in the United States.

I say to all of those who care about fiscal policy deficits—and I do—you better care about this as well because this is a description of moving American jobs overseas in addition to indebting ourselves deep in debt to especially China, as this chart shows. This chart shows the red lines. This is only China, a country with which we have a $260 billion trade deficit and growing every single year.

By the way, we have with the country of China a reasonably ignorant bilateral which says to China—I am taking one piece of it now—it says: You are ramping up a very large automobile export industry, and we will very soon see Chinese cars on the streets of America. When they come to America under our agreement with you, you have a very large deficit with us, China, so when you ship us your cars—and they are coming—we will impose a 2.5-percent tariff on automobiles from China into the United States. We agree that if we ship cars made in the United States to China, you may impose a 25-percent tariff. A country with which we have a $260 billion trade deficit, we agreed to give them a 10-to-1 advantage on tariffs on bilateral automobile trading. I don't know how other people define ignorance, but I believe that is ignorant of our country's economic interest.

That is the reason I indicated in the economic recovery—what is called the stimulus program—that if we are going to spend money to try to restart this economy, to try to get this engine restarted and put people back to work, we at least ought to have some understanding that the products we are purchasing with that are not purchased from China and Japan, with which we have these very large budget deficits.

Since repetition is so very important here—I received a letter the other day from someone who said: Mr. Senator, if you are, at the end of your third term in the Senate this year, going to leave the Senate, who is going to speak for Huffy bicycles?

I said: I don't know who is going to speak for Huffy bicycles, but I am going to continue to do so until the end of the year because it is a perfect description of what is wrong in this country with respect to this so-called bathtub which should hold jobs but has a wide open drain.

Huffy was an Ohio company. Not anymore. They all got fired, all of them, because all these bicycles are produced in China. Why? Because the folks in Ohio were making $11 an hour and that is way too much money to pay an American worker. I know where they are made now. They are made in China for 50 cents an hour by people who work 7 days a week, 12 to 14 hours a day.

The poignant story about Huffy bicycles is when the last factory closed and the last Huffy bicycle was made in America, all the workers, as they drove out of the parking lot, left a pair of empty shoes in the space where their car once parked. It was the only way they could send a message to the company: You can ship our jobs to China,

but you are never really going to fill this space of ours. So no more Huffy bicycles.

The list is endless. Huffy bicycles and Radio Flyer, the little red wagon every child has ridden in, are examples of what we do not make here anymore. Radio Flyer was made in Illinois for 110 years. The little red wagon was made by an immigrant who came to this country who not only loved airplanes—and so he named a red wagon ''Radio Flyer''—but was a very good businessman. Every American child sat in those little red wagons and played in those little red wagons for 110 years, made in America. Not anymore. They are all made in China.

My point is this: I am going to vote for this bill this afternoon. It is the right thing to do. We will have people come here and spread the mantra again today as they have for so many weeks and months: Do nothing. Do nothing. Things will be fine.

Things are not fine. It is our responsibility to do something to address these issues. I want us to do something to try to create new jobs.

I chaired a hearing of the policy committee not too long ago. We had three small to medium-size businesses come testify. All of them were ready to expand and ready to hire new people. All of them were profitable businesses, all of them were ready to expand, and none of them could expand because none of them could find credit from the banks. Think of this: The biggest banks in America are now making record profits. I am talking about the biggest banks on Wall Street. They are making record profits and are prepared to pay record bonuses at a time when small and medium-size businesses that create the jobs in this country cannot find credit to expand even when they are profitable.

There is something wrong with this system. This system is not working. There are a lot of reasons for us to care a lot about what has happened in this country. I regret that there has never been the kinds of hearings with subpoena power that develops the master narrative of what has happened in the last 6 or 8 years that caused this economic wreck. The American people need to know. I understand there is now a commission, but that is not a substitute for what the Congress has a responsibility to do.

In 200 years in this country, we have gone from times when the productive sector—those who produce and manufacture—had the upper hand to other times when the financing sector had the upper hand. More recently, the financing sector has had the upper hand in this country. Manufacturing is an afterthought, and we are losing, losing, losing our manufacturing base.

The financing side, as all of us know, has become much larger. In fact, just about 15, 18 months ago, then-Treasury Secretary Paulson and the Chairman of the Federal Reserve Board came to the Congress and said: Look, we are facing near imminent collapse of this entire economy. At that time, one of the things they said was that we have too much concentration in the biggest financial firms in the country. Yes, that was true, except, you know what, the concentration is even much greater now, engineered by some of the same people who said there is too much already.

This is not rocket science. Too big to fail meant no-fault capitalism. The biggest financial firms in the country got bailed out. Why? Because it was feared they were too big to fail. I think too big to fail is just too big. This is not rocket science. If you are too big to fail, you are too big. Yet the very institutions that are too big to fail are getting bigger, not smaller, imposing more risk.

By the way, the biggest ones that are showing significant record profits and ready to pay record bonuses—we are told somewhere around $140 billion to $160 billion—the biggest firms are engaged in the same kind of activity that steered the country into the ditch. We still have the credit default swaps and derivatives out there that represent very substantial risks.

If anybody really wants to understand how this relates, just go to Las Vegas or a casino someplace. Look up and understand what a synthetic derivative means. It means you are buying a credit default swap to insure a bond, except this transition does not relate to anything that is real. It is just a wager. That is exactly what has gone on in this country, unimpeded by regulators who did not look, who were woefully blind, and who boasted about it for some years. Who pays the price for all of that? The 25 or 26 million people who got up this morning and could not find a job. In some cases, they got up on a morning a month ago, a morning a year ago, in some cases 2 years ago, and still could not find work. They are the victims. And the very folks at the top who steered this country into the ditch are reporting record profits. The folks at the top, as I just described with the new study from Northeastern University, have full employment.

It seems to me there is something wrong with this picture. How does one come to the floor of the Senate this evening and say: Let's do nothing. I have an idea: let's keep doing nothing, they say.

We have watched that inaction, and that does not work. The American people deserve better than that. I hope this afternoon we will have most Members of the Senate coming to the floor to say: Let's do something. Let's care today not about the people at the top of the financial food chain who are now making record profits and preparing to pay record bonuses, but let's do something for the folks at the bottom who have lost their jobs—5.5 million manufacturing workers just in the last decade. Let's do something to see if we can find a way to put them back to work. If we do that, maybe we will get a strong vote today for people saying we care about jobs.

We would like to work together—Republicans and Democrats—to get the best ideas both have to offer rather than the worst of each and see if we can advance the economic interests of this country once again.

Mr. President, I yield the floor. 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. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent that the time from 5 p.m. to 5:30 p.m. today be equally divided and controlled between the leaders or their designees, with the majority leader controlling the final 15 minutes prior to the 5:30 p.m. cloture vote.

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

Mr. DORGAN. 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. BAUCUS. 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. BAUCUS. Mr. President, jobs. We are here today to help create jobs. Everyone is thinking about jobs and ways to create more of them.

Business owners, workers, community leaders across the country, especially in my home State of Montana, are asking what Congress is doing to create jobs. I might say when I was home last week, Mr. President, I had some job forums. At one of them, we had lots of different ways to create jobs and a lot of ideas.

At the end, I said: OK, everybody. What does this all boil down to? Give me one or two or three things that we can do to create more jobs. There was a big chorus of: more jobs, more jobs, better-paying jobs. So it is there, and it should be there because unemployment is so high and there is a huge need.

In his State of the Union Address, President Obama said: ''Jobs must be our No. 1 focus in 2010.'' Here in the Senate, a group of us have been working on finding the best way to create new jobs. I am pleased to have worked together across the aisle with a thoughtful bipartisan group of Senators to craft legislation to create tax incentives for job creation. I applaud my colleagues, Senators SCHUMER and HATCH, for working together to bring good ideas to the table. I thank my very good friend, CHUCK GRASSLEY, for

working with us once again, and I appreciate the tremendous help from Senators DORGAN, CASEY, and DURBIN who have been spearheading the broader jobs effort.

Some of the provisions on which these Senators have worked are before us today. The provisions before us today would address the immediate needs of businesses on many different levels. For example, it would allow smaller businesses faster depreciation of equipment purchases. This provision helps create jobs, clearly. As the demand for services and products increase, so does the demand for workers.

But the amendment before us would do more. The amendment would go to the heart of the matter to provide simple and immediate tax incentives for businesses to employ new workers. The amendment answers the challenge of doing something that would make a difference for the unemployed right now. Let me explain the tax incentive for hiring in the amendment.

This year any business that hires someone who has been out of work for 60 days or more would qualify for the credit. The business would not have to pay its share of Social Security payroll taxes on that employee for the remainder of the year. It is that simple.

This incentive would be available for every new worker hired no matter the size of the business. Moreover, if that business retains the new employee for a full year, then the business would be able to take an additional $1,000 income tax credit against next year's taxes.

So, for example, the mom-and-pop grocery store owner in Billings, MT, that employs a previously unemployed store clerk and pays him $25,000 for the rest of the year would save $1,550 on payroll taxes. The medium-sized trucking company that can employ 10 new workers at $35,000 each for the rest of the year would save $21,700 on payroll taxes.

The large manufacturer that employs 100 new assembly-line workers at $45,000 each for the rest of the year would save almost $300,000 in payroll taxes. All of these businesses would get another $1,000 for each new employee they retained for a full year.

Let me explain why this is a good package. First of all, the incentive is simple. We want all businesses to be able to take the incentive, not just those that can afford an attorney to explain it or an accountant to prepare the necessary paperwork. All private businesses that create jobs and employ the currently unemployed would be entitled to a payroll tax holiday; and because it is simple to understand, we hope the program will enjoy broad news coverage. That way more employers would hear about the incentive and opt in.

Second, the amendment would provide an immediate benefit. Employers need help now, and we want to create jobs now. As soon as a business hires a new employee, the business would receive the benefit as a payroll tax holiday on that new employee. The business would get the benefit of every payroll tax deposit it would make. The business would not have to wait until it filed its tax return next year, and the cash that the business would save from the payroll tax cut could be used to help pay the wages of the new employee or the cash could be invested in the business. That is right now. The amendment would not hurt the Social Security trust fund. The government would make the trust fund whole in the full amount of the payroll tax holiday.

The third reason this is a good provision is the amendment would encourage faster hiring. An employee with a salary of $50,000 hired on July 1 would save the business about $1,500 in taxes. But the same worker hired earlier, say, on March 1, would save the business about $2,600 in taxes. The faster a business hires, the more benefit the business would receive. The incentive would boost the economy today, and it would create an additional demand for workers sooner.

What is the fourth reason this is a good idea? Just this one provision I have been talking about—and that is the payroll tax holiday. The amendment would encourage jobs that pay good wages. The higher the wage, the higher the credit. That is because the incentive is directly tied to the wages subject to the Social Security payroll tax.

Fifth, the amendment targets the unemployed. The incentive would reward businesses that hire those who are currently out of work. It would reward those businesses that create employment, not those that shift workers from another job. Yet it would not require the employee be collecting unemployment insurance benefits. For all sorts of reasons, not all persons take unemployment benefits. The incentive would be as broad as possible. It would help all those currently not working who want to be.

What is the sixth reason for this payroll tax holiday provision? It is fair. The incentive sets no limits on the size of the business that can utilize it. Job creation happens with all sizes and types of businesses—from the sole proprietor seeking to expand, to the largest manufacturer recovering from downsizing. Because the credit would be on payroll taxes rather than income taxes, the incentive would also help tax-exempt organizations and businesses currently operating at a loss. Those businesses have no income tax to offset with an income tax credit.

Seventh, the amendment would provide ease of hiring. The employer would only have to get a signed affidavit from a new employee that the employee had been out of work for the previous 60 days. That is pretty simple—no lengthy certification process through State agencies, as some current wage credits require.

Eighth, the amendment would encourage employee retention. Employers that retain their new employees for a year would get an added bonus.

Ninth, and most importantly, the amendment would increase employment. The nonpartisan Congressional Budget Office studied a number of options for job creation in the year 2010. After receiving many ideas, CBO stated that the payroll tax deduction for firms that increase their payroll is the most cost-effective policy for creating jobs. Economists suggest the same thing. While all thoughtful observers are careful to point out no company would hire unneeded workers just for a tax credit, many economists believe that a hiring incentive may be the push that many companies waiting on the sidelines need to hire those extra people.

Business owners have flexibility in hiring. They can work longer hours themselves, substitute machines for labor, or pay overtime to current employees. But those employers on the fence may believe this package of tax cuts and hiring incentives are enough of a boost for them to hire new employees now.

The National Federation of Independent Businesses indicated in December that there are many companies starting and growing businesses during this recession. In the past, the NFIB has supported a fixed-length payroll tax holiday. Economist Mark Zandi reported that ''various business surveys suggest firms are more open to expanding their payrolls.''

He added:

> A tax break for hiring could be particularly effective this summer. By then, businesses will have had more time to come to terms with the Great Recession, and banks should be extending credit somewhat more freely by then.

Former Labor Secretary Robert Reich has suggested a new jobs tax credit for every new job created by small businesses this year. Although he thinks that a job credit does not do much under normal circumstances, he says that these are not normal circumstances, and businesses need a boost.

David Greenlaw and Ted Wieseman of Morgan Stanley Research have said that a new job credit, designed correctly, could represent an important source of effective stimulus.

And Ted Gayer of the nonpartisan Brookings Institution said that timing of an employment tax credit matters. He warned:

> The more you dither, then people will wait on the sidelines and not hire now. You want it to be immediate and you want it to go a set length.

Let us not delay. Let us answer the call from Americans to help and let us enact this package to get more people to work.

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

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

Mr. MCCONNELL. I thank the Chair.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE AND THE JOBS BILL

Mr. MCCONNELL. Mr. President, first, I want to welcome everybody back. I don't think there is any snow in the forecast, so hopefully we can get some work done around here. Having spent the past week in Kentucky, I can assure you that my constituents are concerned, first and foremost, about jobs and the economy. And another thing they are concerned about is lawmakers in Washington making matters worse.

Americans are worried about the growing national debt. That is why Republicans hope to offer amendments to the jobs bill that we will be voting on today that would lower it. Those ideas should be considered.

Millions of Americans want to get back to work. That is why Republicans will offer ideas that will make it easier for businesses to hire new workers. Those ideas should be considered too.

Small business owners want greater certainty about the future. That is why Republicans will propose ideas that will keep their taxes from going up and make it easier for them to invest in their businesses. Those and other ideas from both sides of the aisle should be considered.

Later this week, we will have the health care summit at the White House. Americans want the administration to scrap its massive government scheme in favor of an incremental approach to health care reform. Unfortunately, the White House still seems unwilling to do the one thing Americans want most. It is still clinging to a massive bill that Americans have overwhelmingly rejected again and again for months.

The tragedy of this approach is that the longer Washington sticks with its failed approach to health care, the longer Americans will have to wait for the real, step-by-step reforms that will actually lower costs and lead to a better system. That is the kind of real reform Americans have wanted all along. That is what they have been asking for and that is what Republicans in Congress will continue to fight for.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. CASEY. Mr. President, I ask consent to speak as in morning business.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CASEY. I thank the Chair.

(The remarks of Mr. CASEY pertaining to the submission of S. Res. 418 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

Mr. CASEY. 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.

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

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

Mrs. BOXER. Mr. President, we all went home over this recess—most of us did—and we heard very clear messages. At least I can tell you I did. The messages are: Address the problems that face us and reach out a hand across the aisle and do it together. Pretty simple.

Today we have a chance to do that. Today we have a very clear chance to do that and to lift the spirits of the American people. The bill we will be voting on—actually we are voting to take it up, in essence; we need 60 votes to do that, unfortunately, because there is a filibuster again on this—is a very simple, straightforward jobs bill.

It has four parts. Two relate to tax breaks for business for doing good things. One is buying new equipment and getting a break on the expensing. The other is hiring people who have been unemployed for 60 days or more. The other two pieces involve the extension of the highway trust fund and the Build America Bond program, and that relates to building our infrastructure. In the case of the highway trust fund, of course, it does fund transportation of all kinds: transit systems as well as highways, bridges, roads. Very important.

Build America Bonds is a way to help the States issue bonds that they have voter approval to do, and helps them with the interest rate. In California, that program—Build America Bonds—resulted in billions of dollars of bonding to build roads and schools and all kinds of important necessities for my people back home.

So we have four things before us in one package: two tax breaks very important to businesses and two very important infrastructure measures.

I want to have printed in the RECORD—and I ask unanimous consent to do so—a very important letter sent to us by the American Association of State Highway and Transportation Officials, the American Road and Transportation Builders Association, the Associated General Contractors of America, the U.S. Chamber of Commerce, the Laborers International Union, and the International Union of Operating Engineers.

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

THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, THE AMERICAN ROAD AND TRANSPORTATION BUILDERS ASSOCIATION, THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, THE U.S. CHAMBER OF COMMERCE, THE LABORERS INTERNATIONAL UNION, INTERNATIONAL UNION OF OPERATING ENGINEERS.

Hon. RICHARD DURBIN,
Majority Whip,
Hon. BARBARA BOXER,
Chairman, The Environment and Public Works Committee,
Hon. MAX BAUCUS,
Chairman, Finance Committee,
Hon. JAMES INHOFE,
Ranking Member, Environment and Public Works Committee.

DEAR SENATORS: We are writing on behalf of the undersigned organizations to express our strong support for prompt Senate passage of an extension of the highway and transit programs in the SAFETEA-LU legislation and inclusion of a transfer of General Funds into the Highway Trust Fund in an amount sufficient to support the appropriated FY10 funding levels consistent with at least a nine month period and should the Senate decide a one year extension period.

Passage of legislation that includes an extension and the funds transfer will provide much needed certainty and stability within the states, local transportation authorities and transit agencies to make long-term capital commitments and plan for a full season of work. All 50 states continue their highway construction season through September and into October, at least 45 states continue highway work into November and one-third of the states are still working in December. Without an extension that also stabilizes the Highway Trust Fund, the transportation construction industry will continue to decline and much needed transportation investments cannot be made.

We continue to support Congressional efforts to enact a well-funded, long-term surface transportation bill. That work can go on in Congress while the program continues to fund needed transportation assets. Swift passage of a multiyear bill will have an impact in the out years but shoring up the trust fund now will allow the maximum job creation during the 2010 construction season. We face a shortfall in the trust fund at this time that makes an extension and funds transfer essential to creating much needed jobs in the construction industry this year and to continuing to improve this nation's transportation infrastructure. The nation needs these investments now and we urge the Senate to act to move this critical legislation.

It is critically important given the urgency of the investment and jobs issues that these provisions be included in the Senate jobs bill to be introduced next week.

Mrs. BOXER. I have to say I have worked with these organizations over the break to talk to them about what will happen if we vote this measure down and we do not continue our funding through the highway trust fund. They are very clear, and I am going to give you the information they told me about job losses that will happen if we do not act today.

As I read this list, I hope, Mr. President, you realize these organizations are Republican organizations, Democratic organizations, bipartisan organizations. They have Independents, Republicans, and Democrats. The Chamber of Commerce, we all know they

tend to go with the Republican side most of the time. They want a ''yes'' vote. The general contractors, they generally go—generally go—with the Republicans. They want a ''yes'' vote. Then you look at the unions, the workers, they generally go with the Democrats. They want a ''yes'' vote.

And why? Because they are fearing if we do not act, we are going to hurt business and we are going to hurt the working people of this country. They say:

> Passage of [this] legislation . . . will provide much needed certainty and stability within the States, local transportation authorities and transit agencies to make long-term capital commitments and plan for a full season of work. . . . Without an extension that . . . stabilizes the Highway Trust Fund—

Which, by the way, this does—

> the transportation construction industry will continue to decline and much needed transportation investments cannot be made.

I want to repeat that. This is not a quote from a Senator, Republican or Democratic or Independent. This is a quote from the Republicans and the Democrats and the Independents who are represented by the American Association of State Highway and Transportation Officials, the American Road and Transportation Builders Association, the Associated General Contractors of America, the U.S. Chamber of Commerce, the Laborers International Union, and the International Union of Operating Engineers. They are telling us this is critical. They say: ''The Nation needs these investments now.'' They put the word ''now'' in bold letters. Not tomorrow, not next week but now.

We urge the Senate to act to move this critical legislation. It is critically important, given the urgency of the investment in jobs issues that these provisions be included in the Senate jobs bill and they are.

Today, we have a chance to have a fresh start by voting for cloture—in other words, ending a filibuster—on this package of four bills, two tax breaks for businesses and two very important investments in our infrastructure.

I wish to give the numbers that were given to us by the American Association of State Highway Officials.

We have asked the State highway officials in our States—and I see Senator CASEY here; in his State—we have asked them all to give us an idea of the jobs we would lose if we do not make that $20 billion transfer into the highway trust fund that is included in the Reid jobs bill. In Arizona, it is estimated we would see 6,800 jobs lost; in California, 31,000; in Florida, 17,000—I am rounding these off—in Illinois, 11,000; Iowa, 4,000; Maine, 1,400; Massachusetts, 5,300; Michigan, 9,300; Missouri, 7,800; Nevada, 2,590, to be exact; Ohio, 12,000 jobs—let me repeat, 12,000 jobs would be lost in Ohio—in South Carolina, 5,000; Texas, 29,000-plus jobs would be lost if we don't get moving on this bill; in Utah, 2,600; and in Wisconsin, 6,500.

I just picked these States out for purposes of explanation.

If we fail to pass an extension, period, we would lose 1 million jobs in this great Nation.

So there are two scenarios. One is if we fail to extend the program, this is what will happen. The States will lose jobs immediately. If we don't authorize this program, we will lose 1 million jobs. Without the transfer, this highway trust fund will not have any funds by the summer. Some people say June. Some people say August. I ask my colleagues who may be watching this debate: Please consider what it will be like when you have your contractors come and tell you they have had to stop a project in midstream—a highway, a bike path, a freeway, fixing a bridge that is perhaps in danger of collapsing.

So I will tell my colleagues I don't think we have a choice.

I ask unanimous consent to have printed in the RECORD the estimated job loss if there is no extension whatsoever of the highway trust fund.

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

State	Estimated job loss under no CR or extension
Arizona	15,558
California	70,111
Florida	39,244
Illinois	25,831
Iowa	8,794
Maine	3,219
Massachusetts	12,121
Michigan	21,294
Missouri	17,921
Nevada	5,903
Ohio	26,934
South Carolina	12,683
Texas	66,434
Utah	5,964
Wisconsin	14,894

Mrs. BOXER. Mr. President, this is a pretty straightforward vote for us today. In essence, everything in this jobs bill is bipartisan. Everything in it is bipartisan. I can tell my colleagues right now that my Republican colleagues tell me they want to reauthorize this highway trust fund through the end of the year. They want to make sure the trust fund has the dollars it needs. Well, then, what is the reason why one might not vote to end the filibuster?

Some say we didn't get everything we wanted in this bill. Well, neither did I. There are many things I would like to see in a jobs bill, believe me. I didn't get them in this bill because Senator REID said we have to go slowly. We are going to have these smaller packages. They are more understandable. I think he has a point. But each of us could write our own jobs bill. Senator MCCONNELL could write his. I could write mine. The fact is, what Senator REID has done is to take four provisions that are bipartisan in nature and put them in this jobs package.

Frankly, I don't know how anyone could face their constituents in a time of unemployment that we are seeing now. Even though we have certainly gone from bleeding—600,000 jobs a month, 700,000 jobs a month—to very few in comparison, we have a long way to go. Building the infrastructure of this Nation is done by the private sector. We hear the Republicans on the other side say: Well, we want this to be built by the private sector. That is how this program works.

I ask unanimous consent to have printed in the RECORD at this time a notice that went out from the Missouri Department of Transportation, if I may.

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

MISSOURI DEPARTMENT
OF TRANSPORTATION,
Jefferson City, MO, February 19, 2010.

SPECIAL NOTICE TO CONTRACTORS: BID OPENING

All bidders—PLEASE TAKE NOTE!—Unless the federal government takes the necessary steps to ensure the availability of federal funds for the remaining fiscal year prior to 12:00 p.m. on February 25, 2010, the scheduled February 26, 2010 bid opening will be Postponed/Withdrawn until further notice.

If necessary, the final Notice to Postpone/Withdraw the scheduled February 26, 2010 bid opening will be posted at 12:00 p.m. on February 25, 2010.

As many of you are aware, the Surface Transportation Act, titled SAFETEA–LU, which provides $42 billion per year nationally in federal funding for highway and bridge projects to cities, counties and states, expired on September 30, 2009. The U.S. Congress provided for an extension of SAFETEA–LU, but funded it at $30 billion per year. MoDOT, like other State Departments of Transportation, developed its highway program with the assumption that Congress would fully fund the federal program at, or above, the SAFETEA–LU level. This action by Congress has not happened.

Congress has until February 28, 2010 to correct the shortfall in transportation funding. If Congress takes no action by February 28 to correct the federal funding shortfall, MoDOT and other State DOTs will have to make adjustments to their existing highway programs. The impact to MoDOT, cities and counties will be a reduction of $250 million in federal funds for the remainder of this fiscal year. This lack of action directly affects the scheduled-highway bid openings at MoDOT through the May 21, 2010 bid opening. Because the February 26, 2010 bid opening is prior to the February 28 deadline for Congress to address the federal funding shortfall, MoDOT believes it is prudent to postpone or withdraw the February 26, 2010 bid opening until Congress has acted on the federal level for highway and bridge funding.

If you have any questions related to MoDOT's bid opening schedules, please feel free to contact Dave Nichols, director of program delivery, at 573–751–4586 or email at: david.nichols@modot.mo.gov.

Link to the projects scheduled in the February 26, 2010 bid opening: http://www.modot.org/eBidLettingPublicWeb/viewStream.do?documentType=general__info&key=1198.

Mrs. BOXER. Mr. President, I wish my colleagues to hear this because it is very shocking, and it could happen in Delaware, California, Pennsylvania, any of our States. It is a special notice to contractors, dated February 19:

All bidders take note. Unless the Federal Government takes the necessary steps to ensure the availability of Federal funds for the remaining fiscal year prior to 12 p.m. on February 25, the scheduled February 26 bid opening will be postponed or withdrawn until further notice.

This is real. This is real. I know this is a political season. I know firsthand it is a political season. But there comes a time when we have to put politics aside for 5 minutes—I would say 15 minutes—when we vote, put it aside for 15 minutes and let's not have a circumstance where we hear from the Missouri Department of Transportation that they are about to shut down their bidding process.

I also ask unanimous consent to have printed in the RECORD a letter from the American Highway Users Alliance.

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

AMERICAN HIGHWAY USERS ALLIANCE,
Washington, DC, February 3, 2010.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.
Hon. RICHARD J. DURBIN,
Majority Whip, U.S. Senate, Washington, DC.
Hon. JON KYL,
Minority Whip, U.S. Senate, Washington, DC.

DEAR SENATE LEADERS: On behalf of our 270 motoring clubs, non-profit associations and businesses with an interest in safe and efficient highways, the American Highway Users Alliance asks for your support for the highway bill extension and Highway Trust Fund restoration in the initial ''jobs bill'' pending in the Senate.

Our members represent millions of motorists, RVers, motorcyclists, as well as hundreds of truck and bus companies. It is critical to us that the Highway Trust Fund remains solvent, that the expired highway bill is extended through the current fiscal year, and that rescissions that took effect on September 30, 2009 are repealed.

Compared to last year, the Federal Highway Administration is distributing about $1 billion less per month to the States in budget authority for highways. This cut is devastating all 50 state highway programs and will create serious impacts on the safety and efficiency of our Nation's commerce corridors.

If the initial job bill is enacted with an extension of the highway bill and a restoration of funds to the Highway Trust Fund, FY10 contract authority will be restored to pre-rescission FY09 levels and the highway program will remain solvent through the summer construction season.

We also take this opportunity to urge your support for additional highway funding in future jobs bills to be considered this year. The House has proposed that $27.5 billion be appropriated for highways in their bill. We strongly support this funding level and ask that the Senate concur with the House on this provision. The use of jobs bill funding for highways will not only add immediate construction jobs, but will also create and support hundreds of thousands of supply chain and induced jobs in every part of our country.

Thank you for your leadership on highway issues. Please do not hesitate to contact me if you have any questions.

Sincerely,

GREGORY M. COHEN,
President and CEO.

Mrs. BOXER. Mr. President, it is signed by their CEO and President. They are asking us to support this bill. Here is what he says:

Our members represent millions of motorists, RVers, motorcyclists, as well as hundreds of truck and bus companies. It is critical that the Highway Trust Fund remain solvent, that the expired bill be extended through the current fiscal year, and that the rescissions that took affect in September be repealed.

They get it. These are our constituents who drive on the highways and the freeways, and they are begging us to act and set aside our political games for 15 minutes and vote cloture. By the way, I am hopeful we can; I am.

I also have a letter to the Members of the Senate:

The current lack of funding certainty in the Federal highway market is having a devastating effect on the transportation construction industry. Our industry is in dire economic shape. We urge the Senate to act promptly on passing the Reid amendment.

Let me tell my colleagues who signed this letter. The President and CEO of American Concrete Pavement Association, the President of the National Asphalt Pavement Association, the President of the National Ready Mixed Concrete Association, the President and CEO of Portland Cement, the President and CEO of the National Stone, Sand, and Gravel Association.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD.

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

FEBRUARY 19, 2010.

TO THE MEMBERS OF THE UNITED STATES SENATE: As the principal suppliers of materials used to manufacture our nation's roads, highways and bridges, we call on the U.S. Senate to promptly enact the Reid amendment that extends the surface transportation programs and provides $19.5 billion for the Highway Trust Fund.

The current lack of funding certainty in the federal highway market is having a devastating effect on the transportation construction industry. Since SAFETEA–LU expired on September 30, 2009, the program has been extended 151 days under which state highway funds have been reduced by 30 percent. As a result, state transportation departments and contractors cannot plan for a full season of work just as the transportation construction industry is suffering its worst construction cycle since the Great Depression.

Our industry is in dire economic shape. Production of asphalt and concrete pavements experienced double digit declines in 2009. Nearly one in four construction workers are unemployed, and more job losses will occur in 2010 due to a lack of contract awards by state transportation departments across the country. While the American Recovery and Reinvestment Act (ARRA) staved off a catastrophic decline in highway construction, uncertainty about longterm federal investment in state and local highway programs, combined with a lingering recession and associated state budget problems, poses a significant threat to the future of transportation builders and suppliers.

We urge the Senate to act promptly on passing the Reid amendment. This legislation provides for a full year extension of the Federal Highway Program and funding to shore up the Highway Trust Fund.

Sincerely,

GERALD F. VOIGT,
President and CEO, American Concrete Pavement Association.
MIKE ACOTT,
President, National Asphalt Pavement Association.
ROBERT A. GARBINI,
President, National Ready Mixed Concrete Association.
JENNIFER JOY WILSON,
President and CEO, National Stone, Sand and Gravel Association.
BRIAN MCCARTHY,
President & CEO, Portland Cement Association.

Mrs. BOXER. Mr. President, these letters are stark in their message to us. If we don't listen to this incredible group of people who are writing us these letters—these are Republicans, they are Democrats, they are Independents, they are Americans. They are saying: Set aside your differences and fund the highway trust fund. This vote will send a shiver through the spine of our entire business community and our working people if we don't get 60 votes today.

So we have an opportunity today to send the clearest of messages that we are ready to come together around a simple premise; that is, the transportation infrastructure of this Nation is not a political whipping boy. There is no time to play politics here—no time. We have one State already saying: Beware. We are putting off our contracting. What more do we need to see than that? This is just the beginning of what is going to happen. We know the Build America Bonds program, which will allow State and local governments to borrow at lower costs, is going to put people to work. Our treasurer, California treasurer Bill Lockyer, said Build America Bonds have enabled the State—our State—to sell more than $19 billion in general obligation funds to meet voter-approved mandates for more than 7,000 vital infrastructure projects, in turn creating or sustaining more than 100,000 solid, middle-class, private sector jobs and businesses, large and small, in California.

The Build America Bond program is something our local people want, whether they are in California or anywhere else in the Nation. This program can cover bonds for school construction, clean energy, and all the rest. It will allow us to put people to work, and the decisions will not be made here but in our cities, our counties, and our States.

Clearly, the two infrastructure pieces in the Reid bill are essential in both

saving jobs and creating new jobs. Investments in infrastructure are a crucial component of job creation in our Nation. As we work our way out of this recession, the last thing we want to do is create uncertainty about our transportation funding. Too many people are counting on it.

I wish to mention, as the chair of the Environment and Public Works Committee, that what we are doing today will give us the time we need to pass a larger authorization, and I am working on that authorization with Republicans and Democrats on our committee. I wish to commend, in particular, Senator VOINOVICH for reaching out to me in an extraordinary way. He is reaching out his hand and he says: Let's get started. I say to him, through my remarks on the Senate floor: Absolutely. We are going to start working. That bill is going to be transformational. It is going to, I think, be another boon to our economy.

There is one thing I can say after spending so much time back home. I have not heard one of my constituents in my State—and I traveled to every part of my State and I met with Democrats, Republicans, Independents, business, labor, nurses, firefighters, everybody—not one disagrees with this point; that is, a great nation must have a great infrastructure. Our infrastructure must be updated. That means our roads, our bridges, our highways, our transit systems, our sewer systems, our water systems. We have water systems with arsenic in them. We have water systems that are not healthful for our families. No great nation can be a great nation if our people are not at the top of their game. You can't be at the top of your game if your child is getting ill because they are drinking tainted water. These are the things we have to do, and they are done in the private sector. On the transportation side, there is a separate fund for that highway trust fund, separate funds that go into that user fee, and that is how we fund our highways and transit systems. It is a very sound idea.

Again, I say to all colleagues: If we turn our back today on this very straightforward proposal that extends the highway trust fund and gives it the funding it needs to spend at the authorized levels, we are going to see more State departments of transportation, such as this one in Missouri:

> Special Notice: Unless the Federal Government takes the necessary steps to ensure the availability of Federal funds for the remaining fiscal year, then the bid opening will be postponed or withdrawn until further notice.

That is not a threat; it is real.

I yield the floor.

● Mr. HATCH. Mr. President, I oppose invoking cloture on the motion to concur with the House amendment to the Senate amendment to HR 2847, also known as Senator REID's Hiring Incentives to Restore Employment Act.

Only 2 weeks after President Obama stood in the House of Representatives to deliver his State of the Union address calling for a bipartisan solution to creating job growth, the majority leader has pulled the rug from underneath both Democrats and Republicans. Senators BAUCUS, GRASSLEY, and others, including myself, had been spearheading an effort to put forth a bipartisan jobs bill. However, the majority leader inexplicably decided to gut our work product.

Let me be clear, there is no doubt in my mind and in the mind of many of my colleagues that passing a jobs bill is crucial. We have seen our unemployment rate remain stagnant at around 10 percent since last September. The American people sent us here to do a job, and it is way past time we did it.

That is why I worked with Senator SCHUMER to come up with a payroll tax holiday for those companies that hired more employees. Under this incentive, the sooner a company hired an unemployed worker the more tax incentive the company would receive.

Regrettably, because of the majority leader's decision, it looks as though President Obama's hope for a bipartisan solution to job creation only lasted 2 weeks. What a shame.

The original package, negotiated by Senate Finance Committee Chairman BAUCUS and Ranking Member GRASSLEY, included an array of tax provisions aimed at providing the private sector with the ability to hire more employees and invest in more equipment.

The extension of these expired tax provisions only support proven growth of companies that are slowly beginning to see the light at the end of the tunnel.

The President set the tone at the beginning of the year by calling on Congress to put forth a bipartisan solution to creating jobs in this country. In response, both Democrats and Republicans brought innovative ideas to the table. Then, in a sudden change of events, many Republican ideas have been excluded from the jobs bill the majority leader has brought to the floor.

And again, the majority leader has maneuvered this legislation to prevent any amendments from being offered by our side. If this is not an arrogance of power, then I do not know what is. I only hope the majority leader heeds to President Obama's plea for a bipartisan solution.

I think it would be a grave injustice to the American people to pass this bill in this way. How is the minority supposed to have faith that the minority will not be excluded from debate of future legislation, such as health care and energy legislation? It is easy to label the Republicans as the party of no when you completely exclude them from the legislative process. No is the only option that remains.●

Mr. GRASSLEY. Mr. President, the Senate is about to engage in a cloture vote on the Senate Democratic leadership's third stimulus bill. What I find surprising is that what we are about to vote on indisputably and absolutely belongs to the majority leader. That is to say we are not going to vote on a bipartisan package that I put together with Finance Committee Chairman BAUCUS. I was under the impression that the Senate Democratic leadership was genuine in its desire to work on a bipartisan basis, but clearly I was mistaken. Although the Senate Democratic leader was highly involved in the development of a bipartisan bill, he arbitrarily decided to replace it with a bill he hopes to jam through the Senate.

As much as I was surprised by the Senate Democratic leader's disregard for bipartisanship, I am even more surprised by the explanations given by him and his cohorts.

Perhaps the most significant change between the bipartisan package Chairman BAUCUS and I helped put together and the package we will be voting to move to is that a package of expired tax provisions has been removed. Normally referred to as extenders, these generally very popular and certainly bipartisan provisions have been extended several times over the past few years.

What is surprising is that hyperpartisan members of the majority have suddenly decided that the tax extenders are partisan pork for Republicans. A representative sample comes from one report, which describes the bipartisan bill as ''an extension of soon-to-expire tax breaks that are highly beneficial to major corporations, known as tax extenders, as well as other corporate giveaways that had been designed to win GOP support.'' Just today the Washington Post includes this attribution to the Senate Democratic Leadership. From the Post:

> ''We're pretty close,'' {the majority leader} said Friday during a television appearance in Nevada, adding that he thought ''fat cats'' would have benefitted too much from the larger Baucus-Grassley bill.

The portrait being painted by certain members of the majority, echoed without critical examination in some press reports, is wildly inaccurate. For one thing, the tax extenders include provisions such as the deduction for qualified tuition and related expenses and also the deduction for certain expenses of elementary and secondary school teachers. If you are going to school or if you are a grade school teacher, the Senate Democratic leadership thinks you are a fat cat so you are on your own. If your house was destroyed in a recent natural disaster and you still need any of the temporary disaster relief provisions contained in the extenders package, too bad, because helping you would amount to a corporate giveaway in the eyes of some.

The tax extenders have been routinely passed repeatedly because they are bipartisan and very popular. Democrats have consistently voted in favor of extending these tax provisions.

House Speaker NANCY PELOSI released a very strong statement upon House passage of tax extenders in December of 2009, saying this was, ''good

for businesses, good for homeowners, and good for our communities.'' December of 2009 was not very long ago. In 2006, the then-Democratic leader released a blistering statement: ''After Bush Republicans in the Senate blocked passage of critical tax extenders, . . . American families and businesses are paying the price because this Do Nothing Republican Congress refuses to extend important tax breaks.'' I ask unanimous consent that both of these statements be printed in the RECORD in their entirety.

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

PELOSI: TAX EXTENDERS ACT CREATES NEW JOBS, GROWTH, INNOVATION, AND OPPORTUNITY FOR EVERY AMERICAN

WASHINGTON, DC—Speaker Nancy Pelosi released the following statement today after the House passed the Tax Extenders Act of 2009, which will help to create jobs and cut taxes for American middle-class families. The House passed the bill by a vote of 241 to 181.

''Today, Congress took another positive step forward in our drive to create more jobs, strengthen our economy, and lay the foundation for long-term prosperity. By passing the Tax Extenders Act, we are placing our working families at the center of our economic recovery.

''This legislation is good for businesses, good for homeowners, and good for our communities. The bill extends research and development tax credits for American companies, encouraging them to invest in innovation and clean energy, and create the high-tech jobs of the 21st century. It provides property tax relief to 30 million families, ensures our men and women called to serve overseas do not face a pay cut here at home, and offers some security for millions of parents, teachers, and consumers by extending deductions for college tuition, classroom expenses, and state and local sales taxes.

''Maintaining our commitment to fiscal discipline, this legislation will not add to the deficit. The costs of this proposal are fully paid for because we put an end to the preferential tax treatment for hedge fund managers and investment bankers and crack down on offshore tax havens.

''This bill is a down payment on new jobs, growth, innovation, and opportunity for every American.''

REID: REPUBLICANS SHOULD STOP BLOCKING TAX EXTENDERS

WASHINGTON, DC—Senate Democratic Leader Harry Reid today issued the following statement after Bush Republicans in the Senate blocked passage of critical tax extenders.

''American families and businesses are paying the price because this Do Nothing Republican Congress refuses to extend important tax breaks. Families who just recently took their sons and daughters to college now wonder whether the tuition deduction that Republicans allowed to expire last year will get reinstated. Teachers, forced to reach into their own pockets to provide supplies for their students, now wonder why Republicans refuse to extend the modest tax break they get for doing so. Instead of holding such important tax provisions hostage to ill-fated estate tax giveaways to multi-millionaires, Republicans should join Democrats to pass these measures today. Middle-class Americans deserve a new direction, where they will not be forced to endure a tax increase because of Republican inaction and obstruction.

Mr. GRASSLEY. Recent bipartisan votes in the Senate on extending expiring tax provisions have come in the Emergency Economic Stabilization Act of 2008; the Tax Relief and Health Care Act of 2006, which passed the Senate by unanimous consent; and the Working Families Tax Relief Act of 2004, which originally passed the Senate by voice vote although the conference report received 92 votes in favor and a whopping 3 against. According to the nonpartisan Congressional Research Service, extension of several of these provisions go back even further, including the Tax Relief Extension Act of 1999, which again passed the Senate by unanimous consent but lost one vote on the conference report.

Blinded and dazed by the power of their now not-so-super majority, certain Democrats have in the last few weeks turned against the extenders. One Democrat said:

> Our side isn't sure that the Republicans are real interested in developing good policy and to move forward together. Instead, they are more inclined to play rope-a-dope again. My own view is, let's test them.

Another member of this large 59-vote majority exclaimed:

> It looks more like a tax bill than a jobs bill to me. What the Democratic Caucus is going to put on the floor is something that's more focused on job creation than on tax breaks.

The only explanation for this behavior is that certain Senators have decided that it serves a deeply partisan goal to slander what have been for several years bipartisan and popular tax provisions benefitting many different people.

Today's Washington Post article I quoted from earlier includes a statement from a Senate Democratic leadership aide saying:

> No decisions have been made, but anyone expecting us immediately to go back to a bill that includes tax extenders will be sorely disappointed.

Having put their heads into the sand, this chamber's Democratic leaders seem intent on keeping them there. I appeal to all of you to vote against the Democratic Leadership's effort today to jam the Senate. A vote for the Senate Democratic Leadership's cloture motion is a vote to foreclose an opportunity to improve the bill. It also is a vote to forbid any corrections to mistakes in the bill. And there is a significant mistake in the Senate Democratic Leadership's bill. The bill as currently written would allow employers of illegal workers to benefit from the payroll tax holiday. We should correct that mistake with an amendment.

The Senate Democratic Leadership's posture prohibits this correction.

Either the Democratic leaders are playing partisan politics with tax extenders, or they don't understand the worth of the provisions to the economy, including job retention and creation. The biodiesel industry alone says 23,000 jobs are at risk due to the biodiesel tax credit being allowed to expire. Those workers are not fat cats.

And in case anyone thinks biodiesel is something only Iowans worry about, these green jobs are in 44 of the 50 states. There are 24 facilities in Texas. There are 15 facilities in Iowa. There are 6 facilities in Illinois and 6 in Missouri. There are 4 facilities in Washington. Ohio has 11 facilities. There are 5 facilities in Indiana. There are 3 facilities each in Mississippi and South Carolina. There are 7 facilities in Pennsylvania and 4 in Arkansas. New Jersey has 2 facilities.

There is one facility in North Dakota. Only 6 of the 50 States do not have some biodiesel production. They are Alaska, Delaware, Maine, New Hampshire, Vermont, and Wyoming. The other 44 States have some biodiesel presence. I have an article from the Erie, PA, newspaper, describing the struggles of a local biodiesel plant.

So we need to turn away from talk of fat cats. We need to get back to work on the bipartisan package that was in the works until the Senate Democratic Leadership's dramatic change in direction. Many people who are not fat cats or a part of large corporations are counting on these provisions being extended, and they are counting on their elected representatives to work together, as we were doing, to get the job done.

I ask unanimous consent the article be printed in the RECORD.

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

ERIE-BASED BIODIESEL COMPANY PRESSES FOR RETURN OF TAX CREDIT

HERO BX SUFFERS WITHOUT BIODIESEL INCENTIVE

(By Jim Martin)

A major financial incentive to purchase biodiesel fuel disappeared Jan. 1, and companies such as Erie-based Hero BX are feeling the pain.

Hero, which can make up to 45 million gallons a year and ranks as Pennsylvania's largest biodiesel company, ran full steam for most of 2009.

But now, the loss of a $1-a-gallon tax credit for buyers who blend biodiesel with petroleum-based fuels has softened demand dramatically, said Mike Noble, Hero BX president.

The plant has operated only about 10 days since that credit expired at the end of 2009, he said.

''We are running today and tomorrow. Then we will be done for a few days,'' he said Friday. ''It comes and goes, but there is not a lot of demand.''

He's hoping the problem is temporary. So far this year, however, efforts to reintroduce the tax credit, which makes blodiesel prices more competitive, have fallen flat.

An extension of the credit was included in a draft of an $85 billion Senate jobs bill.

However, Senate Majority Leader Harry Reid, a Democrat from Nevada, announced he would trim the tax credit, along with other provisions, to a more modest $15 billion.

Now, Reid and other Democrats in the Senate are under pressure to restore the tax credit, not only from Republican senators, but from Agriculture Secretary Tom Vilsack, who has called the credit, ''an important credit and support mechanism'' for renewable fuels.

There seems to be general agreement in Washington that the credit will eventually be extended. The question that remains is, ''When?''

The timing matters a great deal to Hero BX, where Noble said biofuel production supports 40 jobs directly and another 40 or so office jobs indirectly.

So far, none of those employees have been laid off, despite a dramatically reduced production schedule.

''Once we get them trained, it's a very technical job. I really don't want to lay them off,'' Noble said, citing the time and expense of training new employees.

Noble said Hero BX has received support from U.S. Sens. Arlen Specter and Bob Casey, both Pennsylvania Democrats.

''Senator Casey thinks we must quickly restore the biodiesel tax credit to preserve jobs in Erie and promote energy independence,'' Stephanie Zarecky, his press secretary, said in a statement. ''Senate leadership has announced their intention to bring an extension to the floor. Senator Casey hopes that it will come to the floor soon and receive bipartisan support.''

Kate Kelly, press secretary for Specter, said her boss has been a champion for the industry as a co-sponsor of the Biodiesel Tax Incentive Reform and Extension Act of 2009, which would have extended the tax credit through 2014.

She said in a statement that ''Senator Specter's office has been working closely with stakeholders on the matter and is looking for an appropriate legislative vehicle through which to reinstate the tax credit so that companies like Hero BX can get back on their feet.''

Both Hero BX and Erie-based American Biodiesel Energy Inc. can look forward to May 1, when a new state mandate takes effect that will require a 2 percent blend of biodiesel in all diesel sold for over-the-road use in Pennsylvania.

Noble said that mandate will be good for business but hopes he doesn't have to wait that long to see some relief.

''The longer it takes, the further we go in debt and the harder it will be to get out of the hole,'' he said.

Mr. REID. Mr. President, what is the order before the Senate at this time?

The PRESIDING OFFICER. The time until 5:30 p.m. is under the majority leader's control.

Mr. REID. Mr. President, if we are going to get the American economy back on track, we have to get the American people back to work. We know our serious troubles were not created in 1 day and we know they will not be solved overnight. But we have to begin. We have to take that first step. That is what the bill before us represents: a strong first step in the right direction.

This is a jobs plan that will cut businesses' taxes as an incentive to hire unemployed workers. It is a plan that includes tax breaks for keeping those workers on the payroll and even more help for small businesses to write off their investments. In fact, this legislation will allow small businesses to write off up to $250,000 for equipment and materials they purchased. That is a good deal. They do not have to depreciate it.

It will extend the highway trust fund and expand Build America Bonds. I just finished a meeting a few minutes ago with 11 Governors. This is one of the best programs with which they have ever dealt. We have no more money. It creates jobs immediately. It is oversubscribed. It is a wonderful program that will build roads, will build other projects, bridges. The highway trust fund, for example, will save 1 million jobs; in Nevada, thousands of jobs.

I have a letter, if people think this is not a serious issue we are dealing with—and I do this because it is the only one I have—from the Missouri Department of Transportation:

All bidders—PLEASE TAKE NOTE!—Unless the federal government takes the necessary steps to ensure the availability of federal funds for the remaining fiscal year prior to 12:00 p.m. on February 25, 2010, the scheduled February 26, 2010 bid opening will be Postponed/Withdrawn until further notice.

That is how it is. Missouri is not alone.

With this bill, we will create the right conditions for the private sector to start hiring again, and we are doing so in the right places.

These moneys, even though they come from Congress, the taxpayers' dollars go to create private jobs. These highways are not built by a bunch of Federal employees; they are built by private contractors. For every $1 billion we invest in infrastructure, we create 47,500 high-paying jobs and other jobs that spin off from them.

With this first bill, we will create the right conditions for the private sector to start hiring again. I think we are doing it in the right places. When we help small businesses thrive, we will create jobs that will let more entrepreneurs innovate and invent. When we invest in improving our roads and bridges, we will create jobs so workers can support their families but also create infrastructure to support our growing Nation.

This bill is as good for the employees as it is for the employers. This bill is good for the employers who will do the hiring. This is such a good deal. If a person is out of work for 30 days, a business can hire them. If they hire them for up to 30 hours a week, they do not have to pay their withholding tax, and at the end of the year they get a $1,000 tax credit.

On my trip home, businesses on the verge of hiring people said: This is going to allow us to hire people. We can afford to do this. This is as good for the employers doing the hiring as it is for the employees who will be getting hired.

One thing about this bill. Everybody should hear this. It is fully paid for, no deficit spending, which means we are not adding a single dime to the deficit, not a penny. We are doing this the responsible way, holding ourselves to the same budgeting standards we teach our children: You can only spend the money you have.

Each of these components—what are they? The Build America Bonds provision I talked about; extending the highway bill for a year; the provision Senator HATCH and Senator SCHUMER came up with that I talked about that allows an employer to hire somebody who has been off work for up to 60 days; and the final provision that allows them to write off $250,000 in purchases—is a good deal. That is what is in this bill.

We are doing this bill in a way that is responsible. You should not spend money you do not have, and that is what we are doing here. Each of these components—the tax breaks, the support to help small businesses grow and hire more workers, the new construction projects, and the fiscally responsible way we are doing it—is a nonpartisan idea. Republicans have supported every part of this bill in the past—every part of this bill—and Democrats have also done the same. There is simply no reason it should not receive overwhelming support from both sides of the aisle. But so far, I am sorry to say, this has not happened. I am disappointed that this has been the case.

As the Presiding Officer knows, we had to file cloture some 70 times last year—70 times. That is remarkably bad. Let's change that. I have spoken some with some of my Republican colleagues this past week and said: Let's don't do that anymore. Let's work together.

Who can complain about this bill? I have told the Republican leader and I have told anyone who will listen that we are going to move very quickly to a bill that will take about a day—travel promotion—after this. In every State in the Union, No. 1, No. 2, sometimes No. 3, but mostly No. 1 and No. 2, the economic driver is tourism. We are the only modern Nation that does not advertise itself. Watch TV and see the advertisements coming from Australia, New Zealand, South American countries, the Caribbean islands, and European countries. We should do the same. The Travel Promotion Act will save $½ billion, and it also pays for itself. There is no deficit spending.

As we finish that bill—it should be toward the end of the week—we are going to move into the tax extenders, unemployment, COBRA, issues such as those. I have explained that to the Republican leader.

Rather than figuring out how we can up the other politically, let's figure how to put Americans back to work. I am sorry to say my friends on the other side of the aisle are looking for ways not to vote for this bill. The business community supports this legislation. It is jobs. Rather than rally around a plan we know will create jobs, I have heard excuse after tired excuse. But the American people want us to work together. They are not buying these excuses.

Why wouldn't we do this bill? We can create jobs starting in just a few days. If someone could explain to me what is wrong with this bill, I would be happy to listen to them. What is wrong with this legislation? Some have questioned the size of the bill. Only in Washington

is a $15 billion investment to create and save more than 1 million jobs not enough. I was stunned to hear on the radio this morning—when I received my press briefing, I was told that the unions and the left—whoever that is—oppose our bill because it is not big enough. Now try that one on, Mr. President. Only in Washington is a $15 billion investment to create and save more than 1 million jobs not enough.

The answer is not to do nothing. It is to do something to create jobs and then create more jobs and then create more jobs after that. That is why this is not the only jobs bill we are going to be dealing with or the last jobs bill we will bring to the floor. We have a jobs agenda, not a jobs bill. We are not going to stop until every American who wants a job can get one.

Some Senators—one Senator in particular, but there are others; this Senator does not stand alone—think that money that was spent on TARP should be returned for the deficit. Other Senators said: I think the money that has not been spent from the stimulus should be returned to employees. These are all good ideas, and amendments are going to be able to be offered when we get to our package later this week. That is the way it should be.

We want every person in America who needs a job to get a job, but we cannot do it alone. My friends on the other side of the aisle share this responsibility. When I had 60 votes, all the responsibility was mine. It is no longer that way. We are down to 59, and 1 of my Senators is sick today. I did speak with Senator LAUTENBERG last night. He is doing fine. He is such a strong man. He said he will be back in a week or two. He is doing just fine.

If Republicans support this bill, as they have all the elements of it in the past, and they join us to pass it, we are going to do many more bills just like this to create jobs. However, if my friends on the other side of the aisle want to put partisanship ahead of people—people who are out of work—if they once again try to distract from the issue at hand, they will only confirm their reputation as the party of no. They will only confirm the American people's fear that Republicans refuse to do anything to help them.

So to my Republican colleagues, I say as seriously and fervently as I can: Work with us. Show us you are serious about legislating. Show our constituents you are serious about leading. Show the skeptics that you know that putting people back to work is far more important than putting points up on the political scoreboard. Most important, I ask my Republican colleagues to show those Americans who deserve a job they can go to every morning, a job they can get up and go to, that we are willing to do our job tonight.

It is remarkable we have to hold a procedural vote on a bill that will create jobs. It will be regrettable if the minority prevents us from moving forward, from taking that first step, from giving millions of unemployed Americans the hope that tomorrow will be better than yesterday.

Think what it is for someone to get up in the morning and have no place to go to work. I have met with some people, while I was home, dealing with domestic abuse. It has gotten out of hand. Why? Men do not have jobs. Women do not have jobs, either, but women are not abusive, most of the time. Men, when they are out of work, tend to become abusive. Our domestic crisis shelters in Nevada are jammed. That is the way it is all over the country. Jobs bring dignity, and that is what this legislation is all about.

I hope we can pass this legislation and move on during this work period and work together in doing some good things for this country.

We have a couple minutes until 5:30 p.m. It is my understanding the vote is to occur at that time. Since there is no one on the floor, I ask unanimous consent that the vote start early, and we will not cut it off early.

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

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847, an act 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.

Harry Reid, Patrick J. Leahy, Barbara Boxer, Charles E. Schumer, Mark R. Warner, Tom Harkin, Kay R. Hagan, Daniel K. Inouye, Bill Nelson, Al Franken, Max Baucus, John D. Rockefeller IV, Robert Menendez, Amy Klobuchar, Daniel K. Akaka, Frank R. Lautenberg, Byron L. Dorgan, Richard Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847, an act 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), the Senator from Wyoming (Mr. ENZI), the Senator from Alabama (Mr. SESSIONS), the Senator from Georgia (Mr. ISAKSON), and the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Georgia (Mr. ISAKSON) would have voted ''nay,'' and the Senator from Utah (Mr. HATCH), would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 30, as follows:

[Rollcall Vote No. 23 Leg.]

YEAS—62

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Franken	Pryor
Begich	Gillibrand	Reed
Bennet	Hagan	Reid
Bingaman	Harkin	Rockefeller
Bond	Inouye	Sanders
Boxer	Johnson	Schumer
Brown (MA)	Kaufman	Shaheen
Brown (OH)	Kerry	Snowe
Burris	Klobuchar	Specter
Byrd	Kohl	Stabenow
Cantwell	Landrieu	Tester
Cardin	Leahy	Udall (CO)
Carper	Levin	Udall (NM)
Casey	Lieberman	Voinovich
Collins	Lincoln	Warner
Conrad	McCaskill	Webb
Dodd	Menendez	Whitehouse
Dorgan	Merkley	Wyden
Durbin	Mikulski	

NAYS—30

Alexander	Ensign	McCain
Barrasso	Graham	McConnell
Bunning	Grassley	Murkowski
Chambliss	Gregg	Nelson (NE)
Coburn	Hutchison	Risch
Cochran	Inhofe	Roberts
Corker	Johanns	Shelby
Cornyn	Kyl	Thune
Crapo	LeMieux	Vitter
DeMint	Lugar	Wicker

NOT VOTING—8

Bennett	Enzi	Lautenberg
Brownback	Hatch	Sessions
Burr	Isakson	

The PRESIDING OFFICER (Mrs. SHAHEEN.) On this vote, the yeas are 62, the nays are 30. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked on the motion to concur with an amendment, the motion to refer falls.

Mr. REID. Madam President, I hope this is the beginning of a new day in the Senate. Whether this new day was created by the new Senator from Massachusetts or some other reason, I am very happy that we were able to get this vote. But there are some winners—not any individual Senator, not Democrats or Republicans; the winners are small business people throughout this country.

On my trip home this past 10 days, people are excited about the fact they may be able to write off $250,000 for things they badly need—not depreciate it, just write it off. The other three

provisions are wonderful. To extend the highway bill for a year is going to save thousands of jobs in Nevada and 1 million jobs throughout the country. So the small business communities throughout this country are winners, and also workers. This is going to create jobs.

I had a long conversation today with the Republican leader, and I told him what the plans are in the Senate. He listened very closely, and we had a very good conversation. We are going to move, for a day or two after we complete this, to travel promotion, another bipartisan bill. It will save $½ billion. It will create thousands and thousands of jobs. All around the world countries advertise their tourism, but we do not. In this great country of ours, we do not see anything on TV. All we see is money being spent by other countries having us go to their countries. We want to do the same in their countries. That is what this is all about. Every State in the Union, all 50, the No. 1, 2, and in a few instances the third economic driving factor is tourism. This will help tourism.

As soon as we finish that, toward the end of this week, what we will do is move to the Finance Committee matters that they worked on before, and they worked very hard. I am glad we have made progress in that regard. I told Senator MCCONNELL that will be open to amendment. I will try to work out with him so many amendments on each side. If we cannot do that, we will not do that. I hope we can do that. But if we cannot, we will move forward on the tax extenders, the expiring provisions, and a few other things.

It is really a new day. I look forward to this work period being one where we can all go home and say: You know, ladies and gentlemen from Nevada and New Hampshire and Illinois and New Jersey and New York and Arkansas, we are working together. We are really getting things done together. That is what legislation should be about. Legislation is the art of compromise. It is building consensus and working together.

Basically that is what this piece of legislation is all about. This is not the jobs bill that we just completed. At least cloture has been invoked, and we will vote on that in another day or so. It is part of an agenda. We are going to have, later this month, another jobs bill. I have spoken to a number of Republican Senators. They have specific provisions they want in this bill. It will deal with small business. During the last 10 years, 96 percent of all jobs in America were created by small businesses. I am very happy we were able to do this.

I express my appreciation to Senator BOXER, chairman of the Public Works Committee. She has worked so hard. I love her committee. I was chairman on two separate occasions. It is a committee I have fond memories of serving on. Every time I see the enthusiasm of BARBARA BOXER, I know why the State of California cares so much about her.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, before the majority leader leaves the floor, I want to say to him that today jobs triumphed over politics. That is a great day around here. Jobs triumphed over politics. I want to say to Senator REID, this idea you have to keep these bills very straightforward and very easy to understand, this bill, four parts to it, two parts dealt with infrastructure, two parts dealt with tax breaks that were related to making capital investments and hiring unemployed workers, is very simple for people to understand. I have to say to my Democratic colleagues, 57 of whom voted for this, thank you. And to the five Republicans who joined us, thank you so much. It means so much to the working families of this country, to the business community.

I want to say a special word to Senator LAUTENBERG if he is watching. I know how strongly he supports transportation. He is kind of Mr. Transportation in New Jersey. We all wish him well. We know he would have been here if there was any way for him to be here. I will not say any more than I said before. I want to thank specific people out there around the country whom I talked to on several conference calls over this break. They were always there. Night and day we talked. I explained to them how close this vote would be. They explained to me that they understood what the stakes were, a million jobs at stake in relation to the highway trust fund, thousands more at stake in relation to the Build America bonds. This is a good day.

I thank the American Association of State Highway and Transportation Officials; the American Road and Transportation Builders Association; the Associated General Contractors of America; the U.S. Chamber of Commerce; the Laborers International Union; the International Union of Operating Engineers; the American Highway Users Alliance; Faster, Better, Safer Americans for Transportation Mobility; the AAA, which wrote to us. I want to say to all of them, they made this vote work because they knew what was happening on the ground.

In closing, I have one more thank you. This is a strange thing to say but I want to thank the Missouri Department of Transportation for telling the truth. Listen to what they wrote:

> All bidders—PLEASE TAKE NOTE!—Unless the federal government takes the necessary steps to ensure the availability of federal funds for the remaining fiscal year, bid openings will be postponed or withdrawn until further notice.

In other words, the Department of Transportation in Missouri, being the first State to be hit with this mess—by the way, followed closely by North Dakota, they are very close to this place, all of our States are—they came forward and told the truth that we had to act today. I hope the House will act with us, and we will get this resolved. In March we will start on the new bill. It is a good day.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Let me thank the Senator from California, Mrs. BOXER, and certainly Senator REID and others. This vote was very important. The question for the Senate and the Congress is when 25, 26 million people wake up in this country and go looking for a job and can't find it—the numbers I know are 16 to 17 million people, but the real number of people who are unemployed in America is much higher than that. There are many who have given up hope. At a time when that many Americans are looking for work and can't find it, they need some hope. This Senate has a choice of doing nothing or doing something. There are too many in this Senate who have always been satisfied to do nothing. Tonight, finally, in a piece of legislation that will put people to work, we know, for example, that the private sector hires people, small and medium-size businesses. But we also know that when you spend money for highways, highway contractors are going to put people on payrolls immediately, because those programs and those projects are already engineered, already designed, ready to go. The money doesn't exist for them. When the money is made available, people will be hired immediately.

The same is true with respect to the wage tax credits in this piece of legislation. I held a hearing in the policy committee. We had three small to medium-size businesses there, all of which are profitable, all wonderful businesses, all ready to expand. But none of them could because none of them could find capital or they had no access to capital from their banks. Money was not available. These are successful businesses, profitable businesses, businesses wanting to and ready to expand, wanting to hire more people and can't do it.

The fact is, this legislation is another step in the direction of saying to small to medium-size businesses, when you are ready to begin hiring again, here is an additional incentive to hire that next worker. Slowly but surely we have to find a way to give people confidence, give the American people confidence that this economy is improving, that there will be a job, there will be opportunity and hope in the future.

We don't so much spend our days with people who are out of work. Most people serving in the Senate have a pretty wonderful opportunity. They put on a suit in the morning. We are the kind of people, we shower in the morning, put on a suit, are dressed up all day, come here. Our jobs are not being shipped overseas. In most cases, people in this Chamber have not been so much subject to the deep recession. But a lot of people have. Five-and-a-half million people who used to work in manufacturing making things have lost their jobs in recent years. The

question for most of those people who are looking for some hope from their leaders is: Will somebody do something, or is the government going to be content to do nothing?

The action this evening by which these four pieces of legislation, which include some incentives for small and medium-size businesses, some bonding authority that will increase economic activity, the extension of the highway program that will put people back to work, expensing for small businesses—these are all things that are going to actually put people on payrolls. It is not a case where we will hire somebody as a government worker. It is a case of incentivizing highway contractors to hire people to help build roads and bridges and repair roads and bridges. It is a case of incentivizing small to medium-size businesses to say: If you need that extra little incentive to hire that next person, here it is.

Finally, and even more important than the incentive, is the signal this sends, the signal that maybe at least, at long last, we will begin to see some progress, some cooperation, circumstances in which Republicans and Democrats vote together in sufficient numbers that things can get passed and get done. With as deep a recession as we are in, the deepest since the Great Depression, there is an urgency. It ought to be treated as an urgent situation. This vote this evening may well put us on the road to understanding how urgent it is and how important it is that we take action rather than delay.

I thank the leader and so many others. Senator DURBIN and I worked on a jobs package. These four provisions are in that package. There are other pieces we can implement in the future that will also be substantially important in getting people back to work, putting America back to work. I know the Senator from Ohio will speak next. I know he hopes that perhaps we will not just put people back to work but perhaps will make products that say ''made in America'' once again. Wouldn't that be a wonderful thing.

One additional point. I spoke earlier describing the metaphor of filling the bathtub. We are trying to get the faucet going with incentives to put people to work. At the same time you have to plug the drain a little bit. We have a drain of jobs going out of this country. The President, in the State of the Union, said: Let's get rid of that unbelievable tax break that we provide people for moving jobs overseas. I have been in the Senate working on that for a long time. It is unbelievable that we say to somebody: Close up your factory, fire your workers, move the jobs overseas, and you get a big fat tax break. We need to plug the drain, in addition to opening the faucet to try to get additional jobs and work on that in addition to the progress we have made this evening that will give some hope to the American people who want to go to work and need a good job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Madam President, I thank Senator DORGAN, who has led with Senator DURBIN on all kinds of job creation efforts, understanding that although the private sector creates these jobs, it is a partnership with the private and public sector and State and local and Federal governments. He had it right. We need to follow his suggestions and those of Senator DURBIN as we move forward, including what was on the floor earlier this evening.

There are in my State some 640,000 unemployed people, in a State of about 11 million. There are hundreds of thousands more who are underemployed. There are tens of thousands of small businesses across Ohio. There are hundreds of thousands of Ohioans who help ensure that roads and bridges and transit systems serve the best interests of residents and businesses.

The bill we voted on today would help those Ohioans. These Ohioans didn't bring about our Nation's economic crisis. It wasn't people who work every day in Zaynesville and Lima or Findley who brought this on, but they are paying the price for it every day. Too many people are losing health insurance.

I was just on public television with the senior Senator from New Hampshire. I pointed out that 390 Ohioans every day lose their health insurance. This economy has squeezed more and more people, people who have jobs, let alone the anxiety of people who have jobs and are afraid that they will lose those jobs. Small businesses in my State have everything it takes to thrive, but they are undermined by this perilous economic climate. Construction workers, manufacturing workers, small businesses, other hard-working Ohioans who keep our State going are losing jobs, not because they are not good employees, not because they don't show up, not because they aren't working hard, but because the dollars aren't there to pay them because employers are laying them off, whether in the private or public sector. Unemployed workers are remaining that way not because they don't have the drive or the skills to succeed.

Majority Leader REID has introduced a bill based on proposals from Democrats and Republicans alike that would give tax breaks to small businesses and ensure dollars continue to flow into the highway trust fund. It is a bill designed to cut businesses a break. It is a bill designed to sustain our roads and bridges and transit systems to prevent massive job loss among the millions of Americans who work to ensure the safety and the effectiveness of our transportation infrastructure. If they are working, if people are working construction, if our bus drivers in the cities who are getting particularly the elderly and low-income people to their doctors' appointments or to their workplace, if they are working, if the bus drivers and the transit workers and the construction workers and the highway builders, if they are working, then there is more money in the economy and more people are working.

It is a bill, unfortunately, most Republicans in this Chamber, for whatever reason—they always have a reason to be obstructive literally 100 times in this session, more than 100 times—it is a bill that most of my Republican colleagues are determined to kill. I thank Senator VOINOVICH, the senior Republican in my State, for his support. I thank the other four or five Republicans who voted at least to let us debate this bill, something in the past they haven't even been willing to do on other legislation.

So at least we have made progress that way. But if the press is right, the Republican leadership and their lobbying friends gathered together. They have been working 24/7 to convince the public that a bill solely focused on small businesses and middle-class jobs is a bad bill. You may have seen news reports that 100 lobbyists sat down with Republicans and figured out a strategy to try to kill this jobs bill. It is the same story, it is the same movie we watched last year on health care. It is the same story again that we have seen, that they are doing whatever it takes to kill this legislation. Fortunately for the American people, fortunately for these hundreds of thousands of Ohioans who are unemployed or underemployed, they did not get away with it today, that enough Republicans broke with their leadership and supported efforts to move forward on jobs legislation.

Earlier today, I met with 200 to 300 Ohioans to unveil a report on how to get our State's economy back on track. This was a group of Democrats, Republicans, and Independents, and it was a group that had everyone from the mayor of Mansfield and the mayor of Marietta, to small businesses, to large companies, a couple of executives, American Electric Power Company, to a whole host of citizen activists who want to do whatever it takes. They want to fight for made-in-America legislation that Senator DORGAN mentioned. They want a manufacturing industrial policy in this country. We are the only country in the developed world that does not have a real plan on how to do manufacturing, on how to build an industrial economy, on how we begin to lead the world not just in the technology, which we have done in solar and wind turbines and biomass and fuel cells—we lead in technology; we do not lead in industrial development and making those products. We developed the wind turbine technology in Sandusky, OH, about 30 miles from where I live, but most of the wind turbines, the components—a lot of components are made in Ohio, but most of the wind turbines are manufactured and assembled overseas. It is the same on solar technology, the same on biomass, the same on fuel cells. Our scientists, our engineers, our professors,

and our researchers develop a lot of this technology, but we are not making it in Ohio and New Hampshire and States around the country.

So today, as I said, all couple hundred, 250, 300 Ohioans—Democrats, Independents, Republicans—gathered to figure out how to do this, to move our State forward. As I said, there were a lot of Republicans. But Republicans in Washington look at the world differently. Many of them are trying to demonize a bill that provides tax breaks, that saves jobs. They need to take a step back, the Republicans in this body who I believe are very out of step with Republicans and everybody else in States such as mine. They need to take a step back and remember for whom they work.

Opposition for opposition's sake is not working for the American people. On the Senate floor, we need to work together to save small businesses, to help these small businesses get credit, to help these small businesses work with local communities to provide jobs. That is what they want to do. We can do this if we work together.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam 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. BROWN of Ohio. Madam 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.

TRIBUTE TO THALIA DONDERO

Mr. REID. Madam President, Thalia Marie Sperry Dondero has lived in Nevada since 1942 when she transferred to Las Vegas for employment. She met and married Harvey Dondero, who worked for the U.S. Department of Education. He became an assistant superintendent of the Clark County School District. She began her community involvement through the Parent Teacher Organization as her five children were growing up. At the same time she was active in the Service League, director of the Las Vegas Girl Scouts for 10 years during which time she helped develop both Scout camps. She was also appointed to the Nevada State Parks Commission.

Thalia Dondero became the first woman elected to the Clark County Commission in 1974 where she promptly made the news by refusing to fill the role of coffee maker and secretary to the other male members of the Commission. Mrs. Dondero was a commissioner for the next 20 years serving as chairperson three times.

Thalia's service mentored other women to run for office. During her tenure as commissioner, she was instrumental in the expansion of McCarran Internation Airport, the development of flood control projects and chaired the Las Vegas Valley Water District. Her efforts led to the expansion and protection of Clark County's recreational pearls, Red Rock Canyon, Kyle Canyon and Valley of Fire. In 1996, Thalia Dondero was elected to the Nevada System of Higher Education Board where she served two terms as chair.

In the past 50 years, all of Nevada and Southern Nevada specifically have been greatly affected by Thalia Dondero's lifelong dedication to the children of Nevada and their education. She has made significant contributions to the improvement of educational quality. She has continuously advocated for the Nevada environment. Thalia's single-minded civic responsibility and charitable contributions have played a major role in making Nevada and Las Vegas the destinations they have become.

TRADEMARK LAW TECHNICAL AND CONFORMING AMENDMENTS ACT

Mr. LEAHY. Madam President, on January 28, 2010, I introduced S. 2968, the Trademark Technical and Conforming Amendment Act of 2010, along with the ranking member of the Senate Judiciary Committee, Senator SESSIONS. I appreciate that the Senate moved quickly to call up and pass this legislation by unanimous consent. The speed with which the Senate acted on this legislation demonstrates what we can do when we work in a bipartisan fashion.

I recently received a suggestion from the chairman and ranking member of the House of Representatives Committee on the Judiciary, who introduced companion legislation, to improve and clarify the language of the section that requires a study and report. Specifically, they suggested that Congress should strike the words ''by corporations'' from paragraph (a)(1) of section 4. I agree that this suggestion adds clarity and, should S. 2968 be enacted, I will work with Senator SESSIONS and the House Committee on the Judiciary to amend the study language in subsequent legislation.

DIETARY SUPPLEMENT SAFETY ACT OF 2010

Mr. McCAIN. Madam President, I wanted to take a moment to discuss the Dietary Supplement Safety Act of 2010 that Senator DORGAN and I introduced earlier this month. This legislation has been widely discussed since introduction and many falsehoods and misstatements regarding it have been raised. I want to take a moment to clarify what this bill will and will not do if passed into law.

We introduced this legislation at the request of the U.S. Anti-Doping Agency, Major League Baseball, National Basketball Association, National Football League, National Hockey League, U.S. Olympic Committee, American College of Sports Medicine, American Swimming Coaches Association, National Collegiate Athletic Association, PGA Tour, U.S. Lacrosse, U.S. Tennis Association, U.S.A. Cycling, U.S.A. Gymnastics, U.S.A. Swimming, U.S.A. Track and Field, and U.S.A. Triathlon. Additionally, scores of parents, spouses and high school athletic coaches requested action by Congress or the Food and Drug Administration (FDA) to assist them in ensuring the safety of dietary supplements.

I am proud that this legislation is so widely supported. However, opponents to this bill and their well-paid Washington lobbyists have spread false statements and rumors about the legislation, which is really a disservice to consumers, and instead proudly boast that they remain largely untouchable by the FDA.

This legislation would simply require dietary supplements to list all ingredients on the packaging, mandate that all dietary manufacturers register with the Food and Drug Administration—FDA—to ensure the FDA knows what is being sold and provide the FDA mandatory recall authority of any dietary supplement if the FDA finds the supplement to be hazardous to one's health.

Opponents have stated that the legislation would seek to limit consumers' ability to purchase dietary supplements, vitamins or prescription drugs. That is completely false. Opponents also claim the bill establishes a new regulatory structure for dietary supplements at the Food and Drug Administration. That is completely false. Opponents claim that this bill was only introduced to rein in a few athletes who took supplements and then tested positive for steroids or other substances banned by sports leagues. That is completely false.

This bill was introduced for the nearly half of all Americans who take a dietary supplement. People have died from taking dietary supplements, including a young mother and wife who lived in my home State, and thousands have had to be hospitalized or seen by a doctor due to an adverse reaction from a dietary supplement. It took nearly 10 years—and then a lengthy court battle—for the FDA to ban the inclusion of ephedra in dietary supplements after ephedra was linked to a number of deaths. Such a delay should never happen again.

Additionally, the more than 100 million Americans who consume dietary supplements should be able to know the ingredients of any supplement, and these supplements need to be required to be listed on the product's packaging. If you go to a grocery store and pick up a box of cereal, bread, yogurt or any product off the shelf, you can read the

product's label to clearly know the ingredients and be sure you aren't eating something that you find concerning, hazardous or unhealthy. Those who take dietary supplements should have the same option. Simply put, this legislation is about truth in labeling. This legislation is about giving consumers choice. If you take a vitamin now, this bill will in no way restrict your ability to take that vitamin. But the consumer needs to know the entirety of what is contained in that pill.

Additionally, clear labeling could save lives as it did for a Phoenix Suns star who took a dietary supplement sleep aid and stopped breathing. Fortunately, his teammates found the supplement bottle that listed the ingredients, and the emergency room doctors were able to use the information to give him an antidote in the emergency room moments later and save his life. The disclosure of ingredients on a dietary supplement can save lives; and therefore, it should be mandatory. With the new ''buzz word'' in Washington being ''transparency,'' I don't understand how any lawmaker could oppose such a requirement.

HONORING OUR ARMED FORCES

SPECIALIST MARC P. DECOTEAU

Mrs. SHAHEEN. Madam President, it is with a heavy heart that I rise today to pay tribute to the life and service of Army SPC Marc P. Decoteau of Waterville Valley, NH. Tragically, this young soldier, just 19 years old, died while serving as part of Operation Enduring Freedom in Wardak Province, Afghanistan on January 29, 2010. Specialist Decoteau was a member of the 6th Psychological Operations Battalion, 4th Psychological Operations Group based at Fort Bragg, NC. He had been deployed in Afghanistan less than 1 month at the time of his death.

Specialist Decoteau enlisted in the Army shortly after his graduation from Plymouth Regional High School in 2008. He made this honorable decision without reservation, having long declared his desire to serve. Marc followed in the footsteps of his father, an Army veteran and West Point graduate. His decorations include the National Defense Service Medal, Afghanistan Campaign Medal with Campaign Star, Army Service Ribbon, and Global War on Terrorism Service Medal. Marc was posthumously awarded the Army Commendation Medal, Army Good Conduct Medal and NATO Medal.

Despite his young age, Specialist Decoteau left an indelible mark on those who knew him. Marc was an upstanding young man with an infectious sense of humor and warm smile. His hometown of Waterville Valley is an exceptionally tight-knit community of just 340 residents, and he was an integral member of it. While at Plymouth Regional, he was also an outstanding student-athlete who played lacrosse and football and was known for his work ethic. He was a member of two State champion football teams.

Each day, the men and women of our Armed Forces offer their service so that we might enjoy freedom and security. Specialist Decoteau selflessly gave his life to that cause. No words can diminish the pain of losing such a young soldier, but I hope Marc's family—and the town of Waterville Valley, his extended family—can find solace in knowing that all Americans share a deep appreciation of Marc's service. Daniel Webster's words, first spoken during his eulogy for Presidents Adams and Jefferson in 1826, are fitting: ''Although no sculptured marble should rise to their memory, nor engraved stone bear record of their deeds, yet will their remembrance be as lasting as the land they honored.'' Specialist Decoteau has earned our country's enduring gratitude and recognition.

Specialist Decoteau is survived by his parents Nancy and Mark, his sister Medora and brother Andrew, as well as grandparents, aunts, uncles and cousins. This young patriot will be dearly missed by all; his death while deployed far from home is a true loss for New Hampshire and for our nation. I ask my colleagues and all Americans to join me in honoring the life, service and sacrifice of SPC Marc P. Decoteau.

CAPTAIN DANIEL WHITTEN

Mr. GRASSLEY. Madam President, I stand before you today with a somber task. I extend my most sincere gratitude to fallen soldier, CAPT Daniel Whitten, and his family. Captain Whitten was a decorated officer who served valiantly with Company C, 1st Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division out of Fort Bragg, NC, before he was killed by an improvised explosive device in the Zabul province, Afghanistan, on February 2, 2010.

When people described CAPT Daniel Whitten, comments such as, ''always doing the right thing,'' ''stood by his values,'' ''true to his family and himself,'' ''trusted his character'' were common responses. It is a true testament to the character of Captain Whitten that those who knew him held him in such high regard.

Captain Whitten is a graduate of Johnston High School, class of 1999, and the U.S. Military Academy at West Point, class of 2004. He was a very motivated individual, always striving to be the best he could be. The men who served under him had only good things to say about him. People who knew him said that he was the exact type of person they would want defending this country.

My deepest sympathies go out to Captain Whitten's wife Starr, his mother Jill, his father Dan, and his sister CAPT Sarah Whitten who is currently serving her country in Afghanistan. It is men like CAPT Daniel Whitten who guarantee our Nation's security and our people's liberty. We all owe Captain Whitten and his family our profound gratitude for their tremendous sacrifice. I ask that they be in your thoughts and prayers, as they are in mine.

ADDITIONAL STATEMENTS

REMEMBERING MYRON DONOVAN CROCKER

• Mrs. BOXER. Madam President, I ask my colleagues to join me in honoring the memory of Judge Myron Donovan ''M.D.'' Crocker. Judge Crocker passed away on February 2 at his home in Chowchilla. He was 94 years old.

M.D. Crocker was born in Pasadena on September 4, 1915. In 1918, his family moved to Caruthers in Fresno County and then to the city of Fresno in 1921. After graduating from Fresno High School, he earned a degree in political science from Fresno State College. In 1940, he graduated from Boalt Hall Law School at University of California, Berkeley, and passed the California bar.

Instead of beginning his career in the legal field, Judge Crocker joined the FBI serving in Albany, NY, where he specialized in deciphering codes during World War II. After a stint in the FBI's Los Angeles office, he returned to the San Joaquin Valley in 1946 where he served as assistant district attorney in Madera County. In 1953, he was elected to the Justice Court in Chowchilla. Five years later, he was appointed by Governor Goodwin Knight as a Madera County Superior Court judge.

When he was appointed by President Dwight Eisenhower to the Federal court bench, Judge Crocker, at 44 years old, became the youngest Federal judge in the United State at the time. For 8 years, he commuted to his job in Los Angeles. In 1961, he became the first Fresno based Federal judge with the creation of the Eastern District of California. For the next 12 years, Judge Crocker heard all the cases in the southern section of the Eastern District until a second Federal judge was authorized in Fresno.

Judge Crocker would serve under 10 U.S. Presidents during a remarkable career on the Federal bench. Despite earning senior status in 1980, he continued to work and hear cases until he retired in 2002 at the age of 87.

A man of keen intellect, Judge Crocker was also acknowledged by those who knew him for his gregarious nature and gentlemanly ways. He was admired by his colleagues for his sharp memory. A giving person, he lent his time and talents to a number of community causes, including Lions Club and coaching Little League baseball. In his spare time, he enjoyed golfing, tending to his garden and playing bridge with his friends. He will be missed.

Judge Crocker was preceded in death by his beloved wife of 68 years, Elaine. He is survived by his son, Glenn; daughter and son-in-law, Holly and Robert Longatti; grandchildren, Donovan, Justin, Todd and Adam; great-

grandchildren, Luke, Noveli, Brandon and Tyler; and sister, Janice Ahlf.●

100TH ANNIVERSARY OF LINDSAY, CALIFORNIA

● Mrs. BOXER. Madam President, I ask my colleagues to join me in celebrating the 100th anniversary of the city of Lindsay, a vibrant, family-oriented community located in California's San Joaquin Valley.

In the late 1880s, the Southern Pacific Railroad expanded into Tulare County and the development of the Lindsay townsite progressed. On February 28, 1910, the city of Lindsay was incorporated with a population of 1,500 people.

The beginning of the 20th century would see economic growth and an increase in population in the area. Attracted by the promise of Lindsay's growing economy and appealing living conditions, the city of Lindsay became a popular destination for people in search of a better livelihood. The city's rail cars would transport the region's agricultural products to new markets, allowing the citrus and olive industries to flourish.

Spanning the 20th century, the city of Lindsay thrived with the addition of businesses, churches, schools, and community organizations. The ingenuity and determination of new generations of farmers would continue to enhance the city's agricultural eminence. Even when faced with the hardships of the Great Depression, community members and the Lindsay Chamber of Commerce pulled together to establish the first Orange Blossom Festival in 1932, which promoted the city's prolific citrus industry. To this day, the Orange Blossom Festival continues to be a citywide celebration of the city's rich heritage in citrus growing.

In 1995, the city of Lindsay was awarded the prestigious All America City Award by the National Civic League. This well deserved recognition is a testament to the city of Lindsay's community spirit.

The city of Lindsay has grown from a town of 1,500 to a strong community of over 10,000 residents. The successful history of the city's first hundred years can be attributed to its vision, optimism, and an endearing sense of community. As the residents of the city work together to make their community a better place to call home, I congratulate them on their centennial celebration and wish them another 100 years of good fortune and success.●

RECOGNIZING THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAMME

● Mr. CRAPO. Madam President, today I wish to take note of a great international internship program that is now celebrating its 11th year. I am proud to be involved for a 4th year in the Uni-Capitol Washington Internship Programme, UCWIP, an exchange program in which outstanding college students from Australia's top universities compete to serve as interns for the U.S. Congress. This program has been bringing the Washington internship experience to students from Australia for more than 10 years. In addition to working in congressional offices, the program provides students with a number of other opportunities and activities including visits to U.S. historic sites, visits to government agencies and education events.

This semester Benjamin Watson, a student from the University of Western Australia, is spending a couple of months in my office, helping me serve Idaho constituents. But students from the Uni-Capitol Washington Programme can be found throughout congressional offices, working for both the House and the Senate.

I asked Ben to share his thoughts about this program, and he said, ''The UCWIP has truly been a once-in-a-lifetime experience. Working in Senator CRAPO's office has given me an insight into the workings of the world's most influential democracy, adding a practical element to my studies in politics and law. My internship has given me the chance to interact with interesting people and understand the processes and procedures of U.S. Congress, within the friendly and welcoming environment of Senator CRAPO's office.''

Ben has been a great addition to my intern staff for the spring semester, and has spent many hours helping keep my schedule and activities running smoothly. His efforts are much appreciated. And I am sure that the other offices that have participated in this program feel that way toward the work of those assigned to their offices.

I cannot conclude without recognizing the efforts put into this program each year by its director and founder, Eric Federing, who spent a number of years working on Capitol Hill himself. After he visited Australia a number of years ago, he determined to find a way to introduce the U.S. Congress to the students he met. He has done such great work in sharing his enthusiasm and experiences with so many Australian students. More than 100 students have made the long journey from their universities in Australia to Washington, DC, to take part in this program. In addition to the work opportunities provided on Capitol Hill, Uni-Capitol Washington also expands the yearly experience to include some of America's historical sites and famous landmarks, including Gettysburg and New York City.

It has been an honor to participate with this program, and I look forward to continuing my association with the Uni-Capitol Washington Internship Programme next year.●

TRIBUTE TO HAROLD McGRAW, JR.

● Mr. DODD. Madam President, today I honor a great American from my home State of Connecticut, Harold McGraw, Jr.

After serving as a captain in the Army Air Corps during World War II, Mr. McGraw joined the family business, McGraw-Hill, as a sales representative in 1947. Over the next half century, he worked his way up to the position of president of the McGraw-Hill book company, and then CEO and chairman of the parent corporation, McGraw-Hill, Inc.

Not satisfied with simply succeeding in business, Mr. McGraw quickly became a leader in his community. In the 1980s, he founded the Business Council for Effective Literacy, BCEL, and served as its president for a decade. He spoke at events across the country to champion the cause of adult literacy, giving generously of his own wealth and raising funds from corporate and public entities alike.

A BCEL grant led to the formation of the National Coalition for Literacy and established Mr. McGraw as a key public policy expert on this important issue. His work laid the foundation for the National Literacy Act and the National Institute for Literacy, and those of us in Congress and in the executive branch quickly became familiar with his tireless advocacy. He spoke up in person and in letters. He mobilized the business community. And he was always accessible to adult learners, teachers, and local adult literacy programs.

Always cognizant of the role education played in his own success, Mr. McGraw has worked hard to make education a focus of his civic engagement, including efforts with the New York Public Library, the Council for Air to Education, the International Center for the Disabled, and the Barbara Bush Foundation for Family Literacy.

A proud Princeton graduate, Mr. McGraw gave back to his alma mater with a generous gift to establish The McGraw Center for Teaching and Learning at Princeton University. Princeton President Harold Shapiro said that the McGraw Center would help ''redefine teaching and learning for future generations.'' Mr. McGraw has also lent his publishing expertise to the Princeton University Press.

The Harold W. McGraw, Jr. Prize in Education, established in 1988 by The McGraw-Hill Companies to mark the Company's 100th anniversary, honors those who have dedicated themselves to improving American education.

But Mr. McGraw is no stranger to honors himself. In 1990, President Bush awarded him the Nation's highest literacy award at a special White House ceremony.

And he is the recipient of honorary degrees from the Graduate School of Princeton University, the City University of New York, Ohio University, Pine Manor College, Fairfield University, Hofstra University, and Marymount Manhattan College, as well as the Cleveland E. Dodge Medal for Distinguished Service to Education from Columbia University's Teachers College.

Mr. McGraw has given so much to our country at large, but he hasn't forgotten the State he and I both love. A major supporter of the library in his town of Darien, he has also contributed generously to Norwalk Hospital and St. Joseph's Hospital, along with his local church. He has worked to support elderly care at the Waveny Care Center in New Canaan, CT, Pegasus Therapeutic Riding in Stamford, and a wide range of civic organizations, from the Boy Scouts to the Literary Volunteers of Connecticut.

Harold McGraw represents the best of American business and civic culture. All of us in Connecticut are proud to call him one of our own, and the many whose lives have been touched by his commitment to adult literacy are grateful for his efforts. We look forward to his continued good deeds and remain inspired by his example. It is my pleasure to honor this great American.●

REMEMBERING DIANE CAVES

● Mr. ISAKSON. Madam President, today I honor the life and service of Diane Caves, a bright and talented young woman whose life ended far too soon, in the tragic earthquake in Port-au-Prince, Haiti, on January 12, 2010.

Diane worked for the Centers for Disease Control and Prevention, as a policy analyst in the Office of Public Health Preparedness and Response. Her commitment to public service was recognized just last year when she was named 2009 Federal Employee of the Year for Atlanta in the Outstanding Professional Category, at the age of 30.

Diane led the development in 2008 of CDC's first comprehensive nationwide report on public health preparedness, ''Public Health Preparedness: Mobilizing State by State.'' Her work launched a regular series of reports that demonstrate accountability and drive program improvements to help protect the Nation from public health emergencies.

She shined equally bright among her friends and in her community. She was an avid soccer player, an insatiable reader, and a world traveler. She brought people together to share their interests in food, knitting, books and sports, and motivated others with her energy, wit and unyielding optimism.

Diane recently volunteered for a short assignment to Haiti to work on the President's Emergency Plan for AIDS Relief, or PEPFAR. Congress reauthorized this historic commitment to the fight against global AIDS a little more than a year ago, with strong support from both parties. PEPFAR represents the very best of America. It is a remarkable program that is saving lives around the world with the contributions of people like Diane and her colleagues at CDC.

Diane didn't go to Haiti for the recognition. She went because she was passionate about public health, because she was a committed public servant, and because, above all, she wanted to help people. She didn't go to Haiti because it would be easy or comfortable. She asked to go where the challenges were greatest, the work was the hardest and the potential to help was limitless.

Diane didn't go to Haiti to be a hero. But she has come home as one.

She was brought to Dover Air Force Base last week, and a family memorial service was held in her hometown of Oak Ridge, TN. Her family and friends will mourn her quietly and privately as a loved one. We will also mourn her as a nation, as we do any American who dies in service to this country. There will be a ceremony at CDC in her honor on March 1, 2010, where her name will be added to a memorial for employees who died while in service.

We are thankful for the life and service of Diane Caves. Her smile, her laugh and her spirit will always be remembered. Her service will always be celebrated. Her extraordinary gifts and talents were shared with many during her short life, and they will never be forgotten.

Our thoughts and prayers are with her husband Jeff Caves; her parents Lee and Linda Berry; her brother David Berry; and with Jeff's family and all of her friends and colleagues who will mourn her and miss her and strive always to live up to her example.●

TRIBUTE TO DR. SANDI SANDERS

● Mr. PRYOR. Madam President, today I pay tribute to the professional career and community achievements of Dr. Sandra Diane ''Sandi'' Sanders of Fort Smith, AR.

Dr. Sandi Sanders, who did her master's and doctoral work at the University of Arkansas, has been an educator and involved in the Fort Smith community all of her life. She played a major role in the development of the former Westark Community College which today is the University of Arkansas-Fort Smith, UAFS. She served in many different roles including provost, chief academic officer, senior vice chancellor and chief of staff, and most recently interim chancellor. Her leadership has guided UAFS to be one of the premiere community colleges in Arkansas and across the Nation.

She has served and continues to serve in the community in many different roles such as former director of the Arkansas State Chamber of Commerce, board of directors at Arvest Bank of Fort Smith, United Way Women's Leadership Giving Steering Committee, former campaign chairman for the 2005 United Way of Fort Smith, and many other activities. She is currently serving as project director for the U.S. Marshall Museum being built in Fort Smith. Her dedication to her community is shown through the numerous hours devoted to making her society a better place for her neighbors and for future residents.

Dr. Sanders has brought great leadership and outstanding integrity to the Arkansas community. Her leadership has been and will continue to be critical in an ever-changing environment. The work of educating young people should not be taken lightly and I am proud to have Dr. Sanders teaching and advising students in our great State.

Madam President, I ask that my colleagues join me in recognizing the great contributions Dr. Sandi Sanders has made to Arkansas and the United States of America.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, 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 and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on February 16, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 2950. An act to extend the pilot program for volunteer groups to obtain criminal history background checks.

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was signed on February 17, 2010, during the adjournment of the Senate, by the President pro tempore (Mr. BYRD).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on February 17, 2010, during the adjournment of the Senate, she had presented to the President of the United States the following enrolled bill:

S. 2950. An act to extend the pilot program for volunteer groups to obtain criminal history background checks.

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–4670. 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 ''Spiromesifen; Pesticide Tolerances''

(FRL No. 8436–9) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4671. 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 ''Hexythiazox; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 8808–4) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4672. 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 ''Dithianon; Pesticide Tolerances'' (FRL No. 8808–8) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4673. 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 ''Chlorantraniliprole; Pesticide Tolerances'' (FRL No. 8809–3) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4674. 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 ''Flumioxazin; Pesticide Tolerances'' (FRL No. 8810–3) received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4675. 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 ''Acetamiprid; Pesticide Tolerances'' (FRL No. 8809–9) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4676. 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 ''Exemption from the Requirement of a Tolerance; Technical Amendment'' (FRL No. 8809–4) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4677. 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 ''Inert Ingredients; Extension of Effective Date of Revocation of Certain Tolerance Exemptions with Insufficient Data for Reassessment'' (FRL No. 8812–3) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4678. 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 ''Poly(oxy-1,2-ethanediyl), @-hydro-w-hydroxy-, polymer with 1, 1′- methylene-bis-[4-isocyanatocyclohexane]; Tolerance Exemption'' (FRL No. 8807–8) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4679. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment; Approval of Information Collection Request'' (RIN0584–AD71) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4680. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Revisions in the WIC Food Packages Rule to Increase Case Value Vouchers for Women'' (RIN0584–AD77) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4681. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's 2010 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4682. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Sale and Disposal of National Forest System Timber; Special Forest Products and Forest Botanical Products'' (RIN0596–AB81) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4683. 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 ''Notice of Availability of Class Deviation; Disputes Resolution Procedures Related to Clean Water and Drinking Water State Revolving Fund (CWSRF and DWSRF, respectively) Reallocation Under the American Reinvestment and Recovery Act of 2009 (ARRA)'' (FRL No. 9115–1) received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Environment and Public Works.

EC–4684. 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; Georgia: Update to Materials Incorporated by Reference'' (FRL No. 9097–5) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC–4685. 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; Louisiana; Baton Rouge 1-Hour Ozone Nonattainment Area; Determination of Attainment of the 1-Hour Ozone Standard'' (FRL No. 9113–5) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC–4686. 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; Control of Carbon Monoxide Emissions from Basic Oxygen Furnaces'' (FRL No. 9111–7) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC–4687. 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; West Virginia; Removal of NO_x SIP Call Rules'' (FRL No. 9111–5) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC–4688. 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; New Mexico; Albuquerque/Bernalillo County'' (FRL No. 9112–1) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC–4689. 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 ''Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona, Maricopa County Air Quality Department; State of Nevada, Nevada Division of Environmental Protection, Washoe County District Health Department'' (FRL No. 9111–2) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC–4690. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Limitation on Procurements on Behalf of the Department of Defense'' (DFARS Case 2008–D005) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Armed Services.

EC–4691. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Additional Requirements Applicable to Multiyear Contracts'' (DFARS

Case 2008–D023) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Armed Services.

EC–4692. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Acquisition Strategies to Ensure Competition throughout the Life Cycle of Major Defense Acquisition Programs'' (DFARS Case 2009–D014) received in the Office of the President of the Senate on February 9, 2010; to the Committee on Armed Services.

EC–4693. A communication from the Assistant Secretary of Defense (Homeland Defense), transmitting, pursuant to law, a report on Department of Defense assistance provided for essential security and safety for civilian sporting events during calendar year 2009; to the Committee on Armed Services.

EC–4694. A communication from the Assistant Secretary of Defense (Legislative Affairs), Department of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran; to the Committee on Armed Services.

EC–4695. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to overseas ship repairs; to the Committee on Armed Services.

EC–4696. A communication from the Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, an annual report relative to the Department's Chemical Demilitarization Program; to the Committee on Armed Services.

EC–4697. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), Department of Defense, transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC–4698. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Army and was assigned case number 07–01; to the Committee on Armed Services.

EC–4699. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled, ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account''; to the Committee on Armed Services.

EC–4700. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Manpower and Reserve Affairs), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC–4701. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of the Air Force, received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC–4702. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Acquisition), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC–4703. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Installations and Environment), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC–4704. 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 as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC–4705. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe declared in Executive Order 13288; to the Committee on Banking, Housing, and Urban Affairs.

EC–4706. A communication from the Senior Vice President and Chief Financial Officer of the Export-Import Bank, transmitting, pursuant to law, the Bank's 2009 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–4707. A communication from the Secretary of the Commission, Division of Privacy and Identity Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Fair Credit Reporting Risk-Based Pricing Regulations'' (RIN3084–AA94) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4708. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs and Other Related Issues'' (RIN1550–AC36) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4709. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs and Other Related Issues; Final Rule'' (RIN3064–AD54) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4710. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Community Reinvestment Act Regulations'' (RIN3064–AD54) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4711. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Bank Secrecy Act Regulations—Expansion of Special Information Sharing Procedures to Deter Money Laundering and Terrorist Activity'' (RIN1506–AB04) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4712. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulation: Areas of the National Park System, National Capital Region; Correction'' (RIN1024–AD71) received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Energy and Natural Resources.

EC–4713. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle program for fiscal year 2009; to the Committee on Energy and Natural Resources.

EC–4714. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2011 Congressional Performance Budget Request; to the Committee on Energy and Natural Resources.

EC–4715. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, a report relative to the implementation of Energy Conservation Standards Activities; to the Committee on Energy and Natural Resources.

EC–4716. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, a report relative to the decision to authorize a noncompetitive extension of up to five years for the management and operation of the Oak Ridge National Laboratory; to the Committee on Energy and Natural Resources.

EC–4717. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, a report relative to an annual plan for the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program; to the Committee on Energy and Natural Resources.

EC–4718. A communication from the Deputy Associate Commissioner, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Transfer of Accumulated Benefit Payments'' (RIN0960–AH08) received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Finance.

EC–4719. 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 ''Interim Final Rules Under the Mental Health Parity and Addiction Equity Act of 2008'' (RIN1545–BJ05) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Finance.

EC–4720. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Internal Revenue Code Section 2511(c)'' (Notice No. 2010–19) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Finance.

EC–4721. 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 ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice No. 2010–20) received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Finance.

EC–4722. 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 ''Section 911(d)(4)–2009 Update'' (Notice No. 2010–17) received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Finance.

EC–4723. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, the Inspector General's Budget Justification for Fiscal Year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–4724. A communication from the Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Congressional Justification of Budget Estimates for Fiscal Year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–4725. 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 ''Final Regulation—Student Assistance General Provisions; Teacher Education Assistance for College and Higher Education (TEACH) Grant Program; Federal Pell Grant Program; Academic Competitiveness Grant Program and National Science and Mathematics Access to Retain Talent Grant Program'' (RIN1840–AC96) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4726. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rules under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008'' (RIN1210–AB30) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4727. A communication from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Age Discrimination in Employment Act; Retiree Health Benefits'' (RIN3046–AA72) received in the Office of the President of the Senate on January 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4728. A communication from General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''Serve America Act Amendments to the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973'' (RIN3045–AA50) received during adjournment of the Senate in the Office of the President of the Senate on February 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4729. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2009–0015–2009–0028); to the Committee on Foreign Relations.

EC–4730. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the proposed transfer of major defense equipment from the Government of Pakistan to Turkish Aerospace Industries with an original acquisition cost of $14,000,000 (Transmittal No. RSAT–09–1973); to the Committee on Foreign Relations.

EC–4731. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. contributions to the United Nations and its affiliated agencies during fiscal year 2008; to the Committee on Foreign Relations.

EC–4732. A communication from the Director, Defense Security Cooperation Agency, transmitting, pursuant to law, a report relative to Section 25(a)(6) of the Arms Export Control Act; to the Committee on Foreign Relations.

EC–4733. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the quarterly report on unobligated and unexpended appropriated funds; to the Committee on Foreign Relations.

EC–4734. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, a report relative to Fiscal Year 2009 Competitive Sourcing efforts; to the Committee on Foreign Relations.

EC–4735. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–286, ''Heights on Georgia Avenue Tax Exemption Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4736. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–287, ''WMATA Compact Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4737. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–288, ''State Board of Education License Plate Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4738. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–289, ''51st State Commission Establishment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4739. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–290, ''Park Place at Petworth, Highland Park, and Highland Park Phase II Economic Development Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4740. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–291, ''Affordable Housing Opportunities Residential Rental Project Property Tax Exemption and Equitable Real Property Tax Relief Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4741. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–292, ''Advisory Neighborhood Commission Vacancy Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4742. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–293, ''District of Columbia Housing Authority Board of Commissioners Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4743. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–295, ''High Technology Commercial Real Estate Database and Service Providers Tax Abatement Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4744. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–296, ''Hospital and Medical Services Corporation Regulatory Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4745. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–297, ''Agreements Between the District of Columbia and Boys and Girls Club of Greater Washington Temporary Approval Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4746. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–298, ''Prevention of Child Abuse and Neglect Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4747. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–299, ''Abe Pollin City Title Championship and Title Trophy Designation Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–300, ''Executive Grant—Making Authority Limitation Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–301, ''Unauthorized Contract Stop Payment Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4750. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–302, ''Anacostia River Clean Up and Protection Clarification Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4751. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Rewrite of Part 512, Acquisition of Commercial Items'' (RIN3090–AI61) received in the Office of the President of the Senate on February 4, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–4752. A communication from the Secretary of the Department of Education, transmitting, pursuant to law, the Department's Performance and Accountability Report for Fiscal Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–4753. A communication from the Associate Director for Human Resources, Court

Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, a report relative to the Agency's use of the Category Rating system during the period ending July 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–4754. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, the Board's Strategic Plan for Fiscal Years 2010–2015; to the Committee on Homeland Security and Governmental Affairs.

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 Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3012. A bill to designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the Martin G . ''Marty'' Mahar Post Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for Mr. LAUTENBERG (for himself and Mr. MENENDEZ)):

S. 3013. A bill to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the ''Sergeant Christopher R. Hrbek Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW (for herself, Mr. HATCH, Mr. SCHUMER, Ms. SNOWE, and Mr. BROWN of Ohio):

S. 3014. A bill to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain United States jobs, and for other purposes; to the Committee on Finance.

By Mr. DODD (for himself, Mr. MENENDEZ, Ms. MIKULSKI, and Mr. CARDIN):

S. 3015. A bill to amend chapter 53 of title 49, United States Code, to establish a public transportation safety program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 3016. A bill to prohibit the further extension or establishment of national monuments in Utah except by express authorization of Congress; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY:

S. Res. 418. A resolution commemorating the life of the late Cynthia DeLores Tucker; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 213

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 213, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

S. 471

At the request of Ms. SNOWE, the name of the Senator from Alaska (Mr. BEGICH) 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. 504

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 571

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) 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. 656

At the request of Mr. REED, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents.

S. 678

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 796

At the request of Mr. BINGAMAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 796, a bill to modify the requirements applicable to locatable minerals on public domain land, and for other purposes.

S. 841

At the request of Mr. KERRY, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors 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. 854

At the request of Mr. VOINOVICH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 854, a bill to amend the Federal Water Pollution Control Act to update a program to provide assistance for the planning, design, and construction of treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows, and to require the Administrator of the Environmental Protection Agency to update certain guidance used to develop and determine the financial capability of communities to implement clean water infrastructure programs.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1039

At the request of Mr. KERRY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1039, a bill to provide grants for the renovation, modernization or construction of law enforcement facilities.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1067

At the request of Mr. FEINGOLD, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1067, a bill 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, and for other purposes.

S. 1173

At the request of Mr. FEINGOLD, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S. 1173, a bill to establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1237

At the request of Mrs. MURRAY, the name of the Senator from West Virginia (Mr. BYRD) 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. 1244

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1244, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers, to provide for a performance standard for breast pumps, and to provide tax incentives to encourage breastfeeding.

S. 1400

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1400, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 1414

At the request of Mr. BOND, his name was added as a cosponsor of S. 1414, a bill to confer upon the United States Court of Federal Claims jurisdiction to hear, determine, and render final judgment on any legal or equitable claim against the United States to receive just compensation for the taking of certain lands in the State of Missouri, and for other purposes.

S. 1480

At the request of Mr. KOHL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1480, a bill to amend the Child Nutrition Act of 1966 to establish a program to improve the health and education of children through grants to expand school breakfast programs, and for other purposes.

S. 1547

At the request of Mr. REED, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors 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. 1589

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

At the request of Ms. CANTWELL, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1589, supra.

S. 1610

At the request of Ms. CANTWELL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1646

At the request of Mr. REED, the name of the Senator from Washington (Ms. CANTWELL) 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. 1681

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1756

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1756, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof.

S. 1791

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1791, a bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

S. 1799

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1799, a bill to amend the Truth in Lending Act, to establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2052

At the request of Mr. UDALL of Colorado, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2052, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out a research and development and demonstration program to reduce manufacturing and construction costs relating to nuclear reactors, and for other purposes.

S. 2128

At the request of Mr. LEMIEUX, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2869

At the request of Ms. LANDRIEU, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Washington (Mrs. MURRAY) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2904

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2904, a bill to amend title

10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2924

At the request of Mr. LEAHY, the names of the Senator from Maine (Ms. COLLINS), the Senator from Montana (Mr. BAUCUS) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2946

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2946, a bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

S. 2961

At the request of Mr. DODD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2961, a bill to provide debt relief to Haiti, and for other purposes.

S. 2977

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2977, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001 terrorist attacks.

S. 2983

At the request of Mr. SCHUMER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2983, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from employer social security taxes with respect to previously unemployed individuals, and to provide a credit for the retention of such individuals for at least 1 year.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 2990

At the request of Mr. DEMINT, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2990, a bill to establish an earmark moratorium for fiscal years 2010 and 2011.

S. 2998

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3003

At the request of Mr. DODD, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3003, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S.J. RES. 27

At the request of Mr. DEMINT, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S.J. Res. 27, a joint resolution proposing a balanced budget amendment to the Constitution of the United States.

S. RES. 400

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. Res. 400, a resolution urging the implementation of a comprehensive strategy to address instability in Yemen.

S. RES. 404

At the request of Mr. FEINGOLD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. Res. 404, a resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

S. RES. 409

At the request of Mr. FEINGOLD, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Alaska (Mr. BEGICH), the Senator from Florida (Mr. NELSON), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. Res. 409, a resolution calling on members of the Parliament in Uganda to reject the proposed ''Anti-Homosexuality Bill'', and for other purposes.

S. RES. 416

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 416, a resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself, Mr. MENENDEZ, Ms. MIKULSKI, and Mr. CARDIN):

S. 3015. A bill to amend chapter 53 of title 49, United States Code, to establish a public transportation safety program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, I rise today to introduce, at the request of the administration and on behalf of my fellow original cosponsors Senator MENENDEZ, Senator MIKULSKI, and Senator CARDIN, the Public Transportation Safety Program Act of 2010. This legislation is designed to provide the Federal Transit Administration with the proper funding and rulemaking, examination, and enforcement authority to improve the safety of our nation's transit systems.

The issue of improving transit safety is a bipartisan issue, on which I think all Members can come to agreement. While this proposal from the administration is a good and appropriate first step in the Federal Government's efforts to improve transit safety, I look forward to working with my cosponsors and all of my colleagues on the Senate Banking Committee to make the final bill, which will emerge from the Senate Banking Committee, the strongest legislation possible for ensuring the safety of our nation's transit systems.

Transit is among the safest modes of transportation. Between 1998 and 2007, incidents on public transportation rail systems fell by half.

But in light of a recent series of high-profile accidents, Americans have grown concerned, and rightfully so. As our Nation's transit systems age, it is becoming increasingly clear that it is time for the Federal government to take a more direct role in their oversight.

Currently, the Federal Transit Administration has limited authority to implement and enforce national transit safety standards and we have gone without a proper national transit safety program for far too long.

Having been handed an unfunded mandate, States have been forced to scrape by with State Safety Oversight boards. Many of these boards lack authority, expertise, a dedicated budget or even full-time employees to monitor safety.

This is unacceptable. This ad hoc approach to transit safety oversight must be replaced with better oversight and clear national transit safety standards. Congress should provide the FTA with the authority and the resources to bring consistency and Federal leadership to our transit safety system. It is our duty to ensure that accidents like those that occurred in 2009 are prevented.

I commend the Administration, particularly Secretary LaHood and administrator Rogoff, for taking a leadership role on this very important issue and sending the proposed legislation to Congress. This proposal is a good start, and I look forward to discussing it with my colleagues.

The Obama administration has indicated its commitment to improving transit safety. It is time for us to do the same.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3015

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 ''Public Transportation Safety Program Act of 2010''.

SEC. 2. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended to read as follows:

"§ 5329. Public transportation safety program

''(a) RAIL FIXED GUIDEWAY SAFETY.—

''(1) PROGRAM.—The Secretary shall, as soon as practicable, establish and implement a public transportation safety program to improve the safety of, and reduce the number and severity of accidents involving, the design, construction, and revenue service operation of rail fixed guideway public transportation systems that receive financial assistance under this chapter.

''(2) EXCLUSION.—This section shall not apply to rail fixed guideway public transportation systems subject to regulation by the Federal Railroad Administration under subtitle V of this title and the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848).

''(3) NATIONAL TRANSPORTATION SAFETY BOARD.—When promulgating public safety transportation regulations, the Secretary shall, to the extent practicable, take into consideration relevant recommendations of the National Transportation Safety Board.

''(b) BUS SAFETY.—The Secretary may establish and implement a public transportation safety program to improve the safety of, and reduce the number and severity of accidents involving, public transportation bus systems that receive financial assistance under this chapter in accordance with the provisions of this section.

''(c) REGULATIONS AND ORDERS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations and issue orders for the safe operation of rail fixed guideway public transportation systems, after appropriate consideration of costs and benefits. The Secretary shall ensure that the regulations establish a Federal certification program for employees and contractors who carry out a State public transportation safety program in compliance with this section and oversee the performance of employees or contractors responsible for performing safety activities identified in such program.

''(2) CONSULTATION BY DHS SECRETARY.—Before prescribing a security regulation or issuing a security order that affects the safety of public transportation design, construction or operations, the Secretary of Homeland Security shall consult with the Secretary.

''(3) WAIVERS.—The Secretary may waive compliance with any part of a regulation promulgated or order issued under this section if the waiver is in the public interest, or a regulation or order issued under this section. The Secretary shall not issue a waiver and shall immediately revoke a waiver if the waiver would not be consistent with the goals and objectives of this section. The Secretary shall make public the reasons for granting or revoking the waiver.

''(d) PREEMPTION.—

''(1) IN GENERAL.—A State may adopt or continue in force a law, regulation, or order related to public transportation safety until the Secretary promulgates a regulation or issues an order covering the subject matter of the State requirement. A State may adopt or continue in force an additional or more stringent law, regulation, or order related to public transportation safety only if the law, regulation, or order—

''(A) has a safety benefit;

''(B) is not incompatible with a law, regulation, or order of the United States Government; and

''(C) does not unreasonably burden interstate commerce.

''(2) DAMAGES.—Nothing in this section shall be construed to preempt an action under State law seeking damages for personal injury, death, or property damage alleging that a party—

''(A) has failed to comply with the Federal standard of care established by a regulation or order issued by the Secretary under this section;

''(B) has failed to comply with its own program, rule, or standard that it created under a regulation or order issued by the Secretary; or

''(C) has failed to comply with a State law, regulation, or order that is not incompatible with paragraph (1) of this subsection.

''(3) EFFECTIVE DATE.—This subsection shall apply to all State law causes of action arising from events or activities occurring on or after the enactment of this section.

''(4) FEDERAL JURISDICTION.—Nothing in this section creates a Federal cause of action on behalf of an injured party or confers Federal question jurisdiction for State law causes of action.

''(e) SAFETY PROGRAM ACTIVITIES.—

''(1) IN GENERAL.—In carrying out this section, the Secretary may take actions the Secretary considers necessary, including—

''(A) conducting inspections, investigations, audits, examinations, and testing of a public transportation system's equipment, facilities, rolling stock, operations, and persons engaged in the business of a public transportation system;

''(B) delegating to a public entity or other qualified person the conduct of inspections, investigations, audits, examinations, and testing of a public transportation system's equipment, facilities, rolling stock, operations, and persons engaged in the business of a public transportation system;

''(C) making reports, issuing subpoenas, requiring the production of documents, taking depositions, and prescribing recordkeeping and reporting requirements; and

''(D) making grants or entering into agreements—

''(i) for research, development, testing and training of every area of public transportation safety; and

''(ii) to assist a public entity or qualified person in carrying out the delegated activities set forth in subparagraph (B) of this paragraph.

''(2) ACCIDENTS AND INCIDENTS.—Activities authorized under this subsection may be engaged in for safety purposes, including accident and incident prevention and investigation.

''(3) COST SHARING.—The Federal share of a grant awarded or an agreement entered into under paragraph (1)(D) of this section may be up to 100 percent.

''(4) ENTRY.—In carrying out this subsection, an officer or employee of the Secretary, or agent designated by the Secretary under paragraph (1)(B) of this subsection, at reasonable times and in a reasonable way, may enter and inspect public transportation equipment, facilities, rolling stock, operations, and relevant records. When requested, the officer, employee, or the designated agent shall display proper credentials. During an inspection, the officer, employee, or designated agent of the Secretary qualifies as an employee of the United States Government under chapter 171 of title 28.

''(f) STATE PARTICIPATION.—

''(1) SAFETY PROGRAM.—A State may establish and implement a State public transportation safety program through statute and regulation that requires, at a minimum, compliance with the regulations and policies issued by the Secretary under this section and complies with subsection (d) of this section.

''(2) GRANTS.—The Secretary may make grants or enter into agreements under this subsection to carry out a State public transportation safety program, including to train employees necessary to administer and manage the program, and to enforce Federal and State public transportation safety laws, regulations and orders, provided that—

''(A) employees responsible for carrying out the safety oversight functions of a State public transportation safety program meet the safety certification criteria established through regulations issued under subsection (c)(1) of this section;

''(B) a State submits its public transportation safety program, which shall provide a right of entry and inspection to carry out the program, to the Secretary for review and written approval prior to implementing the program; and

''(C) a State submits each amendment to its public transportation safety program to the Secretary for review and written decision at least 60 days before the amendment becomes effective. If a State does not receive a written response from the Secretary by the end of the 60-day period, the amendment shall be deemed to be approved.

''(3) MULTI-STATE REQUIREMENTS.—When a single public transportation authority operates in more than one State, the affected States, if establishing and implementing a public transportation safety program as authorized under this subsection, shall—

''(A) establish and implement the program jointly to ensure uniform safety standards and enforcement procedures that shall be, at a minimum, in compliance with this section and the regulations and policies issued by the Secretary under this section; or

''(B) designate an entity (other than the public transportation authority) to carry out the activities and requirements specified by subparagraph (A) of this paragraph.

''(4) CONFLICT OF INTEREST.—A State may not—

''(A) allocate grant funds awarded under paragraph (1) of this subsection to a State agency or local entity that operates a public transportation system that receives Federal transit assistance;

''(B) allow a State agency or local entity that operates a public transportation system to provide funds to a State agency or an entity designated by the State that is responsible for establishing, implementing, or maintaining a State public transportation safety program; or

''(C) allow a State agency or local entity that operates a public transportation system to participate in the oversight of establishing, implementing, or maintaining a State public transportation safety program.

''(5) COST SHARING.—In the case of a State that implements a safety program under this section, the following applies:

''(A) The Secretary shall reimburse the State from a grant made or agreement entered into under this section, an amount that is up to 100 percent of the costs incurred by the State in a fiscal year for developing, implementing and enforcing a State public transportation safety program.

''(B) The Secretary, through regulations promulgated under this section, shall establish a schedule of reimbursable costs that the Secretary shall use to assist the State in defraying the State's costs of developing, implementing and enforcing a State public transportation safety program.

''(C) To help defray the costs of developing, implementing and enforcing a State public transportation safety program, the State may submit to the Secretary a voucher that does not exceed the amount identified on the schedule of reimbursable costs for an eligible activity.

''(D) The Secretary shall pay the State an amount not more than the Federal Government's share of costs incurred as of the date of the voucher.

''(6) NOTICE OF WITHDRAWAL.—The Secretary shall ensure that the State is carrying out the State public transportation safety program, as follows:

''(A) If the Secretary finds, after notice and opportunity to comment, that the State transportation safety program previously approved is not being followed or has become inadequate to ensure enforcement of the regulations or orders, the Secretary shall withdraw approval of the program and notify the State.

''(B) A State public transportation safety program shall no longer be in effect upon the State's receipt of the Secretary's notice of withdrawal of approval.

''(C) A State receiving notice under subparagraph (A) of this paragraph may seek judicial review of the Secretary's decision under chapter 7 of title 5, United States Code.

''(D) Notwithstanding the withdrawal, a State may retain jurisdiction in administrative and judicial proceedings begun before the withdrawal if the issues involved are not related directly to the reasons for the withdrawal.

''(g) ENFORCEMENT.—

''(1) IN GENERAL.—The Secretary has the authority—

''(A) to establish, impose and compromise a civil penalty for a violation of a public transportation safety regulation promulgated or order issued under this section;

''(B) to establish, impose and compromise a civil penalty for violation of the alcohol and controlled substances testing provisions under section 5331 of this chapter;

''(C) to request an injunction for a violation of a public transportation safety regulation promulgated or order issued under this section; and

''(D) to notify the Attorney General when the Secretary receives evidence of a possible criminal violation under paragraph (5).

''(2) DEPOSIT OF CIVIL PENALTIES.—An amount collected by the Secretary under this section shall be deposited into the General Fund of the United States Treasury.

''(3) ENFORCEMENT BY THE ATTORNEY GENERAL.—At the request of the Secretary, the Attorney General shall bring a civil action—

''(A) for appropriate injunctive relief to ensure compliance with this section;

''(B) to collect a civil penalty imposed or an amount agreed upon in a compromise under paragraph (1) of this subsection; or

''(C) to enforce a subpoena, request for admissions, request for production of documents or other tangible things, or request for testimony by deposition issued by the Secretary under this section.

''(4) JURISDICTION.—An action under paragraph (3) of this subsection may be brought in a district court of the United States in any State in which the relief is required. On a proper showing, the court shall issue a temporary restraining order or preliminary or permanent injunction. An injunction under this section may order a public transportation agency receiving assistance under this chapter to comply with this section, or a regulation promulgated under this section.

''(5) CRIMINAL PENALTY.—A person who knowingly violates this section or a public transportation safety regulation or order issued under this section shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both; except that the maximum amount of imprisonment shall be 10 years in any case in which the violation results in death or bodily injury to any person. For purposes of this subparagraph—

''(A) a person acts knowingly when—

''(i) the person has actual knowledge of the facts giving rise to the violation; or

''(ii) a reasonable person acting in the circumstances and exercising reasonable care would have that knowledge; and

''(B) actual knowledge of the existence of a statutory provision, or a regulation or a requirement required by the Secretary is not an element of an offense under this paragraph.

''(h) EMERGENCY AUTHORITY.—

''(1) ORDERING RESTRICTIONS AND PROHIBITIONS.—If, through testing, inspection, investigation, or research carried out under this section, the Secretary decides that an unsafe condition or practice, or a combination of unsafe conditions and practices, causes an emergency situation involving a hazard of death, personal injury, or significant harm to the environment, the Secretary immediately may order restrictions and prohibitions, without regard to section 553 and section 554 of title 5, United States Code, that may be necessary to abate the emergency situation.

''(2) EMERGENCY CONDITION OR PRACTICE.—The order shall describe the condition or practice, or a combination of conditions and practices, that causes the emergency situation and promulgate standards and procedures for obtaining relief from the order. This paragraph does not affect the Secretary's discretion under this subsection to maintain the order in effect for as long as the emergency situation exists.

''(3) REVIEW OF ORDERS.—After issuing an order under this subsection, the Secretary shall provide an opportunity for review of the order under section 554 of title 5, United States Code. If a petition for review is filed and the review is not completed by the end of the 30-day period beginning on the date the order was issued, the order stops being effective at the end of that period unless the Secretary decides in writing that the emergency situation still exists.

''(4) CIVIL ACTIONS TO COMPEL ISSUANCE OF ORDERS.—An employee of a rail fixed guideway public transportation system provider who may be exposed to imminent physical injury during that employment because of the Secretary's failure, without any reasonable basis, to issue an order under paragraph (1) of this subsection, or the employee's authorized representative, may bring a civil action against the Secretary in a district court of the United States to compel the Secretary to issue an order. The action shall be brought in the judicial district in which the emergency situation is alleged to exist, in which the employing provider has its principal executive office, or in the District of Columbia. The Secretary's failure to issue an order under paragraph (1) of this subsection may be reviewed only under section 706 of title 5, United States Code.

''(i) EFFECT ON EMPLOYEE QUALIFICATIONS AND COLLECTIVE BARGAINING.—This section does not—

''(1) authorize the Secretary to promulgate regulations and issue orders related to qualifications of employees, except qualifications specifically related to safety; or

''(2) prohibit collective bargaining agreements between public transportation agencies and public transportation employees or their representatives, including agreements related to qualifications of the employees that are not inconsistent with regulations and orders promulgated under this section.

''(j) PUBLIC TRANSPORTATION EMPLOYEE PROTECTIONS.—Applicable provisions of the public transportation employee protection provisions under section 1413 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1142) apply to direct and indirect recipients of Federal transit assistance under this chapter.

''(k) JUDICIAL REVIEW.—A person adversely affected or aggrieved by a final action of the Secretary under this section or under section 5331 of this title may petition for review of the final action in the United States Court of Appeals for the District of Columbia or in the court of appeals for the United States for the circuit in which the person resides and has its principal place of business. Judicial procedures require—

''(1) the petition be filed not more than 60 days after the Secretary's action becomes final;

''(2) the clerk of the court immediately send a copy of the petition filed under paragraph (3) of this section to the Secretary;

''(3) the Secretary file with the court a record of any proceeding in which the final action was issued as provided in section 2112 of title 28, United States Code; and

''(4) the court to consider an objection to a final action of the Secretary only if the objection was made in the course of the proceeding or review conducted by the Secretary or if there was a reasonable ground for not making the objection in the proceeding.''.

(b) AUTHORIZATIONS.—Section 5338 of title 49, United States Code, is amended—

(1) by redesignating subsections (e), (f) and (g) as subsections (f), (g) and (h), respectively;

(2) by inserting after subsection (d) the following:

''(e) SAFETY PROGRAM.—There are authorized to be appropriated such amounts in each fiscal year as necessary to administer section 5329 and to make grants or enter into agreements to carry out section 5329.''; and

(3) in subsection (h), as redesignated, by striking ''and (d)'' and inserting ''(d) and (e)''.

(c) PROHIBITIONS AGAINST REGULATING OPERATIONS AND CHARGES.—Section 5334(b)(I) of title 49, United States Code, is amended by inserting ''or for purposes of establishing and enforcing programs to improve the safety of the nation's public transportation systems, and reducing accidents on rail fixed guideway and bus systems for public transportation,'' after ''emergency,''.

(d) ALCOHOL AND CONTROLLED SUBSTANCES TESTING.—Section 5331(b)(2) of title 49, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(2) by inserting before subparagraph (B), as so redesignated, the following:

''(A) shall establish and implement an enforcement program, including the imposition of penalties for failure to comply with this section;''.

(e) CONFORMING AMENDMENT; REPEAL.—

(1) CHAPTER ANALYSIS.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5329 and inserting the following:

''5329. Public Transportation Safety Program.''.

(2) REPEAL.—Section 5330 of title 49, United States Code, is repealed 3 years after the effective date of final regulations issued by the Secretary under section 5329 of title 49, as amended by this section.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 418—COMMEMORATING THE LIFE OF THE LATE CYNTHIA DELORES TUCKER

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 418

Whereas the late Cynthia DeLores Tucker dedicated her life to eliminating racial barriers by championing civil rights and rights of women in the United States;

Whereas, having grown up in Philadelphia during the Great Depression, C. DeLores

Tucker overcame a childhood marked by economic hardship and segregation;

Whereas, having personally experienced the effects of racism, C. DeLores Tucker first became active in the postwar civil rights movement when she worked to register African American voters during the 1950 Philadelphia mayoral campaign;

Whereas C. DeLores Tucker became active in local politics, developed her skills as an accomplished fund raiser and public speaker, and quickly became the first African American and first woman to serve on the Philadelphia Zoning Board;

Whereas in 1965, in the midst of the Civil Rights Movement, C. DeLores Tucker participated in the White House Conference on Civil Rights and marched from Selma to Montgomery with Rev. Dr. Martin Luther King Jr., in support of the 1965 Voting Rights Bill, which was later signed into law by President Lyndon Johnson;

Whereas in January 1971, while still primarily focused on efforts to gain equality for all, C. DeLores Tucker was named Secretary of the Commonwealth of Pennsylvania by then-Governor Milton Shapp, making her the first female African American Secretary of a State in the Nation;

Whereas, under the leadership of C. DeLores Tucker as Secretary of the Commonwealth, Pennsylvania became one of the first states to pass the Equal Rights Amendment, lower the voting age from 21 to 18, and institute voter registration through mail;

Whereas, after leaving her position in Pennsylvania State government, C. DeLores Tucker became the first African American to serve as president of the National Federation of Democratic Women;

Whereas in 1984, C. DeLores Tucker founded the National Political Congress of Black Women, now known as the National Congress of Black Women, a non-profit organization dedicated to the educational, political, economic, and cultural development of African American Women and their families;

Whereas in 1983, C. DeLores Tucker founded the Philadelphia Martin Luther King Jr. Association for Non-Violence and, in 1986, the Bethune-DuBois Institute, both of which are dedicated to promoting the cultural and educational development of African American youth and young professionals;

Whereas C. DeLores Tucker served as a member of the Board of Trustees of the NAACP and numerous other boards, including the Points of Light Foundation and Delaware Valley College;

Whereas, in the later phase of her life, C. DeLores Tucker publicly criticized gangster rap music, arguing that such music denigrated women and promoted violence and drug use;

Whereas, as a student of history, C. DeLores Tucker led the successful campaign to have a bust of the pioneering activist and suffragist Sojourner Truth installed in the United States Capitol, along with other suffragette leaders;

Whereas C. DeLores Tucker received more than 400 honors and awards during her lifetime, including the NAACP Thurgood Marshall Award, the Martin Luther King, Jr. Distinguished Service Award, and the Philadelphia Urban League Whitney Young Award, and honorary Doctor of Law degrees from Morris College and Villa Maria College; and

Whereas the work of C. DeLores Tucker as crusader for civil rights and rights of women, through grace, dignity, and purpose has helped transform the perception of race and gender in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the life of the late Cynthia DeLores Tucker;

(2) salutes the lasting legacy of the achievements of C. DeLores Tucker; and

(3) encourages the continued pursuit of the vision of C. DeLores Tucker to eliminate racial and gender prejudice from all corners of our society.

Mr. CASEY. Mr. President, I rise today in support of a resolution honoring the lifetime achievements of C. DeLores Tucker. Along with her family and many friends with us today in Washington, we pay tribute to her life of service and courageous commitment to justice for women and for the African-American community.

Cynthia DeLores Nottage Tucker was born in Philadelphia, PA, on October 4, 1927 and was the tenth of eleven children in her family. Her Bahamian-born Baptist minister father and her hard-working mother approached life from a Christian perspective and encouraged their children to do so as well. She grew up in a nurturing and achievement-oriented household. ''My mother and father gave us wonderful values,'' Tucker once told Good Housekeeping magazine. ''They taught us to be good and loving, and to use our lives to help others.''

Young DeLores originally intended to become a doctor and, as a girl, spent summers working in local hospitals. When she graduated from Girls' High of Philadelphia, her father took her to the Bahamas as a reward. During the trip, she became seriously ill and was restricted to a sickbed that kept her out of college for a year. This setback changed the course of her life. She subsequently finished her education at Temple University and the Wharton School of the University of Pennsylvania. She also received two honorary degrees, from Morris College in Alabama and Villa Maria College in Pennsylvania.

C. DeLores Tucker first became active in the postwar civil rights movement when she worked to register Black voters during a 1950 mayoral campaign. In July 1951, she married a friend of her brother, Bill Tucker, a construction company owner who also owned real estate in and around Philadelphia. For several years, DeLores sold real estate and insurance and was active in local politics. She also became an accomplished fundraiser and public speaker. The experience she gained in civic causes and work with her husband, helped to make her a well known figure in the city. She became the first African-American and first woman to serve on the Philadelphia Zoning Board.

As the civil rights movement gained momentum in the late 1950s and early 1960s, DeLores found the perfect channel for her activism. She joined the National Association for the Advancement of Colored People, NAACP, and helped the NAACP raise funds. She never shied away from sensitive political issues. As part of her civil rights activism, she walked with Dr. Martin Luther King, Jr. in the Selma to Montgomery march. In 1965, she participated in the White House Conference on Civil Rights and was a strong advocate of the 1965 Voting Rights Bill signed by President Lyndon Johnson.

DeLores Tucker's life was guided by her deep convictions. Throughout the 1960s, she campaigned for African-American candidates and served on her party's state committee. Her strong will and organizing skills brought her to the attention of those in power. In January 1971, she was named Secretary of the Commonwealth by Governor Milton J. Shapp. This appointment made DeLores the first African-American woman in the United States to serve in such a role.

The responsibilities of her job were serious. As Secretary of the Commonwealth, she was the keeper of the Great Seal of the Commonwealth and had the duty of authenticating government documents through the seal's use. By statute, she was a member of a number of important state boards and commissions. She also helped implement an affirmative action program to bring more equality to Pennsylvania's hiring practices. During her tenure, she advocated for the appointment of women and African-Americans as judges and as members of state boards and commissions. She led the effort to make Pennsylvania one of the first states to develop voter registration by mail and reduce the voting age from 21 to 18. Further, she helped pass statutes that would permit students to register and vote from their college districts. Ebony magazine named her among the ''100 most influential'' African-Americans every year of her tenure.

After leaving state government, Dr. Tucker was a candidate for several political offices, including lieutenant governor and United States Senator. Although her efforts were unsuccessful, she never wavered in her commitment to public service. She continued her commitment to community service, working with underprivileged young people both in Philadelphia and across the country.

DeLores Tucker always continued to participate in politics. As a fundraiser and organizer, she was involved in Jesse Jackson's presidential campaign in 1984. She chaired the Black Caucus of her party's national committee for several years, where she worked to increase the involvement of African-American women in politics.

One of Dr. Tucker's greatest legacies was her work as a founder of the National Political Congress of Black Women in 1984 which was created to advance the interests of the African-American community, especially women. The group devised a comprehensive ten-point plan to reclaim and improve the African-American community by focusing on voter registration, educational quality and equity, welfare reform that would not victimize poor people, and fair and adequate legal services for everyone. The National Political Congress of Black Women addressed both broad national

issues as well as local issues by, for example, supporting African-American congresswomen, as well as honoring civil rights pioneers, including Myrlie Evers-Williams, Dr. Betty Shabazz, and Coretta Scott King. The organization encouraged Black women to participate in the political process as voters, candidates, policymakers, fundraisers and role models. Today, the organization is known as the National Congress for Black Women. In 1992, Dr. Tucker succeeded Shirley Chisholm as the national chair of the National Congress of Black Women and served in that role until her death in 2005.

In 1991, Dr. Tucker founded the Bethune-DuBois Institute to promote the cultural and educational development of African-American youth. During this time, Dr. Tucker began her public criticism of some kinds of rap music. She argued that record companies should halt the distribution of popular music that she believed contained derogatory lyrics about women and minorities and had a negative impact on young people. Objecting to the sale of such lyrics to minors, she asked the Federal Bureau of Investigation to launch an inquiry. Both the NAACP and the Congressional Black Caucus supported Dr. Tucker's initiative.

Dr. Tucker rose to national prominence in African-American civil rights circles through her tireless activism and political fundraising. She worked to end racism and make the United States a more equal, multicultural society. Her career in civil rights spanned more than 50 years. Her husband, Bill Tucker, told the Washington Post that DeLores ''was one of the most fearless individuals I have ever known . . . She will take on anyone, anything, if that's what she thinks is right.''

Dr. Tucker chaired the Black Caucus of her party's national committee for 11 years and spoke at five national conventions. As a member of the national committee, she was one of the original organizers of the Black Caucus and the Women's Caucus. She worked tirelessly to ensure that women, African-Americans and other minorities had fair representation within her party. She was the first African-American to serve as President of the National Federation of Democratic Women. Dr. Tucker also served as a member of the NAACP Board of Trustees and on the board of the Points of Light Foundation. She was also a member of Alpha Kappa Alpha Sorority.

During her career, Dr. Tucker received more than 400 awards and honors, including the NAACP Thurgood Marshall Award, the Martin Luther King, Jr. Distinguished Service Award and the Philadelphia Urban League Whitney Young Award.

C. DeLores Tucker passed away on October 12, 2005. Her legacy lives on through the work of her husband, Bill Tucker, her many nieces and nephews, and the hundreds of people she helped and mentored during her life.

DeLores Tucker was a daughter of Philadelphia, a city that has produced many notable leaders, in fields as diverse as the fine arts, politics, science, athletics, business, literature and entertainment. In December of 1939, Marcia Davenport wrote an article in Collier's magazine about the great internationally known contralto, Philadelphian Marian Anderson. Davenport's article described Anderson as a young girl in south Philadelphia—whose father, John Anderson, died when she was ten—playing on an imaginary piano and singing despite the poverty her family lived in.

But in the heart of Anna Anderson, as she watched her child throbbing with music, there was a steadfast belief that for any worthy end, a way will come.

For DeLores Tucker, through hard work, a passion for advocacy, a strong faith and a loving family, a way did come. A way to stand up for the powerless; a way to overcome racism, prejudice, and hatred; a way to shine the bright warm light of justice and compassion in the dark corners of America. Yes, a way did come for DeLores Tucker to use her voice to sing her own hymn of equal rights and opportunity for all, especially women and African-Americans.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3315. Mr. SESSIONS (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID 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.

SA 3316. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 3317. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 3318. Mr. VITTER (for himself, Mr. BARRASSO, Mr. BOND, Mr. BUNNING, Mr. COBURN, Mr. COCHRAN, Mr. CORNYN, Mr. DEMINT, Mr. ENSIGN, Mr. ENZI, Mrs. HUTCHISON, Mr. INHOFE, Mr. RISCH, Mr. SESSIONS, Mr. CRAPO, Mr. BROWNBACK, Mr. WICKER, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 3319. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 3320. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 3321. Mr. BROWN, of Ohio (for Mrs. BOXER (for herself and Mr. FEINGOLD)) proposed an amendment to the resolution S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters.

SA 3322. Mr. BROWN, of Ohio (for Mrs. BOXER (for herself and Mr. FEINGOLD)) proposed an amendment to the resolution S. Res. 345, supra.

SA 3323. Mr. BROWN, of Ohio (for Mrs. BOXER (for herself and Mr. FEINGOLD)) proposed an amendment to the resolution S. Res. 345, supra.

TEXT OF AMENDMENTS

SA 3315. Mr. SESSIONS (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID 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:

At the appropriate place, insert the following:

SEC. __01. DISCRETIONARY SPENDING LIMITS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by inserting at the end the following:

''DISCRETIONARY SPENDING LIMITS

''SEC. 316. (a) DISCRETIONARY SPENDING LIMITS.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, or conference report that includes any provision that would cause the discretionary spending limits as set forth in this section to be exceeded.

''(b) LIMITS.—In this section, the term 'discretionary spending limits' has the following meaning subject to adjustments in subsection (c):

''(1) For fiscal year 2011—

''(A) for the defense category (budget function 050), $564,293,000,000 in budget authority; and

''(B) for the nondefense category, $529,662,000,000 in budget authority.

''(2) For fiscal year 2012—

''(A) for the defense category (budget function 050), $573,612,000,000 in budget authority; and

''(B) for the nondefense category, $533,232,000,000 in budget authority.

''(3) For fiscal year 2013—

''(A) for the defense category (budget function 050), $584,421,000,000 in budget authority; and

''(B) for the nondefense category, $540,834,000,000 in budget authority.

''(4) For fiscal year 2014—

''(A) for the defense category (budget function 050), $598,249,000,000 in budget authority; and

''(B) for the nondefense category, $550,509,000,000 in budget authority.

''(5) With respect to fiscal years following 2014, the President shall recommend and the Congress shall consider legislation setting limits for those fiscal years.

''(c) ADJUSTMENTS.—

''(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

''(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, the budgetary aggregates in the concurrent resolution on the budget most recently adopted by the Senate and the House of Representatives, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing there from; and

''(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

''(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

''(A) OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, 2013, or 2014, that provides funding for overseas deployments and other activities, the adjustment for purposes paragraph (1) shall be the amount of budget authority in that measure for that purpose but not to exceed—

''(i) with respect to fiscal year 2011, $50,000,000,000 in new budget authority;

''(ii) with respect to fiscal year 2012, $50,000,000,000 in new budget authority;

''(iii) with respect to fiscal year 2013, $50,000,000,000 in new budget authority: and

''(iv) with respect to fiscal year 2014, $50,000,000,000 in new budget authority.

''(B) EMERGENCY SPENDING.—For fiscal year 2011, 2012, 2013, or 2014 for appropriations for discretionary accounts designated as emergency requirements, the adjustment for purposes of paragraph (1) shall be the total of such appropriations in discretionary accounts designated as emergency requirements, but not to exceed $10,454,000,000 for 2011, $10,558,000,000 for 2012, $10,664,000,000 for 2013, and $10,877,000,000 for 2014. Appropriations designated as emergencies in excess of these limitations shall be treated as new budget authority.

''(C) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—

''(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, 2013, or 2014 that includes the amount described in clause (ii)(I), plus an additional amount for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) described in clause (ii)(II), the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative not exceeding the amount specified in clause (ii)(II) for that fiscal year.

''(ii) AMOUNTS.—The amounts referred to in clause (i) are as follows:

''(I) For fiscal year 2011, $7,171,000,000, for fiscal year 2012, $7,243,000,000, for fiscal year 2013, $7,315,000,000, and for fiscal year 2014, $7,461,000,000.

''(II) For fiscal year 2011, $899,000,000, for fiscal year 2012, $908,000,000, for fiscal year 2013, $917,000,000, and for fiscal year 2014, $935,000,000.

''(D) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—

''(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, 2013, or 2014 that includes the amount described in clause (ii)(I), plus an additional amount for Continuing Disability Reviews and Supplemental Security Income Redeterminations for the Social Security Administration described in clause (ii)(II), the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative not exceeding the amount specified in clause (ii)(II) for that fiscal year.

''(ii) AMOUNTS.—The amounts referred to in clause (i) are as follows:

''(I) For fiscal year 2011, $276,000,000; for fiscal year 2012, $278,000,000; for fiscal year 2013, $281,000,000; for fiscal year 2014, $287,000,000.

''(II) For fiscal year 2011, $490,000,000; for fiscal year 2012, $495,000,000; for fiscal year 2013, $500,000,000; for fiscal year 2014, $510,000,000.

''(iii) ASSET VERIFICATION.—

''(I) IN GENERAL.—The additional appropriation permitted under clause (ii)(II) may also provide that a portion of that amount, not to exceed the amount specified in subclause (II) for that fiscal year instead may be used for asset verification for Supplemental Security Income recipients, but only if, and to the extent that the Office of the Chief Actuary estimates that the initiative would be at least as cost effective as the redeterminations of eligibility described in this subparagraph.

''(II) AMOUNTS.—For fiscal year 2011, $34,340,000, for fiscal year 2012, $34,683,000, for fiscal year 2013, $35,030,000 and for fiscal year 2014, $35,731,000.

''(E) HEALTH CARE FRAUD AND ABUSE.—

''(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, 2013, or 2014 that includes the amount described in clause (ii) for the Health Care Fraud and Abuse Control program at the Department of Health & Human Services for that fiscal year, the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative but not to exceed the amount described in clause (ii).

''(ii) AMOUNT.—The amount referred to in clause (i) is for fiscal year 2011, $314,000,000, for fiscal year 2012, $317,000,000, for fiscal year 2013, $320,000,000, and for fiscal year 2014, $327,000,000.

''(F) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, 2013, or 2014 that includes $10,000,000, plus an additional amount for in-person reemployment and eligibility assessments and unemployment improper payment reviews for the Department of Labor, the adjustment for purposes paragraph (1) shall be the amount of budget authority in that measure for that initiative but not to exceed—

''(i) with respect to fiscal year 2011, $51,000,000 in new budget authority; and

''(ii) with respect to fiscal year 2012, $51,000,000 in new budget authority.

''(iii) with respect to fiscal year 2013, $52,000,000 in new budget authority; and

''(iv) with respect to fiscal year 2014, $53,000,000 in new budget authority.

''(G) LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, 2013, or 2014 that includes $3,200,000,000 in funding for the Low-Income Home Energy Assistance Program and provides an additional amount up to $1,900,000,000 for that program, the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative but not to exceed $1,900,000,000.

''(d) EMERGENCY SPENDING.—

''(1) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this subsection.

''(2) EXEMPTION OF EMERGENCY PROVISIONS.—Subject to the limitations provided in subsection (c)(2)(B), any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this subsection, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), and section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

''(3) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this subsection, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (6).

''(4) DEFINITIONS.—In this subsection, the terms 'direct spending', 'receipts', and 'appropriations for discretionary accounts' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(5) POINT OF ORDER.—

''(A) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

''(B) SUPERMAJORITY WAIVER AND APPEALS.—

''(i) WAIVER.—Subparagraph (A) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

''(ii) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this paragraph shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

''(C) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of subparagraph (A), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this paragraph.

''(D) FORM OF THE POINT OF ORDER.—A point of order under subparagraph (A) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

''(E) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this paragraph, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

''(6) CRITERIA.—

''(A) IN GENERAL.—For purposes of this subsection, any provision is an emergency requirement if the situation addressed by such provision is—

''(i) necessary, essential, or vital (not merely useful or beneficial);

''(ii) sudden, quickly coming into being, and not building up over time;

''(iii) an urgent, pressing, and compelling need requiring immediate action;

''(iv) subject to clause (ii), unforeseen, unpredictable, and unanticipated; and

''(v) not permanent, temporary in nature.

''(7) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

''(e) LIMITATIONS ON CHANGES TO EXEMPTIONS.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, or conference report that would exempt any new budget authority, outlays, and receipts from being counted for purposes of this section.

''(f) POINT OF ORDER IN THE SENATE.—

''(1) WAIVER.—The provisions of this section shall be waived or suspended in the Senate only—

''(A) by the affirmative vote of two-thirds of the Members, duly chosen and sworn; or

''(B) in the case of the defense budget authority, if Congress declares war or authorizes the use of force.

''(2) APPEAL.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the measure. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

''(3) LIMITATIONS ON CHANGES TO THIS SUBSECTION.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, or conference report that would repeal or otherwise change this subsection.''.

(b) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following new item:

''Sec. 316. Discretionary spending limits.''.

SA 3316. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID 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:

At the end, add the following:

TITLE ____—SMALL BUSINESS LOANS

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Small Business Job Creation and Access to Capital Act of 2010''.

Subtitle A—Next Steps for Main Street Credit Availability

SEC. ____21. SECTION 7(a) BUSINESS LOANS.

(a) AMENDMENT.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (i), by striking ''75 percent'' and inserting ''90 percent''; and

(B) in clause (ii), by striking ''85 percent'' and inserting ''90 percent''; and

(2) in paragraph (3)(A), by striking ''$1,500,000 (or if the gross loan amount would exceed $2,000,000'' and inserting ''$4,500,000 (or if the gross loan amount would exceed $5,000,000''.

(b) PROSPECTIVE REPEAL.—Effective January 1, 2011, section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (i), by striking ''90 percent'' and inserting ''75 percent''; and

(B) in clause (ii), by striking ''90 percent'' and inserting ''85 percent''; and

(2) in paragraph (3)(A), by striking ''$4,500,000'' and inserting ''$3,750,000''.

SEC. ____22. MAXIMUM LOAN AMOUNTS UNDER 504 PROGRAM.

Section 502(2)(A) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)(A)) is amended—

(1) in clause (i), by striking ''$1,500,000'' and inserting ''$5,000,000'';

(2) in clause (ii), by striking ''$2,000,000'' and inserting ''$5,000,000'';

(3) in clause (iii), by striking ''$4,000,000'' and inserting ''$5,500,000'';

(4) in clause (iv), by striking ''$4,000,000'' and inserting ''$5,500,000''; and

(5) in clause (v), by striking ''$4,000,000'' and inserting ''$5,500,000''.

SEC. ____23. MAXIMUM LOAN LIMITS UNDER MICROLOAN PROGRAM.

Section 7(m) of the Small Business Act (15 U.S.C. 636(m)) is amended—

(1) in paragraph (1)(B)(iii), by striking ''$35,000'' and inserting ''$50,000'';

(2) in paragraph (3)—

(A) in subparagraph (C), by striking ''$3,500,000'' and inserting ''$5,000,000''; and

(B) in subparagraph (E), by striking ''$35,000'' each place that term appears and inserting ''$50,000''; and

(3) in paragraph (11)(B), by striking ''$35,000'' and inserting ''$50,000''.

SEC. ____24. TEMPORARY FEE REDUCTIONS.

Section 501 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151) is amended by striking ''September 30, 2010'' each place that term appears and inserting ''December 31, 2010''.

SEC. ____25. NEW MARKETS VENTURE CAPITAL COMPANY INVESTMENT LIMITATIONS.

Section 355 of the Small Business Investment Act of 1958 (15 U.S.C. 689d) is amended by adding at the end the following:

''(e) INVESTMENT LIMITATIONS.—

''(1) DEFINITION.—In this subsection, the term 'covered New Markets Venture Capital company' means a New Markets Venture Capital company—

''(A) granted final approval by the Administrator under section 354(e) on or after March 1, 2002; and

''(B) that has obtained a financing from the Administrator.

''(2) LIMITATION.—Except to the extent approved by the Administrator, a covered New Markets Venture Capital company may not acquire or issue commitments for securities under this title for any single enterprise in an aggregate amount equal to more than 10 percent of the sum of—

''(A) the regulatory capital of the covered New Markets Venture Capital company; and

''(B) the total amount of leverage projected in the participation agreement of the covered New Markets Venture Capital.''.

SEC. ____26. ALTERNATIVE SIZE STANDARDS.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

''(5) ALTERNATIVE SIZE STANDARD.—

''(A) IN GENERAL.—The Administrator shall establish an alternative size standard for applicants for business loans under section 7(a) and applicants for development company loans under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.), that uses maximum tangible net worth and average net income as an alternative to the use of industry standards.

''(B) INTERIM RULE.—Until the date on which the alternative size standard established under subparagraph (A) is in effect, an applicant for a business loan under section 7(a) or an applicant for a development company loan under title V of the Small Business Investment Act of 1958 may be eligible for such a loan if—

''(i) the maximum tangible net worth of the applicant is not more than $15,000,000; and

''(ii) the average net income after Federal income taxes (excluding any carry-over losses) of the applicant for the 2 full fiscal years before the date of the application is not more than $5,000,000.''.

SEC. ____27. SALE OF 7(a) LOANS IN SECONDARY MARKET.

Section 5(g) of the Small Business Act (15 U.S.C. 634(g)) is amended by adding at the end the following:

''(6) If the amount of the guaranteed portion of any loan under section 7(a) is more than $500,000, the Administrator shall, upon request of a pool assembler, divide the loan guarantee into increments of $500,000 and 1 increment of any remaining amount less than $500,000, in order to permit the maximum amount of any loan in a pool to be not more than $500,000. Only 1 increment of any loan guarantee divided under this paragraph may be included in the same pool. Increments of loan guarantees to different borrowers that are divided under this paragraph may be included in the same pool.''.

SEC. ____28. ONLINE LENDING PLATFORM.

It is the sense of Congress that the Administrator of the Small Business Administration should establish a website that—

(1) lists each lender that makes loans guaranteed by the Small Business Administration and provides information about the loan rates of each such lender; and

(2) allows prospective borrowers to compare rates on loans guaranteed by the Small Business Administration.

Subtitle B—Small Business Access to Capital

SEC. ____42. LOW-INTEREST REFINANCING UNDER THE LOCAL DEVELOPMENT BUSINESS LOAN PROGRAM.

(a) REFINANCING.—Section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)) is amended by adding at the end the following:

''(C) REFINANCING NOT INVOLVING EXPANSIONS.—

''(i) DEFINITIONS.—In this subparagraph—

''(I) the term 'borrower' means a small business concern that submits an application to a development company for financing under this subparagraph;

''(II) the term 'eligible fixed asset' means tangible property relating to which the Administrator may provide financing under this section; and

''(III) the term 'qualified debt' means indebtedness—

''(aa) that—

''(AA) was incurred not less than 2 years before the date of the application for assistance under this subparagraph;

''(BB) is a commercial loan;

''(CC) is not subject to a guarantee by a Federal agency;

''(DD) the proceeds of which were used to acquire an eligible fixed asset;

''(EE) was incurred for the benefit of the small business concern; and

''(FF) is collateralized by eligible fixed assets; and

''(bb) for which the borrower has been current on all payments for not less than 1 year before the date of the application.

''(ii) AUTHORITY.—A project that does not involve the expansion of a small business concern may include the refinancing of qualified debt if—

''(I) the amount of the financing is not more than 80 percent of the value of the collateral for the financing, except that, if the appraised value of the eligible fixed assets

serving as collateral for the financing is less than the amount equal to 125 percent of the amount of the financing, the borrower may provide additional cash or other collateral to eliminate any deficiency;

''(II) the borrower has been in operation for all of the 2-year period ending on the date of the loan; and

''(III) for a financing for which the Administrator determines there will be an additional cost attributable to the refinancing of the qualified debt, the borrower agrees to pay a fee in an amount equal to the anticipated additional cost.

''(iii) FINANCING FOR BUSINESS EXPENSES.—

''(I) FINANCING FOR BUSINESS EXPENSES.—The Administrator may provide financing to a borrower that receives financing that includes a refinancing of qualified debt under clause (ii), in addition to the refinancing under clause (ii), to be used solely for the payment of business expenses.

''(II) APPLICATION FOR FINANCING.—An application for financing under subclause (I) shall include—

''(aa) a specific description of the expenses for which the additional financing is requested; and

''(bb) an itemization of the amount of each expense.

''(III) CONDITION ON ADDITIONAL FINANCING.—A borrower may not use any part of the financing under this clause for non-business purposes.

''(iv) LOANS BASED ON JOBS.—

''(I) JOB CREATION AND RETENTION GOALS.—

''(aa) IN GENERAL.—The Administrator may provide financing under this subparagraph for a borrower that meets the job creation goals under subsection (d) or (e) of section 501.

''(bb) ALTERNATE JOB RETENTION GOAL.—The Administrator may provide financing under this subparagraph to a borrower that does not meet the goals described in item (aa) in an amount that is not more than the product obtained by multiplying the number of employees of the borrower by $65,000.

''(II) NUMBER OF EMPLOYEES.—For purposes of subclause (I), the number of employees of a borrower is equal to the sum of—

''(aa) the number of full-time employees of the borrower on the date on which the borrower applies for a loan under this subparagraph; and

''(bb) the product obtained by multiplying—

''(AA) the number of part-time employees of the borrower on the date on which the borrower applies for a loan under this subparagraph; by

''(BB) the quotient obtained by dividing the average number of hours each part time employee of the borrower works each week by 40.

''(v) NONDELEGATION.—Notwithstanding section 508(e), the Administrator may not permit a premier certified lender to approve or disapprove an application for assistance under this subparagraph.

''(vi) TOTAL AMOUNT OF LOANS.—The Administrator may provide not more than a total of $4,000,000,000 of financing under this subparagraph for each fiscal year.''.

(b) PROSPECTIVE REPEAL.—Effective 2 years after the date of enactment of this Act, section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)) is amended by striking subparagraph (C).

(c) TECHNICAL CORRECTION.—Section 502(2)(A)(i) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)(A)(i)) is amended by striking ''subparagraph (B) or (C)'' and inserting ''clause (ii), (iii), (iv), or (v)''.

SA 3317. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SMALL BUSINESS TECHNICAL ASSISTANCE.

(a) SMALL BUSINESS ACT.—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

''(g) WAIVER OF NON-FEDERAL SHARE FOR TECHNICAL ASSISTANCE AND COUNSELING PROGRAMS.—Upon request, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under a technical assistance or counseling program under this Act (including the microloan program under section 7(m), the small business development center program under section 21, and the women's business center program under section 29) if the Administrator determines—

''(1) the requestor is suffering extreme economic hardship; and

''(2) waiving the requirement to obtain non-Federal funds will not undermine the credibility of the program.''.

(b) SMALL BUSINESS INVESTMENT ACT OF 1958.—Title I of the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) is amended by adding at the end the following:

''SEC. 104. WAIVER OF NON-FEDERAL SHARE FOR TECHNICAL ASSISTANCE AND COUNSELING PROGRAMS.

''Upon request, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under a technical assistance or counseling program under this Act if the Administrator determines—

''(1) the requestor is suffering extreme economic hardship; and

''(2) waiving the requirement to obtain non-Federal funds will not undermine the credibility of the program.''.

SA 3318. Mr. VITTER (for himself, Mr. BARRASSO, Mr. BOND, Mr. BUNNING, Mr. COBURN, Mr. COCHRAN, Mr. CORNYN, Mr. DEMINT, Mr. ENSIGN, Mr. ENZI, Mrs. HUTCHINSON, Mr. INHOFE, Mr. RISCH, Mr. SESSIONS, Mr. CRAPO, Mr. BROWNBACK, Mr. WICKER, and Mr. THUNE) 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:

At the appropriate place, insert the following:

TITLE ____—NO COST STIMULUS

SEC. __01. SHORT TITLE.

This title may be cited as the ''No Cost Stimulus Act of 2010''.

Subtitle A—Outer Continental Shelf Leasing

SEC. __11. LEASING PROGRAM CONSIDERED APPROVED.

(a) IN GENERAL.—The Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015 issued by the Secretary of the Interior (referred to in this section as the ''Secretary'') under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is considered to have been approved by the Secretary as a final oil and gas leasing program under that section.

(b) FINAL ENVIRONMENTAL IMPACT STATEMENT.—The Secretary is considered to have issued a final environmental impact statement for the program described in subsection (a) in accordance with all requirements under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

SEC. __12. LEASE SALES.

(a) OUTER CONTINENTAL SHELF.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 30 days after the date of enactment of this Act and every 270 days thereafter, the Secretary of the Interior (referred to in this section as the ''Secretary'') shall conduct a lease sale in each outer Continental Shelf planning area for which the Secretary determines that there is a commercial interest in purchasing Federal oil and gas leases for production on the outer Continental Shelf.

(2) SUBSEQUENT DETERMINATIONS AND SALES.—If the Secretary determines that there is not a commercial interest in purchasing Federal oil and gas leases for production on the outer Continental Shelf in a planning area under this subsection, not later than 2 years after the date of enactment of the determination and every 2 years thereafter, the Secretary shall—

(A) determine whether there is a commercial interest in purchasing Federal oil and gas leases for production on the outer Continental Shelf in the planning area; and

(B) if the Secretary determines that there is a commercial interest described in subparagraph (A), conduct a lease sale in the planning area.

(b) RENEWABLE ENERGY AND MARICULTURE.—The Secretary may conduct commercial lease sales of resources owned by United States—

(1) to produce renewable energy (as defined in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b))); or

(2) to cultivate marine organisms in the natural habitat of the organisms.

SEC. __13. COASTAL IMPACT ASSISTANCE PROGRAM AMENDMENTS.

Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a) is amended—

(1) in subsection (c), by adding at the end the following:

''(5) APPLICATION REQUIREMENTS; AVAILABILITY OF FUNDING.—On approval of a plan by the Secretary under this section, the producing State shall—

''(A) not be subject to any additional application or other requirements (other than notifying the Secretary of which projects are being carried out under the plan) to receive the payments; and

''(B) be immediately eligible to receive payments under this section.''; and

(2) by adding at the end the following:

''(e) FUNDING.—

''(1) STREAMLINING.—

''(A) REPORT.—Not later than 180 days after the date of enactment of this subsection, the Secretary of the Interior (acting through the Director of the Minerals Management Service) (referred to in this subsection as the 'Secretary') shall develop a plan that addresses streamlining the process by which payments are made under this section, including recommendations for—

''(i) decreasing the time required to approve plans submitted under subsection (c)(1);

''(ii) ensuring that allocations to producing States under subsection (b) are adequately funded; and

''(iii) any modifications to the authorized uses for payments under subsection (d).

''(B) CLEAN WATER.—Not later than 180 days after the date of enactment of this subsection, the Secretary and the Administrator of the Environmental Protection Agency shall jointly develop procedures for streamlining the permit process required under the

Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and State laws for restoration projects that are included in an approved plan under subsection (c).

''(C) ENVIRONMENTAL REQUIREMENTS.—A project funded under this section that does not involve wetlands shall not be subject to environmental review requirements under Federal law.

''(2) COST-SHARING REQUIREMENTS.—Any amounts made available to producing States under this section may be used to meet the cost-sharing requirements of other Federal grant programs, including grant programs that support coastal wetland protection and restoration.

''(3) EXPEDITED FUNDING.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall develop a procedure to provide expedited funding to projects under this section based on estimated revenues to ensure that the projects may—

''(A) secure additional funds from other sources; and

''(B) use the amounts made available under this section on receipt.''.

SEC. __14. SEAWARD BOUNDARIES OF STATES.

(a) SEAWARD BOUNDARIES.—Section 4 of the Submerged Lands Act (43 U.S.C. 1312) is amended by striking ''three geographical miles'' each place it appears and inserting ''12 nautical miles''.

(b) CONFORMING AMENDMENTS.—Section 2 of the Submerged Lands Act (43 U.S.C. 1301) is amended—

(1) in subsection (a)(2), by striking ''three geographical miles'' and inserting ''12 nautical miles''; and

(2) in subsection (b)—

(A) by striking ''three geographical miles'' and inserting ''12 nautical miles''; and

(B) by striking ''three marine leagues'' and inserting ''12 nautical miles''.

(c) EFFECT OF AMENDMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), the amendments made by this section shall not effect Federal oil and gas mineral rights.

(2) SUBMERGED LAND.—Submerged land within the seaward boundaries of States shall be—

(A) subject to Federal oil and gas mineral rights to the extent provided by law;

(B) considered to be part of the Federal outer Continental Shelf for purposes of the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.); and

(C) subject to leasing under the authority of that Act and to laws applicable to the leasing of the oil and gas resources of the Federal outer Continental Shelf.

(3) EXISTING LEASES.—The amendments made by this section shall not affect any Federal oil and gas lease in effect on the date of enactment of this Act.

(4) TAXATION.—

(A) IN GENERAL.—Subject to subparagraph (B), a State may exercise all of the sovereign powers of taxation of the State within the entire extent of the seaward boundaries of the State (as extended by the amendments made by this section).

(B) LIMITATION.—Nothing in this paragraph affects the authority of a State to tax any Federal oil and gas lease in effect on the date of enactment of this Act.

Subtitle B—Leasing Program for Land Within Coastal Plain

SEC. __21. DEFINITIONS.

In this subtitle:

(1) COASTAL PLAIN.—The term ''Coastal Plain'' means that area identified as the ''1002 Coastal Plain Area'' on the map.

(2) FEDERAL AGREEMENT.—The term ''Federal Agreement'' means the Federal Agreement and Grant Right-of-Way for the Trans-Alaska Pipeline issued on January 23, 1974, in accordance with section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1651 et seq.).

(3) FINAL STATEMENT.—The term ''Final Statement'' means the final legislative environmental impact statement on the Coastal Plain, dated April 1987, and prepared pursuant to section 1002 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3142) and section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(4) MAP.—The term ''map'' means the map entitled ''Arctic National Wildlife Refuge'', dated September 2005, and prepared by the United States Geological Survey.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior (or the designee of the Secretary), acting through the Director of the Bureau of Land Management, in consultation with the Director of the United States Fish and Wildlife Service.

SEC. __22. LEASING PROGRAM FOR LAND WITHIN THE COASTAL PLAIN.

(a) IN GENERAL.—The Secretary shall take such actions as are necessary—

(1) to establish and implement, in accordance with this subtitle, a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain; and

(2) to administer this subtitle through regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other provisions that—

(A) ensure the oil and gas exploration, development, and production activities on the Coastal Plain will result in no significant adverse effect on fish and wildlife, their habitat, subsistence resources, and the environment; and

(B) require the application of the best commercially available technology for oil and gas exploration, development, and production to all exploration, development, and production operations under this subtitle in a manner that ensures the receipt of fair market value by the public for the mineral resources to be leased.

(b) REPEAL.—

(1) REPEAL.—Section 1003 of the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3143) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents contained in section 1 of that Act (16 U.S.C. 3101 note) is amended by striking the item relating to section 1003.

(3) COMPLIANCE WITH NEPA FOR OTHER ACTIONS.—

(A) IN GENERAL.—Before conducting the first lease sale under this subtitle, the Secretary shall prepare an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the actions authorized by this subtitle that are not referred to in paragraph (2).

(B) IDENTIFICATION AND ANALYSIS.—Notwithstanding any other provision of law, in carrying out this paragraph, the Secretary shall not be required—

(i) to identify nonleasing alternative courses of action; or

(ii) to analyze the environmental effects of those courses of action.

(C) IDENTIFICATION OF PREFERRED ACTION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(i) identify only a preferred action and a single leasing alternative for the first lease sale authorized under this subtitle; and

(ii) analyze the environmental effects and potential mitigation measures for those 2 alternatives.

(D) PUBLIC COMMENTS.—In carrying out this paragraph, the Secretary shall consider only public comments that are filed not later than 20 days after the date of publication of a draft environmental impact statement.

(E) EFFECT OF COMPLIANCE.—Notwithstanding any other provision of law, compliance with this paragraph shall be considered to satisfy all requirements for the analysis and consideration of the environmental effects of proposed leasing under this subtitle.

(c) RELATIONSHIP TO STATE AND LOCAL AUTHORITY.—Nothing in this subtitle expands or limits any State or local regulatory authority.

(d) SPECIAL AREAS.—

(1) DESIGNATION.—

(A) IN GENERAL.—The Secretary, after consultation with the State of Alaska, the North Slope Borough, Alaska, and the City of Kaktovik, Alaska, may designate not more than 45,000 acres of the Coastal Plain as a special area if the Secretary determines that the special area would be of such unique character and interest as to require special management and regulatory protection.

(B) SADLEROCHIT SPRING AREA.—The Secretary shall designate as a special area in accordance with subparagraph (A) the Sadlerochit Spring area, comprising approximately 4,000 acres as depicted on the map.

(2) MANAGEMENT.—The Secretary shall manage each special area designated under this subsection in a manner that preserves the unique and diverse character of the area, including fish, wildlife, subsistence resources, and cultural values of the area.

(3) EXCLUSION FROM LEASING OR SURFACE OCCUPANCY.—

(A) IN GENERAL.—The Secretary may exclude any special area designated under this subsection from leasing.

(B) NO SURFACE OCCUPANCY.—If the Secretary leases all or a portion of a special area for the purposes of oil and gas exploration, development, production, and related activities, there shall be no surface occupancy of the land comprising the special area.

(4) DIRECTIONAL DRILLING.—Notwithstanding any other provision of this subsection, the Secretary may lease all or a portion of a special area under terms that permit the use of horizontal drilling technology from sites on leases located outside the special area.

(e) LIMITATION ON CLOSED AREAS.—The Secretary may not close land within the Coastal Plain to oil and gas leasing or to exploration, development, or production except in accordance with this subtitle.

(f) REGULATIONS.—

(1) IN GENERAL.—Not later than 15 months after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to carry out this subtitle, including rules and regulations relating to protection of the fish and wildlife, fish and wildlife habitat, subsistence resources, and environment of the Coastal Plain.

(2) REVISION OF REGULATIONS.—The Secretary shall periodically review and, as appropriate, revise the rules and regulations issued under paragraph (1) to reflect any significant biological, environmental, scientific or engineering data that come to the attention of the Secretary.

SEC. __23. LEASE SALES.

(a) IN GENERAL.—Land may be leased pursuant to this subtitle to any person qualified to obtain a lease for deposits of oil and gas under the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(b) PROCEDURES.—The Secretary shall, by regulation, establish procedures for—

(1) receipt and consideration of sealed nominations for any area in the Coastal

Plain for inclusion in, or exclusion (as provided in subsection (c)) from, a lease sale;

(2) the holding of lease sales after that nomination process; and

(3) public notice of and comment on designation of areas to be included in, or excluded from, a lease sale.

(c) LEASE SALE BIDS.—Bidding for leases under this subtitle shall be by sealed competitive cash bonus bids.

(d) ACREAGE MINIMUM IN FIRST SALE.—For the first lease sale under this subtitle, the Secretary shall offer for lease those tracts the Secretary considers to have the greatest potential for the discovery of hydrocarbons, taking into consideration nominations received pursuant to subsection (b)(1), but in no case less than 200,000 acres.

(e) TIMING OF LEASE SALES.—The Secretary shall—

(1) not later than 22 months after the date of enactment of this Act, conduct the first lease sale under this subtitle;

(2) not later than 90 days after the date of the completion of the sale, evaluate the bids in the sale and issue leases resulting from the sale; and

(3) conduct additional sales at appropriate intervals if sufficient interest in exploration or development exists to warrant the conduct of the additional sales.

SEC. __24. GRANT OF LEASES BY THE SECRETARY.

(a) IN GENERAL.—On payment by a lessee of such bonus as may be accepted by the Secretary, the Secretary may grant to the highest responsible qualified bidder in a lease sale conducted pursuant to section __23 a lease for any land on the Coastal Plain.

(b) SUBSEQUENT TRANSFERS.—

(1) IN GENERAL.—No lease issued under this subtitle may be sold, exchanged, assigned, sublet, or otherwise transferred except with the approval of the Secretary.

(2) CONDITION FOR APPROVAL.—Before granting any approval described in paragraph (1), the Secretary shall consult with and give due consideration to the opinion of the Attorney General.

SEC. __25. LEASE TERMS AND CONDITIONS.

An oil or gas lease issued pursuant to this subtitle shall—

(1) provide for the payment of a royalty of not less than 12½ percent of the amount or value of the production removed or sold from the lease, as determined by the Secretary in accordance with regulations applicable to other Federal oil and gas leases;

(2) provide that the Secretary may close, on a seasonal basis, such portions of the Coastal Plain to exploratory drilling activities as are necessary to protect caribou calving areas and other species of fish and wildlife;

(3) require that each lessee of land within the Coastal Plain shall be fully responsible and liable for the reclamation of land within the Coastal Plain and any other Federal land that is adversely affected in connection with exploration, development, production, or transportation activities within the Coastal Plain conducted by the lessee or by any of the subcontractors or agents of the lessee;

(4) provide that the lessee may not delegate or convey, by contract or otherwise, that reclamation responsibility and liability to another person without the express written approval of the Secretary;

(5) provide that the standard of reclamation for land required to be reclaimed under this subtitle shall be, to the maximum extent practicable—

(A) a condition capable of supporting the uses that the land was capable of supporting prior to any exploration, development, or production activities; or

(B) on application by the lessee, to a higher or better standard, as approved by the Secretary;

(6) contain terms and conditions relating to protection of fish and wildlife, fish and wildlife habitat, subsistence resources, and the environment as required under section __22(a)(2);

(7) provide that each lessee, and each agent and contractor of a lessee, use their best efforts to provide a fair share of employment and contracting for Alaska Natives and Alaska Native Corporations from throughout the State of Alaska, as determined by the level of obligation previously agreed to in the Federal Agreement; and

(8) contain such other provisions as the Secretary determines to be necessary to ensure compliance with this subtitle and the regulations promulgated under this subtitle.

SEC. __26. COASTAL PLAIN ENVIRONMENTAL PROTECTION.

(a) NO SIGNIFICANT ADVERSE EFFECT STANDARD TO GOVERN AUTHORIZED COASTAL PLAIN ACTIVITIES.—In accordance with section __22, the Secretary shall administer this subtitle through regulations, lease terms, conditions, restrictions, prohibitions, stipulations, or other provisions that—

(1) ensure, to the maximum extent practicable, that oil and gas exploration, development, and production activities on the Coastal Plain will result in no significant adverse effect on fish and wildlife, fish and wildlife habitat, and the environment;

(2) require the application of the best commercially available technology for oil and gas exploration, development, and production on all new exploration, development, and production operations; and

(3) ensure that the maximum surface acreage covered in connection with the leasing program by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 2,000 acres on the Coastal Plain.

(b) SITE-SPECIFIC ASSESSMENT AND MITIGATION.—The Secretary shall require, with respect to any proposed drilling and related activities on the Coastal Plain, that—

(1) a site-specific analysis be made of the probable effects, if any, that the drilling or related activities will have on fish and wildlife, fish and wildlife habitat, subsistence resources, subsistence uses, and the environment;

(2) a plan be implemented to avoid, minimize, and mitigate (in that order and to the maximum extent practicable) any significant adverse effect identified under paragraph (1); and

(3) the development of the plan shall occur after consultation with the 1 or more agencies having jurisdiction over matters mitigated by the plan.

(c) REGULATIONS TO PROTECT COASTAL PLAIN FISH AND WILDLIFE RESOURCES, SUBSISTENCE USERS, AND THE ENVIRONMENT.—Before implementing the leasing program authorized by this subtitle, the Secretary shall prepare and issue regulations, lease terms, conditions, restrictions, prohibitions, stipulations, or other measures designed to ensure, to the maximum extent practicable, that the activities carried out on the Coastal Plain under this subtitle are conducted in a manner consistent with the purposes and environmental requirements of this subtitle.

(d) COMPLIANCE WITH FEDERAL AND STATE ENVIRONMENTAL LAWS AND OTHER REQUIREMENTS.—The proposed regulations, lease terms, conditions, restrictions, prohibitions, and stipulations for the leasing program under this subtitle shall require—

(1) compliance with all applicable provisions of Federal and State environmental law (including regulations);

(2) implementation of and compliance with—

(A) standards that are at least as effective as the safety and environmental mitigation measures, as described in items 1 through 29 on pages 167 through 169 of the Final Statement, on the Coastal Plain;

(B) seasonal limitations on exploration, development, and related activities, as necessary, to avoid significant adverse effects during periods of concentrated fish and wildlife breeding, denning, nesting, spawning, and migration;

(C) design safety and construction standards for all pipelines and any access and service roads that minimize, to the maximum extent practicable, adverse effects on—

(i) the passage of migratory species (such as caribou); and

(ii) the flow of surface water by requiring the use of culverts, bridges, or other structural devices;

(D) prohibitions on general public access to, and use of, all pipeline access and service roads;

(E) stringent reclamation and rehabilitation requirements in accordance with this subtitle for the removal from the Coastal Plain of all oil and gas development and production facilities, structures, and equipment on completion of oil and gas production operations, except in a case in which the Secretary determines that those facilities, structures, or equipment—

(i) would assist in the management of the Arctic National Wildlife Refuge; and

(ii) are donated to the United States for that purpose;

(F) appropriate prohibitions or restrictions on—

(i) access by all modes of transportation;

(ii) sand and gravel extraction; and

(iii) use of explosives;

(G) reasonable stipulations for protection of cultural and archaeological resources;

(H) measures to protect groundwater and surface water, including—

(i) avoidance, to the maximum extent practicable, of springs, streams, and river systems;

(ii) the protection of natural surface drainage patterns and wetland and riparian habitats; and

(iii) the regulation of methods or techniques for developing or transporting adequate supplies of water for exploratory drilling; and

(I) research, monitoring, and reporting requirements.

(3) that exploration activities (except surface geological studies) be limited to the period between approximately November 1 and May 1 of each year and be supported, if necessary, by ice roads, winter trails with adequate snow cover, ice pads, ice airstrips, and air transport methods (except that those exploration activities may be permitted at other times if the Secretary determines that the exploration will have no significant adverse effect on fish and wildlife, fish and wildlife habitat, and the environment of the Coastal Plain);

(4) consolidation of facility siting;

(5) avoidance or reduction of air traffic-related disturbance to fish and wildlife;

(6) treatment and disposal of hazardous and toxic wastes, solid wastes, reserve pit fluids, drilling muds and cuttings, and domestic wastewater, including, in accordance with applicable Federal and State environmental laws (including regulations)—

(A) preparation of an annual waste management report;

(B) development and implementation of a hazardous materials tracking system; and

(C) prohibition on the use of chlorinated solvents;

(7) fuel storage and oil spill contingency planning;

(8) conduct of periodic field crew environmental briefings;

(9) avoidance of significant adverse effects on subsistence hunting, fishing, and trapping;

(10) compliance with applicable air and water quality standards;

(11) appropriate seasonal and safety zone designations around well sites, within which subsistence hunting and trapping shall be limited; and

(12) development and implementation of such other protective environmental requirements, restrictions, terms, or conditions as the Secretary determines to be necessary.

(e) CONSIDERATIONS.—In preparing and issuing regulations, lease terms, conditions, restrictions, prohibitions, or stipulations under this section, the Secretary shall take into consideration—

(1) the stipulations and conditions that govern the National Petroleum Reserve-Alaska leasing program, as set forth in the 1999 Northeast National Petroleum Reserve-Alaska Final Integrated Activity Plan/Environmental Impact Statement;

(2) the environmental protection standards that governed the initial Coastal Plain seismic exploration program under parts 37.31 through 37.33 of title 50, Code of Federal Regulations (or successor regulations); and

(3) the land use stipulations for exploratory drilling on the KIC–ASRC private land described in Appendix 2 of the agreement between Arctic Slope Regional Corporation and the United States dated August 9, 1983.

(f) FACILITY CONSOLIDATION PLANNING.—

(1) IN GENERAL.—After providing for public notice and comment, the Secretary shall prepare and periodically update a plan to govern, guide, and direct the siting and construction of facilities for the exploration, development, production, and transportation of oil and gas resources from the Coastal Plain.

(2) OBJECTIVES.—The objectives of the plan shall be—

(A) the avoidance of unnecessary duplication of facilities and activities;

(B) the encouragement of consolidation of common facilities and activities;

(C) the location or confinement of facilities and activities to areas that will minimize impact on fish and wildlife, fish and wildlife habitat, subsistence resources, and the environment;

(D) the use of existing facilities, to the maximum extent practicable; and

(E) the enhancement of compatibility between wildlife values and development activities.

(g) ACCESS TO PUBLIC LAND.—The Secretary shall—

(1) manage public land in the Coastal Plain in accordance with subsections (a) and (b) of section 811 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3121); and

(2) ensure that local residents shall have reasonable access to public land in the Coastal Plain for traditional uses.

SEC. __27. EXPEDITED JUDICIAL REVIEW.

(a) FILING OF COMPLAINTS.—

(1) DEADLINE.—A complaint seeking judicial review of a provision of this subtitle or an action of the Secretary under this subtitle shall be filed—

(A) except as provided in subparagraph (B), during the 90-day period beginning on the date on which the action being challenged was carried out; or

(B) in the case of a complaint based solely on grounds arising after the 90-day period described in subparagraph (A), by not later than 90 days after the date on which the complainant knew or reasonably should have known about the grounds for the complaint.

(2) VENUE.—A complaint seeking judicial review of a provision of this subtitle or an action of the Secretary under this subtitle shall be filed in the United States Court of Appeals for the District of Columbia Circuit.

(3) SCOPE.—

(A) IN GENERAL.—Judicial review of a decision of the Secretary relating to a lease sale under this subtitle (including an environmental analysis of such a lease sale) shall be—

(i) limited to a review of whether the decision is in accordance with this subtitle; and

(ii) based on the administrative record of the decision.

(B) PRESUMPTIONS.—Any identification by the Secretary of a preferred course of action relating to a lease sale, and any analysis by the Secretary of environmental effects, under this subtitle shall be presumed to be correct unless proven otherwise by clear and convincing evidence.

(b) LIMITATION ON OTHER REVIEW.—Any action of the Secretary that is subject to judicial review under this section shall not be subject to judicial review in any civil or criminal proceeding for enforcement.

SEC. __28. FEDERAL AND STATE DISTRIBUTION OF REVENUES.

(a) IN GENERAL.—Notwithstanding any other provision of law, of the amount of adjusted bonus, rental, and royalty revenues from Federal oil and gas leasing and operations authorized under this subtitle for each fiscal year—

(1) 50 percent shall be paid to the State of Alaska; and

(2) except as provided in section __31(d), the balance shall be—

(A) used to offset the provisions of this title; and

(B) after making the offsets under subparagraph (A), transferred to the ANWR Alternative Energy Trust Fund established by section __32.

(b) PAYMENTS TO ALASKA.—Payments to the State of Alaska under this section shall be made semiannually.

SEC. __29. RIGHTS-OF-WAY ACROSS THE COASTAL PLAIN.

(a) IN GENERAL.—The Secretary shall issue rights-of-way and easements across the Coastal Plain for the transportation of oil and gas—

(1) except as provided in paragraph (2), under section 28 of the Mineral Leasing Act (30 U.S.C. 185), without regard to title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3161 et seq.); and

(2) under title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3161 et seq.), for access authorized by sections 1110 and 1111 of that Act (16 U.S.C. 3170, 3171).

(b) TERMS AND CONDITIONS.—The Secretary shall include in any right-of-way or easement issued under subsection (a) such terms and conditions as may be necessary to ensure that transportation of oil and gas does not result in a significant adverse effect on the fish and wildlife, subsistence resources, their habitat, and the environment of the Coastal Plain, including requirements that facilities be sited or designed so as to avoid unnecessary duplication of roads and pipelines.

(c) REGULATIONS.—The Secretary shall include in regulations under section __22(f) provisions granting rights-of-way and easements described in subsection (a).

SEC. __30. CONVEYANCE.

Notwithstanding section 1302(h)(2) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3192(h)(2)), to remove any cloud on title to land, and to clarify land ownership patterns in the Coastal Plain, the Secretary shall—

(1) to the extent necessary to fulfill the entitlement of the Kaktovik Inupiat Corporation under sections 12 and 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611, 1613), as determined by the Secretary, convey to that Corporation the surface estate of the land described in paragraph (1) of Public Land Order 6959, in accordance with the terms and conditions of the agreement between the Secretary, the United States Fish and Wildlife Service, the Bureau of Land Management, and the Kaktovik Inupiat Corporation, dated January 22, 1993; and

(2) convey to the Arctic Slope Regional Corporation the remaining subsurface estate to which that Corporation is entitled under the agreement between that corporation and the United States, dated August 9, 1983.

SEC. __31. LOCAL GOVERNMENT IMPACT AID AND COMMUNITY SERVICE ASSISTANCE.

(a) FINANCIAL ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary may use amounts available from the Coastal Plain Local Government Impact Aid Assistance Fund established by subsection (d) to provide timely financial assistance to entities that are eligible under paragraph (2).

(2) ELIGIBLE ENTITIES.—The North Slope Borough, the City of Kaktovik, and any other borough, municipal subdivision, village, or other community in the State of Alaska that is directly impacted by exploration for, or the production of, oil or gas on the Coastal Plain under this subtitle, as determined by the Secretary, shall be eligible for financial assistance under this section.

(b) USE OF ASSISTANCE.—Financial assistance under this section may be used only—

(1) to plan for mitigation, implement a mitigation plan, or maintain a mitigation project to address the potential effects of oil and gas exploration and development on environmental, social, cultural, recreational, and subsistence resources of the community;

(2) to develop, carry out, and maintain—

(A) a project to provide new or expanded public facilities; or

(B) services to address the needs and problems associated with the effects described in paragraph (1), including firefighting, police, water and waste treatment, first responder, and other medical services; and

(3) to establish a local coordination office, to be managed by the Mayor of the North Slope Borough, in coordination with the City of Kaktovik, Alaska—

(A) to coordinate with and advise developers on local conditions and the history of areas affected by development; and

(B) to provide to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate annual reports on the status of the coordination between developers and communities affected by development.

(c) APPLICATION.—

(1) IN GENERAL.—Any community that is eligible for assistance under this section may submit an application for such assistance to the Secretary, in such form and under such procedures as the Secretary may prescribe by regulation.

(2) NORTH SLOPE BOROUGH COMMUNITIES.—A community located in the North Slope Borough may apply for assistance under this section either directly to the Secretary or through the North Slope Borough.

(3) APPLICATION ASSISTANCE.—The Secretary shall work closely with and assist the North Slope Borough and other communities eligible for assistance under this section in developing and submitting applications for assistance under this section.

(d) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury the ''Coastal Plain Local Government Impact Aid Assistance Fund'' (referred to in this section as the ''Fund'').

(2) USE.—Amounts in the Fund may be used only for providing financial assistance under this section.

(3) DEPOSITS.—Subject to paragraph (4), there shall be deposited into the Fund amounts received by the United States as revenues derived from rents, bonuses, and royalties from Federal leases and lease sales authorized under this subtitle.

(4) LIMITATION ON DEPOSITS.—The total amount in the Fund may not exceed $11,000,000.

(5) INVESTMENT OF BALANCES.—The Secretary of the Treasury shall invest amounts in the Fund in interest bearing government securities.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary from the Fund to provide financial assistance under this section $5,000,000 for each fiscal year.

SEC. __32. ANWR ALTERNATIVE ENERGY TRUST FUND.

(a) ESTABLISHMENT OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ''ANWR Alternative Energy Trust Fund'', consisting of such amounts as may be transferred to the ANWR Alternative Energy Trust Fund as provided in section __28(a)(2).

(b) EXPENDITURES FROM ANWR ALTERNATIVE ENERGY TRUST FUND.—

(1) IN GENERAL.—Amounts in the ANWR Alternative Energy Trust Fund shall be available without further appropriation to carry out specified provisions of the Energy Policy Act of 2005 (Public Law 109–58; referred to in this section as ''EPAct2005'') and the Energy Independence and Security Act of 2007 (Public Law 110–140; referred to in this section as ''EISAct2007'') as follows:

To carry out the provisions of:	The following percentage of annual receipts to the ANWR Alternative Energy Trust Fund, but not to exceed the limit on amount authorized, if any:
EPAct2005:	
Section 210	1.5 percent
Section 242	1.0 percent
Section 369	2.0 percent
Section 401	6.0 percent
Section 812	6.0 percent
Section 931	19.0 percent
Section 942	1.5 percent
Section 962	3.0 percent
Section 968	1.5 percent
Section 1704	6.0 percent
EISAct2007:	
Section 207	15.0 percent
Section 607	1.5 percent
Title VI, Subtitle B	3.0 percent
Title VI, Subtitle C	1.5 percent
Section 641	9.0 percent
Title VII, Subtitle A	10.0 percent
Section 1112	1.5 percent
Section 1304	11.0 percent.

(2) APPORTIONMENT OF EXCESS AMOUNT.—Notwithstanding paragraph (1), any amounts allocated under paragraph (1) that are in excess of the amounts authorized in the applicable cited section or subtitle of EPAct2005 and EISAct2007 shall be reallocated to the remaining sections and subtitles cited in paragraph (1), up to the amounts otherwise authorized by law to carry out those sections and subtitles, in proportion to the amounts authorized by law to be appropriated for those other sections and subtitles.

Subtitle C—Regulatory Streamlining

SEC. __41. COMMERCIAL LEASING PROGRAM FOR OIL SHALE RESOURCES ON PUBLIC LAND.

Subsection (e) of the Oil Shale, Tar Sands, and Other Strategic Unconventional Fuels Act of 2005 (42 U.S.C. 15927(e)) is amended—

(1) in the first sentence, by striking ''Not later'' and inserting the following:

''(1) IN GENERAL.—Not later'';

(2) in the second sentence—

(A) by striking ''If the Secretary'' and inserting the following:

''(2) LEASE SALES.—

''(A) IN GENERAL.—If the Secretary''; and

(B) by striking ''may'' and inserting ''shall'';

(3) in the last sentence, by striking ''Evidence of interest'' and inserting the following:

''(B) EVIDENCE OF INTEREST.—Evidence of interest''; and

(4) by adding at the end the following:

''(C) SUBSEQUENT LEASE SALES.—During any period for which the Secretary determines that there is sufficient support and interest in a State in the development of tar sands and oil shale resources, the Secretary shall—

''(i) at least annually, consult with the persons described in paragraph (1) to expedite the commercial leasing program for oil shale resources on public land in the State; and

''(ii) at least once every 270 days, conduct a lease sale in the State under the commercial leasing program regulations.''.

SEC. __42. LICENSING OF NEW NUCLEAR POWER PLANTS.

(a) CONSTRUCTION PERMITS AND OPERATING LICENSES.—Section 185 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2235(b)) is amended in the first sentence by striking ''holding a public hearing'' and inserting ''any public hearing held''.

(b) HEARINGS AND JUDICIAL REVIEW.—Section 189 a.(1)(A) of the Atomic Energy Act of 1954 (42 U.S.C. 2239(a)(1)(A) is amended—

(1) by striking the second sentence; and

(2) in the third sentence—

(A) by striking ''In cases'' and all that follows through ''hearing, The'' and inserting ''The''; and

(B) by striking ''an operating license'' and inserting ''a construction permit, an operating license,''.

SEC. __43. JURISDICTION OVER COVERED ENERGY PROJECTS.

(a) DEFINITION OF COVERED ENERGY PROJECT.—In this section, the term ''covered energy project'' means any action or decision by a Federal official regarding—

(1) the leasing of Federal land (including submerged land) for the exploration, development, production, processing, or transmission of oil, natural gas, or any other source or form of energy, including actions and decisions regarding the selection or offering of Federal land for such leasing; or

(2) any action under such a lease, except that this section and Act shall not apply to a dispute between the parties to a lease entered into a provision of law authorizing the lease regarding obligations under the lease or the alleged breach of the lease.

(b) EXCLUSIVE JURISDICTION OVER CAUSES AND CLAIMS RELATING TO COVERED ENERGY PROJECTS.—Notwithstanding any other provision of law, the United States District Court for the District of Columbia shall have exclusive jurisdiction to hear all causes and claims under this section or any other Act that arise from any covered energy project.

(c) TIME FOR FILING COMPLAINT.—

(1) IN GENERAL.—Each case or claim described in subsection (b) shall be filed not later than the end of the 60-day period beginning on the date of the action or decision by a Federal official that constitutes the covered energy project concerned.

(2) PROHIBITION.—Any cause or claim described in subsection (b) that is not filed within the time period described in paragraph (1) shall be barred.

(d) DISTRICT COURT FOR THE DISTRICT OF COLUMBIA DEADLINE.—

(1) IN GENERAL.—Each proceeding that is subject to subsection (b) shall—

(A) be resolved as expeditiously as practicable and in any event not more than 180 days after the cause or claim is filed; and

(B) take precedence over all other pending matters before the district court.

(2) FAILURE TO COMPLY WITH DEADLINE.—If an interlocutory or final judgment, decree, or order has not been issued by the district court by the deadline required under this section, the cause or claim shall be dismissed with prejudice and all rights relating to the cause or claim shall be terminated.

(e) ABILITY TO SEEK APPELLATE REVIEW.—An interlocutory or final judgment, decree, or order of the district court under this section may be reviewed by no other court except the Supreme Court.

(f) DEADLINE FOR APPEAL TO THE SUPREME COURT.—If a writ of certiorari has been granted by the Supreme Court pursuant to subsection (e), the interlocutory or final judgment, decree, or order of the district court shall be resolved as expeditiously as practicable and in any event not more than 180 days after the interlocutory or final judgment, decree, order of the district court is issued.

SEC. __44. ENVIRONMENTAL IMPACT STATEMENTS.

Title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) is amended by adding at the end the following:

''SEC. 106. COMPLETION AND REVIEW OF ENVIRONMENTAL IMPACT STATEMENTS.

''(a) COMPLETION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, each review carried out under section 102(2)(C) with respect to any action taken under any provision of law, or for which funds are made available under any provision of law, shall be completed not later than the date that is 270 days after the commencement of the review.

''(2) FAILURE TO COMPLETE REVIEW.—If a review described in paragraph (1) has not been completed for an action subject to section 102(2)(C) by the date specified in paragraph (1)—

''(A) the action shall be considered to have no significant impact described in section 102(2)(C); and

''(B) that classification shall be considered to be a final agency action.

''(b) LEAD AGENCY.—The lead agency for a review of an action under this section shall be the Federal agency to which funds are made available for the action.

''(c) REVIEW.—

''(1) ADMINISTRATIVE APPEALS.—There shall be a single administrative appeal for each review carried out pursuant to section 102(2)(C).

''(2) JUDICIAL REVIEW.—

''(A) IN GENERAL.—On resolution of the administrative appeal, judicial review of the final agency decision after exhaustion of administrative remedies shall lie with the United States Court of Appeals for the District of Columbia Circuit.

''(B) ADMINISTRATIVE RECORD.—An appeal to the court described in subparagraph (A) shall be based only on the administrative record.

''(C) PENDENCY OF JUDICIAL REVIEW.—After an agency has made a final decision with respect to a review carried out under this subsection, the decision shall be effective during the course of any subsequent appeal to a court described in subparagraph (A).

''(3) CIVIL ACTION.—Each civil action covered by this section shall be considered to arise under the laws of the United States.''.

SEC. __45. CLEAN AIR REGULATION.

(a) REGULATION OF GREENHOUSE GASES.—Section 302(g) of the Clean Air Act (42 U.S.C. 7602(g)) is amended—

(1) by striking ''(g) The term'' and inserting the following:

''(g) AIR POLLUTANT.—

''(1) IN GENERAL.—The term'';

(2) by striking ''Such term'' and inserting the following:

''(2) INCLUSIONS.—The term 'air pollutant' ''; and

(3) by adding at the end the following:

''(3) EXCLUSIONS.—The term 'air pollutant' does not include carbon dioxide, methane from agriculture or livestock, or water vapor.''.

(b) EMISSION WAIVERS.—The Administrator of the Environmental Protection Agency shall not grant to any State any waiver of Federal preemption of motor vehicle standards under section 209(b) of the Clean Air Act (42 U.S.C. 7543(b)) for preemption under that Act for any regulation of the State to control greenhouse gas emissions from motor vehicles.

SEC. __46. ENDANGERED SPECIES.

(a) EMERGENCIES.—Section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539) is amended by adding at the end the following:

''(k) EMERGENCIES.—On the declaration of an emergency by the Governor of a State, the Secretary shall, for the duration of the emergency, temporarily exempt from the prohibition against taking, and the prohibition against the adverse modification of critical habitat, under this Act any action that is reasonably necessary to avoid or ameliorate the impact of the emergency, including the operation of any water supply or flood control project by a Federal agency.''.

(b) PROHIBITION OF CONSIDERATION OF IMPACT OF GREENHOUSE GAS.—

(1) IN GENERAL.—The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) is amended by adding at the end the following:

''SEC. 19. PROHIBITION OF CONSIDERATION OF IMPACT OF GREENHOUSE GAS.

''(a) DEFINITION OF GREENHOUSE.—In this section, the term 'greenhouse gas' means any of—

''(1) carbon dioxide;

''(2) methane;

''(3) nitrous oxide;

''(4) sulfur hexafluoride;

''(5) a hydrofluorocarbon;

''(6) a perfluorocarbon; or

''(7) any other anthropogenic gas designated by the Secretary for purposes of this section.

''(b) IMPACT OF GREENHOUSE GAS.—The impact of greenhouse gas on any species of fish or wildlife or plant shall not be considered for any purpose in the implementation of this Act.''.

(2) CONFORMING AMENDMENT.—The table of contents in the first section of the Endangered Species Act of 1973 (16 U.S.C. prec. 1531) is amended by adding at the end the following:

''Sec. 18. Annual cost analysis by the Fish and Wildlife Service.

''Sec. 19. Prohibition of consideration of impact of greenhouse gas.''.

SA 3319. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID 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:

Strike subtitle B of title V and insert the following:

Subtitle B—Transfer of Stimulus Funds

SEC. 551. TRANSFER OF STIMULUS FUNDS.

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Pub. Law 111–5), from the amounts appropriated or made available and remaining unobligated under such Act, the Director of the Office of Management and Budget shall transfer from time to time to the general fund of the Treasury an amount equal to the sum of the amount of any net reduction in revenues and the amount of any net increase in spending resulting from the enactment of this Act.

TITLE VI—BUSINESS RELIEF

Subtitle A—General Provisions

SEC. 601. PERMANENT INCREASE IN LIMITATIONS ON EXPENSING OF CERTAIN DEPRECIABLE BUSINESS ASSETS.

(a) NONAPPLICATION OF AMENDMENTS.—The amendments made by section 201 of this Act shall not apply.

(b) PERMANENT INCREASE.—Subsection (b) of section 179 is amended—

(1) by striking ''$25,000'' and all that follows in paragraph (1) and inserting ''$500,000.'',

(2) by striking ''$200,000'' and all that follows in paragraph (2) and inserting ''$2,000,000'',

(3) by striking ''after 2007 and before 2011, the $120,000 and $500,000'' in paragraph (5)(A) and inserting ''after 2009, the $500,000 and the $2,000,000'',

(4) by striking ''2006'' in paragraph (5)(A)(ii) and inserting ''2008'', and

(5) by striking paragraph (7).

(c) PERMANENT EXPENSING OF COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''and before 2011''.

(d) EFFECTIVE DATE.—The amendments made by subsections (b) and (c) shall apply to taxable years beginning after December 31, 2008.

SEC. 602. EXTENSION OF ADDITIONAL FIRST-YEAR DEPRECIATION FOR 50 PERCENT OF THE BASIS OF CERTAIN QUALIFIED PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 168(k), as amended by the American Recovery and Reinvestment Tax Act of 2009, is amended—

(1) by striking ''January 1, 2011'' in subparagraph (A)(iv) and inserting ''January 1, 2012'', and

(2) by striking ''January 1, 2010'' each place it appears and inserting ''January 1, 2011''.

(b) CONFORMING AMENDMENTS.—

(1) The heading for subsection (k) of section 168, as amended by the American Recovery and Reinvestment Tax Act of 2009, is amended by striking ''JANUARY 1, 2010'' and inserting ''JANUARY 1, 2011''.

(2) The heading for clause (ii) of section 168(k)(2)(B), as so amended, is amended by striking ''PRE-JANUARY 1, 2010'' and inserting ''PRE-JANUARY 1, 2011''.

(3) Subparagraph (D) of section 168(k)(4) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting a comma, and by adding at the end the following new clauses:

''(iv) 'January 1, 2011' shall be substituted for 'January 1, 2012' in subparagraph (A)(iv) thereof, and

''(v) 'January 1, 2010' shall be substituted for 'January 1, 2011' each place it appears in subparagraph (A) thereof.''.

(4) Subparagraph (B) of section 168(l)(5), as so amended, is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(5) Subparagraph (C) of section 168(n)(2), as so amended, is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(6) Subparagraph (D) of section 1400L(b)(2) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(7) Subparagraph (B) of section 1400N(d)(3), as so amended, is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2009.

SEC. 603. INCREASED EXCLUSION AND OTHER MODIFICATIONS APPLICABLE TO QUALIFIED SMALL BUSINESS STOCK.

(a) INCREASED EXCLUSION.—

(1) IN GENERAL.—Subsection (a) of section 1202 is amended to read as follows:

''(a) EXCLUSION.—

''(1) IN GENERAL.—In the case of a taxpayer other than a corporation, gross income shall not include the applicable percentage of any gain from the sale or exchange of qualified small business stock held for more than 5 years.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage is—

''(A) 50 percent, in the case of stock issued after August 10, 1993, and on or before February 18, 2009,

''(B) 75 percent, in the case of stock issued after February 18, 2009, and on or before the date of the enactment of the Hiring Incentives to Restore Employment Act, and

''(C) 100 percent, in the case of stock issued after the date of the enactment of the Hiring Incentives to Restore Employment Act.

''(3) EMPOWERMENT ZONE BUSINESSES.—

''(A) IN GENERAL.—In the case of qualified small business stock acquired after December 21, 2000, and on or before February 18, 2009, in a corporation which is a qualified business entity (as defined in section 1397C(b)) during substantially all of the taxpayer's holding period for such stock, paragraph (2)(A) shall be applied by substituting '60 percent' for '50 percent'.

''(B) CERTAIN RULES TO APPLY.—Rules similar to the rules of paragraphs (5) and (7) of section 1400B(b) shall apply for purposes of this paragraph.

''(C) GAIN AFTER 2014 NOT QUALIFIED.—Subparagraph (A) shall not apply to gain attributable to periods after December 31, 2014.

''(D) TREATMENT OF DC ZONE.—The District of Columbia Enterprise Zone shall not be treated as an empowerment zone for purposes of this paragraph.''.

(2) CONFORMING AMENDMENTS.—

(A) The heading for section 1202 is amended by striking ''**PARTIAL**''.

(B) The item relating to section 1202 in the table of sections for part I of subchapter P of chapter 1 is amended by striking ''Partial exclusion'' and inserting ''Exclusion''.

(C) Section 1223(13) is amended by striking ''1202(a)(2),''.

(b) REPEAL OF MINIMUM TAX PREFERENCE.—Paragraph (7) of section 57(a) is amended by adding at the end the following: ''The preceding sentence shall not apply to stock issued after the date of the enactment of the Hiring Incentives to Restore Employment Act.''.

(c) INCREASE IN LIMITATION.—

(1) IN GENERAL.—Subparagraph (A) of section 1202(b)(1) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

(2) MARRIED INDIVIDUALS.—Subparagraph (A) of section 1202(b)(3) is amended by striking ''paragraph (1)(A) shall be applied by substituting '$5,000,000' for '$10,000,000' '' and inserting ''the amount under paragraph (1)(A) shall be half of the amount otherwise in effect''.

(d) MODIFICATION OF DEFINITION OF QUALIFIED SMALL BUSINESS.—Section 1202(d)(1) is amended by striking ''$50,000,000'' each place it appears and inserting ''$75,000,000''.

(e) INFLATION ADJUSTMENTS.—Section 1202 is amended by redesignating subsection (k) as subsection (l) and by inserting after subsection (j) the following new subsection:

''(k) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2010, the $15,000,000 amount in subsection (b)(1)(A), the $75,000,000 amount in subsection (d)(1)(A), and the $75,000,000 amount in subsection (d)(1)(B)

shall each be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost of living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $1,000,000 such amount shall be rounded to the next lowest multiple of $1,000,000.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a), (b), and (d) shall apply to stock acquired after the date of the enactment of this Act.

(2) LIMITATION; INFLATION ADJUSTMENT.—The amendments made by subsections (c) and (e) shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 604. DEDUCTION FOR ELIGIBLE SMALL BUSINESS INCOME.

(a) IN GENERAL.—Paragraph (1) of section 199(a) is amended to read as follows:

''(1) IN GENERAL.—There shall be allowed as a deduction an amount equal to the sum of—

''(A) 9 percent of the lesser of—

''(i) the qualified production activities income of the taxpayer for the taxable year, or

''(ii) taxable income (determined without regard to this section) for the taxable year, and

''(B) in the case of an eligible small business for any taxable year beginning after 2009, 20 percent of the lesser of—

''(i) the eligible small business income of the taxpayer for the taxable year, or

''(ii) taxable income (determined without regard to this section) for the taxable year.''.

(b) ELIGIBLE SMALL BUSINESS; ELIGIBLE SMALL BUSINESS INCOME.—Section 199 is amended by adding at the end the following new subsection:

''(e) ELIGIBLE SMALL BUSINESS; ELIGIBLE SMALL BUSINESS INCOME.—

''(1) ELIGIBLE SMALL BUSINESS.—For purposes of this section, the term 'eligible small business' means, with respect to any taxable year—

''(A) a corporation the stock of which is not publicly traded, or

''(B) a partnership,

which meets the gross receipts test of section 448(c) (determined by substituting '$50,000,000' for '$5,000,000' each place it appears in such section) for the taxable year (or, in the case of a sole proprietorship, which would meet such test if such proprietorship were a corporation).

''(2) ELIGIBLE SMALL BUSINESS INCOME.—

''(A) IN GENERAL.—For purposes of this section, the term 'eligible small business income' means the excess of—

''(i) the income of the eligible small business which—

''(I) is attributable to the actual conduct of a trade or business,

''(II) is income from sources within the United States (within the meaning of section 861), and

''(III) is not passive income (as defined in section 904(d)(2)(B)), over

''(ii) the sum of—

''(I) the cost of goods sold that are allocable to such income, and

''(II) other expenses, losses, or deductions (other than the deduction allowed under this section), which are properly allocable to such income.

''(B) EXCEPTIONS.—The following shall not be treated as income of an eligible small business for purposes of subparagraph (A):

''(i) Any income which is attributable to any property described in section 1400N(p)(3).

''(ii) Any income which is attributable to the ownership or management of any professional sports team.

''(iii) Any income which is attributable to a trade or business described in subparagraph (B) of section 1202(e)(3).

''(iv) Any income which is attributable to any property with respect to which records are required to be maintained under section 2257 of title 18, United States Code.

''(C) ALLOCATION RULES, ETC.—Rules similar to the rules of paragraphs (2), (3), (4)(D), and (7) of subsection (c) shall apply for purposes of this paragraph.

''(3) SPECIAL RULES.—Except as otherwise provided by the Secretary, rules similar to the rules of subsection (d) shall apply for purposes of this subsection.''.

(c) CONFORMING AMENDMENT.—Section 199(a)(2) is amended by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 605. NONAPPLICATION OF CERTAIN LABOR STANDARDS.

Section 1601 of the American Recovery and Reinvestment Tax Act of 2009 shall not apply to any specified tax credit bond described in section 6431(f)(2)(A) of the Internal Revenue Code of 1986 (as added by section 301 of this Act).

SEC. 606. E-VERIFY PROGRAM PARTICIPATION REQUIREMENT FOR EMPLOYERS RECEIVING PAYROLL TAX FORGIVENESS.

(a) IN GENERAL.—Paragraph (2) of section 3111(d), as added by section 101, is amended by adding at the end the following new subparagraph:

''(C) E-VERIFY PROGRAM REQUIREMENT.—The term 'qualified employer' shall not include any employer that does not participate in the E-Verify Program carried out under subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 as of the hiring date of any qualified individual.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as if included in section 101 of this Act.

Subtitle B—Pension Funding Relief

PART I—SINGLE EMPLOYER PLANS

SEC. 611. EXTENDED PERIOD FOR SINGLE-EMPLOYER DEFINED BENEFIT PLANS TO AMORTIZE CERTAIN SHORTFALL AMORTIZATION BASES.

(a) AMENDMENTS TO ERISA.—

(1) IN GENERAL.—Paragraph (2) of section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following subparagraph:

''(D) SPECIAL ELECTION FOR ELIGIBLE PLAN YEARS.—

''(i) IN GENERAL.—If a plan sponsor elects to apply this subparagraph with respect to the shortfall amortization base of a plan for any eligible plan year (in this subparagraph and paragraph (7) referred to as an 'election year'), then, notwithstanding subparagraphs (A) and (B)—

''(I) the shortfall amortization installments with respect to such base shall be determined under clause (ii) or (iii), whichever is specified in the election, and

''(II) the shortfall amortization installment for any plan year in the 9-plan-year period described in clause (ii) or the 15-plan-year period described in clause (iii), respectively, with respect to such shortfall amortization base is the annual installment determined under the applicable clause for that year for that base.

''(ii) 2 PLUS 7 AMORTIZATION SCHEDULE.—The shortfall amortization installments determined under this clause are—

''(I) in the case of the first 2 plan years in the 9-plan-year period beginning with the election year, interest on the shortfall amortization base of the plan for the election year (determined using the effective interest rate for the plan for the election year), and

''(II) in the case of the last 7 plan years in such 9-plan-year period, the amounts necessary to amortize the remaining balance of the shortfall amortization base of the plan for the election year in level annual installments over such last 7 plan years (using the segment rates under subparagraph (C) for the election year).

''(iii) 15-YEAR AMORTIZATION.—The shortfall amortization installments determined under this subparagraph are the amounts necessary to amortize the shortfall amortization base of the plan for the election year in level annual installments over the 15-plan-year period beginning with the election year (using the segment rates under subparagraph (C) for the election year).

''(iv) ELECTION.—

''(I) IN GENERAL.—The plan sponsor of a plan may elect to have this subparagraph apply to not more than 2 eligible plan years with respect to the plan, except that in the case of a plan described in section 106 of the Pension Protection Act of 2006, the plan sponsor may only elect to have this subparagraph apply to a plan year beginning in 2011.

''(II) AMORTIZATION SCHEDULE.—Such election shall specify whether the amortization schedule under clause (ii) or (iii) shall apply to an election year, except that if a plan sponsor elects to have this subparagraph apply to 2 eligible plan years, the plan sponsor must elect the same schedule for both years.

''(III) OTHER RULES.—Such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary of the Treasury, and may be revoked only with the consent of the Secretary of the Treasury. The Secretary of the Treasury shall, before granting a revocation request, provide the Pension Benefit Guaranty Corporation an opportunity to comment on the conditions applicable to the treatment of any portion of the election year shortfall amortization base that remains unamortized as of the revocation date.

''(v) ELIGIBLE PLAN YEAR.—For purposes of this subparagraph, the term 'eligible plan year' means any plan year beginning in 2008, 2009, 2010, or 2011, except that a plan year shall only be treated as an eligible plan year if the due date under subsection (j)(1) for the payment of the minimum required contribution for such plan year occurs on or after the date of the enactment of this subparagraph.

''(vi) REPORTING.—A plan sponsor of a plan who makes an election under clause (i) shall inform the Pension Benefit Guaranty Corporation of such election in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.

''(vii) INCREASES IN REQUIRED INSTALLMENTS IN CERTAIN CASES.—For increases in required contributions in cases of excess compensation or extraordinary dividends or stock redemptions, see paragraph (7).''.

(2) INCREASES IN REQUIRED INSTALLMENTS IN CERTAIN CASES.—Section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following paragraph:

''(7) INCREASES IN ALTERNATE REQUIRED INSTALLMENTS IN CASES OF EXCESS COMPENSATION OR EXTRAORDINARY DIVIDENDS OR STOCK REDEMPTIONS.—

''(A) IN GENERAL.—If there is an installment acceleration amount with respect to a plan for any plan year in the 9-plan-year or 15-plan-year period, whichever is applicable, with respect to an election year under paragraph (2)(D), then the shortfall amortization

installment otherwise determined and payable under such paragraph for such plan year shall, subject to the limitation under subparagraph (B), be increased by such amount.

''(B) TOTAL INSTALLMENTS LIMITED TO SHORTFALL BASE.—Subject to rules prescribed by the Secretary of the Treasury, if a shortfall amortization installment with respect to any shortfall amortization base for an election year is required to be increased for any plan year under subparagraph (A)—

''(i) such increase shall not result in the amount of such installment exceeding the present value of such installment and all succeeding installments with respect to such base (determined without regard to such increase but after application of clause (ii)), and

''(ii) subsequent shortfall amortization installments with respect to such base shall, in reverse order of the otherwise required installments, be reduced to the extent necessary to limit the present value of such subsequent shortfall amortization installments (after application of this paragraph) to the present value of the remaining unamortized shortfall amortization base.

''(C) INSTALLMENT ACCELERATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'installment acceleration amount' means, with respect to any plan year, the sum of—

''(I) the aggregate amount of excess employee compensation determined under subparagraph (D) with respect to all employees for the plan year, plus

''(II) the aggregate amount of extraordinary dividends and redemptions determined under subparagraph (E) for the plan year.

''(ii) LIMITATION TO AGGREGATE REDUCED REQUIRED CONTRIBUTIONS.—The installment acceleration amount for any plan year shall not exceed the excess (if any) of—

''(I) the sum of the shortfall amortization installments for the plan year and all preceding plan years in the amortization period elected under paragraph (2)(D) with respect to the shortfall amortization base with respect to an election year, determined without regard to paragraph (2)(D) and this paragraph, over

''(II) the sum of the shortfall amortization installments for such plan year and all such preceding plan years, determined after application of paragraph (2)(D) (and in the case of any preceding plan year, after application of this paragraph).

''(iii) CARRYOVER OF EXCESS INSTALLMENT ACCELERATION AMOUNTS.—

''(I) IN GENERAL.—If the installment acceleration amount for any plan year (determined without regard to clause(ii)) exceeds the limitation under clause (ii), then, subject to subclause (II), such excess shall be treated as an installment acceleration amount with respect to the succeeding plan year.

''(II) CAP TO APPLY.—If any amount treated as an installment acceleration amount under subclause (I) or this subclause with respect any succeeding plan year, when added to other installment acceleration amounts (determined without regard to clause (ii)) with respect to the plan year, exceeds the limitation under clause (ii), the portion of such amount representing such excess shall be treated as an installment acceleration amount with respect to the next succeeding plan year.

''(III) ORDERING RULES.—For purposes of applying subclause (II), installment acceleration amounts for the plan year (determined without regard to any carryover under this clause) shall be applied first against the limitation under clause (ii) and then carryovers to such plan year shall be applied against such limitation on a first-in, first-out basis.

''(D) EXCESS EMPLOYEE COMPENSATION.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'excess employee compensation' means, with respect to any employee for any plan year, the excess (if any) of—

''(I) the aggregate amount includible in income under chapter 1 of the Internal Revenue Code of 1986 for remuneration during the calendar year in which such plan year begins for services performed by the employee for the plan sponsor (whether or not performed during such calendar year), over

''(II) $1,000,000.

''(ii) AMOUNTS SET ASIDE FOR NONQUALIFIED DEFERRED COMPENSATION.—If during any calendar year assets are set aside or reserved (directly or indirectly) in a trust (or other arrangement as determined by the Secretary of the Treasury), or transferred to such a trust or other arrangement, by a plan sponsor for purposes of paying deferred compensation of an employee under a nonqualified deferred compensation plan (as defined in section 409A of such Code) of the plan sponsor, then, for purposes of clause (i), the amount of such assets shall be treated as remuneration of the employee includible in income for the calendar year unless such amount is otherwise includible in income for such year. An amount to which the preceding sentence applies shall not be taken into account under this paragraph for any subsequent calendar year.

''(iii) ONLY REMUNERATION FOR CERTAIN POST-2009 SERVICES COUNTED.—Remuneration shall be taken into account under clause (i) only to the extent attributable to services performed by the employee for the plan sponsor after February 4, 2010.

''(iv) EXCEPTION FOR CERTAIN EQUITY PAYMENTS.—

''(I) IN GENERAL.—Any amount includible in income with respect to the granting on or after February 4, 2010, of an equity interest described in subclause (II) shall not be taken into account under clause (i)(I), but only if all portions of such interest remain subject to a substantial risk of forfeiture (other than in the case of death or disability) at all times before the date which is 5 years after the date on which such interest is granted.

''(II) EQUITY INTERESTS.—An equity interest is described in this subclause if it is a stock option which is granted at its fair market value on the date of the grant or a stock appreciation right which is granted at its fair market value on the date of the grant.

''(III) SUBSTANTIAL RISK OF FORFEITURE.—The term 'substantial risk of forfeiture' has the meaning given such term by section 83(c)(1) of the Internal Revenue Code of 1986.

''(IV) SECRETARIAL AUTHORITY.—The Secretary of the Treasury may by regulation provide for the application of this clause in the case of a person other than a corporation.

''(v) OTHER EXCEPTIONS.—The following amounts includible in income shall not be taken into account under clause (i)(I):

''(I) COMMISSIONS.—Any remuneration payable on a commission basis solely on account of income directly generated by the individual performance of the individual to whom such remuneration is payable.

''(II) PAYMENTS UNDER EXISTING CONTRACTS.—Any remuneration payable under a written binding contract that was in effect on February 4, 2010, and which was not modified in any material respect before such remuneration is repaid. This subclause shall not apply to bonus payments payable under such a contract during a calendar year to the extent that the aggregate amount of such bonus payments during such calendar year exceeds $100,000.

''(vi) SELF-EMPLOYED INDIVIDUAL TREATED AS EMPLOYEE.—The term 'employee' includes, with respect to a calendar year, a self-employed individual who is treated as an employee under section 401(c) of such Code for the taxable year ending during such calendar year, and the term 'compensation' shall include earned income of such individual with respect to such self-employment.

''(vii) INDEXING OF AMOUNT.—In the case of any calendar year beginning after 2010, the dollar amount under clause (i)(II) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) of such Code for the calendar year, determined by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount of any increase under clause (i) is not a multiple of $1,000, such increase shall be rounded to the next lowest multiple of $1,000.

''(E) EXTRAORDINARY DIVIDENDS AND REDEMPTIONS.—

''(i) IN GENERAL.—The amount determined under this subparagraph for any plan year is the sum of—

''(I) the aggregate amount of extraordinary dividends declared during the plan year by the plan sponsor and required to be reported under section 4043(c)(11), plus

''(II) if the plan sponsor redeems, in any 12-month period ending during the plan year, an aggregate of 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or an aggregate of 10 percent or more of the total value of shares of all classes of stock, of the plan sponsor, the aggregate fair market value of the stock so redeemed.

''(ii) ONLY CERTAIN POST-2009 DIVIDENDS AND REDEMPTIONS COUNTED.—For purposes of clause (i)—

''(I) dividends shall be taken into account only if declared after February 4, 2010, and

''(II) if clause (i)(II) otherwise applies for any plan year (determined without regard to this subclause), only the fair market value of redemptions occurring after February 4, 2010, shall be taken into account in determining the amount under such clause for the plan year.

''(iii) EXCEPTION FOR INTRA-GROUP DIVIDENDS.—An extraordinary dividend paid by one member of a controlled group (as defined in section 302(d)(3)) to another member of such group shall not be taken into account under clause (i)(I).

''(F) OTHER DEFINITIONS AND RULES.—For purposes of this paragraph—

''(i) BONUS PAYMENT.—The term 'bonus payment' means any payment which is a payment for services rendered and which is in addition to any amount payable to such individual for services performed by such individual at a regular hourly, daily, weekly, monthly, or similar periodic rate. Such term does not include payments to an employee as commissions, contributions to any qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986), welfare and fringe benefits, overtime pay, or expense reimbursements. The Secretary of the Treasury may recharacterize a payment that is a disguised bonus as a bonus payment for purposes of this paragraph.

''(ii) PLAN SPONSOR.—The term ' plan sponsor' includes any member of the plan sponsor's controlled group (as defined in section 302(d)(3)).

''(iii) ELECTIONS FOR MULTIPLE PLANS.—If a plan sponsor makes elections under paragraph (2)(D) with respect to 2 or more plans, the Secretary of the Treasury shall provide rules for the application of this paragraph to such plans, including rules for the ratable allocation of any installment acceleration amount among such plans on the basis of

each plan's relative reduction in the plan's shortfall amortization installment for the first plan year in the amortization period described in subparagraph (A) (determined without regard to this paragraph).

''(iv) MERGERS AND ACQUISITIONS.—The Secretary of the Treasury shall prescribe rules for the application of paragraph (2)(D) and this paragraph in any case where there is a merger or acquisition involving a plan sponsor making the election under paragraph (2)(D).''.

(3) CONFORMING AMENDMENTS.—Section 303 of such Act (29 U.S.C. 1083) is amended—

(A) in subsection (c)(1), by striking ''the shortfall amortization bases for such plan year and each of the 6 preceding plan years'' and inserting ''any shortfall amortization base which has not been fully amortized under this subsection'', and

(B) in subsection (j)(3), by adding at the end the following:

''(F) QUARTERLY CONTRIBUTIONS NOT TO INCLUDE CERTAIN INCREASED CONTRIBUTIONS.—Subparagraph (D) shall be applied without regard to any increase under subsection (c)(7).''.

(b) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Paragraph (2) of section 430(c) is amended by adding at the end the following subparagraph:

''(D) SPECIAL ELECTION FOR ELIGIBLE PLAN YEARS.—

''(i) IN GENERAL.—If a plan sponsor elects to apply this subparagraph with respect to the shortfall amortization base of a plan for any eligible plan year (in this subparagraph and paragraph (7) referred to as an 'election year'), then, notwithstanding subparagraphs (A) and (B)—

''(I) the shortfall amortization installments with respect to such base shall be determined under clause (ii) or (iii), whichever is specified in the election, and

''(II) the shortfall amortization installment for any plan year in the 9-plan-year period described in clause (ii) or the 15-plan-year period described in clause (iii), respectively, with respect to such shortfall amortization base is the annual installment determined under the applicable clause for that year for that base.

''(ii) 2 PLUS 7 AMORTIZATION SCHEDULE.—The shortfall amortization installments determined under this clause are—

''(I) in the case of the first 2 plan years in the 9-plan-year period beginning with the election year, interest on the shortfall amortization base of the plan for the election year (determined using the effective interest rate for the plan for the election year), and

''(II) in the case of the last 7 plan years in such 9-plan-year period, the amounts necessary to amortize the remaining balance of the shortfall amortization base of the plan for the election year in level annual installments over such last 7 plan years (using the segment rates under subparagraph (C) for the election year).

''(iii) 15-YEAR AMORTIZATION.—The shortfall amortization installments determined under this subparagraph are the amounts necessary to amortize the shortfall amortization base of the plan for the election year in level annual installments over the 15-plan-year period beginning with the election year (using the segment rates under subparagraph (C) for the election year).

''(iv) ELECTION.—

''(I) IN GENERAL.—The plan sponsor of a plan may elect to have this subparagraph apply to not more than 2 eligible plan years with respect to the plan, except that in the case of a plan described in section 106 of the Pension Protection Act of 2006, the plan sponsor may only elect to have this subparagraph apply to a plan year beginning in 2011.

''(II) AMORTIZATION SCHEDULE.—Such election shall specify whether the amortization schedule under clause (ii) or (iii) shall apply to an election year, except that if a plan sponsor elects to have this subparagraph apply to 2 eligible plan years, the plan sponsor must elect the same schedule for both years.

''(III) OTHER RULES.—Such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary, and may be revoked only with the consent of the Secretary. The Secretary shall, before granting a revocation request, provide the Pension Benefit Guaranty Corporation an opportunity to comment on the conditions applicable to the treatment of any portion of the election year shortfall amortization base that remains unamortized as of the revocation date.

''(v) ELIGIBLE PLAN YEAR.—For purposes of this subparagraph, the term 'eligible plan year' means any plan year beginning in 2008, 2009, 2010, or 2011, except that a plan year shall only be treated as an eligible plan year if the due date under subsection (j)(1) for the payment of the minimum required contribution for such plan year occurs on or after the date of the enactment of this subparagraph.

''(vi) REPORTING.—A plan sponsor of a plan who makes an election under clause (i) shall inform the Pension Benefit Guaranty Corporation of such election in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.

''(vii) INCREASES IN REQUIRED INSTALLMENTS IN CERTAIN CASES.—For increases in required contributions in cases of excess compensation or extraordinary dividends or stock redemptions, see paragraph (7).''.

(2) INCREASES IN REQUIRED CONTRIBUTIONS IF EXCESS COMPENSATION PAID.—Section 430(c) is amended by adding at the end the following paragraph:

''(7) INCREASES IN ALTERNATE REQUIRED INSTALLMENTS IN CASES OF EXCESS COMPENSATION OR EXTRAORDINARY DIVIDENDS OR STOCK REDEMPTIONS.—

''(A) IN GENERAL.—If there is an installment acceleration amount with respect to a plan for any plan year in the 9-plan-year or 15-plan-year period, whichever is applicable, with respect to an election year under paragraph (2)(D), then the shortfall amortization installment otherwise determined and payable under such paragraph for such plan year shall, subject to the limitation under subparagraph (B), be increased by such amount.

''(B) TOTAL INSTALLMENTS LIMITED TO SHORTFALL BASE.—Subject to rules prescribed by the Secretary, if a shortfall amortization installment with respect to any shortfall amortization base for an election year is required to be increased for any plan year under subparagraph (A)—

''(i) such increase shall not result in the amount of such installment exceeding the present value of such installment and all succeeding installments with respect to such base (determined without regard to such increase but after application of clause (ii)), and

''(ii) subsequent shortfall amortization installments with respect to such base shall, in reverse order of the otherwise required installments, be reduced to the extent necessary to limit the present value of such subsequent shortfall amortization installments (after application of this paragraph) to the present value of the remaining unamortized shortfall amortization base.

''(C) INSTALLMENT ACCELERATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'installment acceleration amount' means, with respect to any plan year, the sum of—

''(I) the aggregate amount of excess employee compensation determined under subparagraph (D) with respect to all employees for the plan year, plus

''(II) the aggregate amount of extraordinary dividends and redemptions determined under subparagraph (E) for the plan year.

''(ii) LIMITATION TO AGGREGATE REDUCED REQUIRED CONTRIBUTIONS.—The installment acceleration amount for any plan year shall not exceed the excess (if any) of—

''(I) the sum of the shortfall amortization installments for the plan year and all preceding plan years in the amortization period elected under paragraph (2)(D) with respect to the shortfall amortization base with respect to an election year, determined without regard to paragraph (2)(D) and this paragraph, over

''(II) the sum of the shortfall amortization installments for such plan year and all such preceding plan years, determined after application of paragraph (2)(D) (and in the case of any preceding plan year, after application of this paragraph).

''(iii) CARRYOVER OF EXCESS INSTALLMENT ACCELERATION AMOUNTS.—

''(I) IN GENERAL.—If the installment acceleration amount for any plan year (determined without regard to clause(ii)) exceeds the limitation under clause (ii), then, subject to subclause (II), such excess shall be treated as an installment acceleration amount with respect to the succeeding plan year.

''(II) CAP TO APPLY.—If any amount treated as an installment acceleration amount under subclause (I) or this subclause with respect any succeeding plan year, when added to other installment acceleration amounts (determined without regard to clause (ii)) with respect to the plan year, exceeds the limitation under clause (ii), the portion of such amount representing such excess shall be treated as an installment acceleration amount with respect to the next succeeding plan year.

''(III) ORDERING RULES.—For purposes of applying subclause (II), installment acceleration amounts for the plan year (determined without regard to any carryover under this clause) shall be applied first against the limitation under clause (ii) and then carryovers to such plan year shall be applied against such limitation on a first-in, first-out basis.

''(D) EXCESS EMPLOYEE COMPENSATION.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'excess employee compensation' means, with respect to any employee for any plan year, the excess (if any) of—

''(I) the aggregate amount includible in income under this chapter for remuneration during the calendar year in which such plan year begins for services performed by the employee for the plan sponsor (whether or not performed during such calendar year), over

''(II) $1,000,000.

''(ii) AMOUNTS SET ASIDE FOR NONQUALIFIED DEFERRED COMPENSATION.—If during any calendar year assets are set aside or reserved (directly or indirectly) in a trust (or other arrangement as determined by the Secretary), or transferred to such a trust or other arrangement, by a plan sponsor for purposes of paying deferred compensation of an employee under a nonqualified deferred compensation plan (as defined in section 409A) of the plan sponsor, then, for purposes of clause (i), the amount of such assets shall be treated as remuneration of the employee includible in income for the calendar year unless such amount is otherwise includible in income for such year. An amount to which the preceding sentence applies shall not be taken into account under this paragraph for any subsequent calendar year.

''(iii) ONLY REMUNERATION FOR CERTAIN POST-2009 SERVICES COUNTED.—Remuneration

shall be taken into account under clause (i) only to the extent attributable to services performed by the employee for the plan sponsor after February 4, 2010.

''(iv) EXCEPTION FOR CERTAIN EQUITY PAYMENTS.—

''(I) IN GENERAL.—Any amount includible in income with respect to the granting on or after February 4, 2010, of an equity interest described in subclause (II) shall not be taken into account under clause (i)(I), but only if all portions of such interest remain subject to a substantial risk of forfeiture (other than in the case of death or disability) at all times before the date which is 5 years after the date on which such interest is granted.

''(II) EQUITY INTERESTS.—An equity interest is described in this subclause if it is a stock option which is granted at its fair market value on the date of the grant or a stock appreciation right which is granted at its fair market value on the date of the grant.

''(III) SUBSTANTIAL RISK OF FORFEITURE.—The term 'substantial risk of forfeiture' has the meaning given such term by section 83(c)(1).

''(IV) SECRETARIAL AUTHORITY.—The Secretary may by regulation provide for the application of this clause in the case of a person other than a corporation.

''(v) OTHER EXCEPTIONS.—The following amounts includible in income shall not be taken into account under clause (i)(I):

''(I) COMMISSIONS.—Any remuneration payable on a commission basis solely on account of income directly generated by the individual performance of the individual to whom such remuneration is payable.

''(II) PAYMENTS UNDER EXISTING CONTRACTS.—Any remuneration payable under a written binding contract that was in effect on February 4, 2010, and which was not modified in any material respect before such remuneration is repaid. This subclause shall not apply to bonus payments payable under such a contract during a calendar year to the extent that the aggregate amount of such bonus payments during such calendar year exceeds $100,000.

''(vi) SELF-EMPLOYED INDIVIDUAL TREATED AS EMPLOYEE.—The term 'employee' includes, with respect to a calendar year, a self-employed individual who is treated as an employee under section 401(c) for the taxable year ending during such calendar year, and the term 'compensation' shall include earned income of such individual with respect to such self-employment.

''(vii) INDEXING OF AMOUNT.—In the case of any calendar year beginning after 2010, the dollar amount under clause (i)(II) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount of any increase under clause (i) is not a multiple of $1,000, such increase shall be rounded to the next lowest multiple of $1,000.

''(E) EXTRAORDINARY DIVIDENDS AND REDEMPTIONS.—

''(i) IN GENERAL.—The amount determined under this subparagraph for any plan year is the sum of—

''(I) the aggregate amount of extraordinary dividends declared during the plan year by the plan sponsor and required to be reported under section 4043(c)(11) of the Employee Retirement Income Security Act of 1974 , plus

''(II) if the plan sponsor redeems, in any 12-month period ending during the plan year, an aggregate of 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or an aggregate of 10 percent or more of the total value of shares of all classes of stock, of the plan sponsor, the aggregate fair market value of the stock so redeemed.

''(ii) ONLY CERTAIN POST-2009 DIVIDENDS AND REDEMPTIONS COUNTED.—For purposes of clause (i)—

''(I) dividends shall be taken into account only if declared after February 4, 2010, and

''(II) if clause (i)(II) otherwise applies for any plan year (determined without regard to this subclause), only the fair market value of redemptions occurring after February 4, 2010, shall be taken into account in determining the amount under such clause for the plan year.

''(iii) EXCEPTION FOR INTRA-GROUP DIVIDENDS.—An extraordinary dividend paid by one member of a controlled group (as defined in section 412(d)(3)) to another member of such group shall not be taken into account under clause (i)(I).

''(F) OTHER DEFINITIONS AND RULES.—For purposes of this paragraph—

''(i) BONUS PAYMENT.—The term 'bonus payment' means any payment which is a payment for services rendered and which is in addition to any amount payable to such individual for services performed by such individual at a regular hourly, daily, weekly, monthly, or similar periodic rate. Such term does not include payments to an employee as commissions, contributions to any qualified retirement plan (as defined in section 4974(c)), welfare and fringe benefits, overtime pay, or expense reimbursements. The Secretary may recharacterize a payment that is a disguised bonus as a bonus payment for purposes of this paragraph.

''(ii) PLAN SPONSOR.—The term ' plan sponsor' includes any member of the plan sponsor's controlled group (as defined in section 412(d)(3)).

''(iii) ELECTIONS FOR MULTIPLE PLANS.—If a plan sponsor makes elections under paragraph (2)(D) with respect to 2 or more plans, the Secretary shall provide rules for the application of this paragraph to such plans, including rules for the ratable allocation of any installment acceleration amount among such plans on the basis of each plan's relative reduction in the plan's shortfall amortization installment for the first plan year in the amortization period described in subparagraph (A) (determined without regard to this paragraph).

''(iv) MERGERS AND ACQUISITIONS.—The Secretary shall prescribe rules for the application of paragraph (2)(D) and this paragraph in any case where there is a merger or acquisition involving a plan sponsor making the election under paragraph (2)(D).''.

(3) CONFORMING AMENDMENTS.—Section 430 is amended—

(A) in subsection (c)(1), by striking ''the shortfall amortization bases for such plan year and each of the 6 preceding plan years'' and inserting ''any shortfall amortization base which has not been fully amortized under this subsection'', and

(B) in subsection (j)(3), by adding at the end the following:

''(F) QUARTERLY CONTRIBUTIONS NOT TO INCLUDE CERTAIN INCREASED CONTRIBUTIONS.—Subparagraph (D) shall be applied without regard to any increase under subsection (c)(7).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2007.

SEC. 612. APPLICATION OF EXTENDED AMORTIZATION PERIOD TO PLANS SUBJECT TO PRIOR LAW FUNDING RULES.

(a) IN GENERAL.—Title I of the Pension Protection Act of 2006 is amended by redesignating section 107 as section 108 and by inserting the following after section 106:

''SEC. 107. APPLICATION OF EXTENDED AMORTIZATION PERIODS TO PLANS WITH DELAYED EFFECTIVE DATE.

''(a) IN GENERAL.—If the plan sponsor of a plan to which section 104, 105, or 106 of this Act applies elects to have this section apply for any eligible plan year (in this section referred to as an 'election year'), section 302 of the Employee Retirement Income Security Act of 1974 and section 412 of the Internal Revenue Code of 1986 (as in effect before the amendments made by this subtitle and subtitle B) shall apply to such year in the manner described in subsection (b) or (c), whichever is specified in the election. All references in this section to 'such Act' or 'such Code' shall be to such Act or such Code as in effect before the amendments made by this subtitle and subtitle B.

''(b) APPLICATION OF 2 AND 7 RULE.—In the case of an election year to which this subsection applies—

''(1) 2-YEAR LOOKBACK FOR DETERMINING DEFICIT REDUCTION CONTRIBUTIONS FOR CERTAIN PLANS.—For purposes of applying section 302(d)(9) of such Act and section 412(l)(9) of such Code, the funded current liability percentage (as defined in subparagraph (C) thereof) for such plan for such plan year shall be such funded current liability percentage of such plan for the second plan year preceding the first election year of such plan.

''(2) CALCULATION OF DEFICIT REDUCTION CONTRIBUTION.—For purposes of applying section 302(d) of such Act and section 412(l) of such Code to a plan to which such sections apply (after taking into account paragraph (1))—

''(A) in the case of the increased unfunded new liability of the plan, the applicable percentage described in section 302(d)(4)(C) of such Act and section 412(l)(4)(C) of such Code shall be the third segment rate described in sections 104(b), 105(b), and 106(b) of this Act, and

''(B) in the case of the excess of the unfunded new liability over the increased unfunded new liability, such applicable percentage shall be determined without regard to this section.

''(c) APPLICATION OF 15-YEAR AMORTIZATION.—In the case of an election year to which this subsection applies, for purposes of applying section 302(d) of such Act and section 412(l) of such Code—

''(1) in the case of the increased unfunded new liability of the plan, the applicable percentage described in section 302(d)(4)(C) of such Act and section 412(l)(4)(C) of such Code for any pre-effective date plan year beginning with or after the first election year shall be the ratio of—

''(A) the annual installments payable in each year if the increased unfunded new liability for such plan year were amortized over 15 years, using an interest rate equal to the third segment rate described in sections 104(b), 105(b), and 106(b) of this Act, to

''(B) the increased unfunded new liability for such plan year, and

''(2) in the case of the excess of the unfunded new liability over the increased unfunded new liability, such applicable percentage shall be determined without regard to this section.

''(d) ELECTION.—

''(1) IN GENERAL.—The plan sponsor of a plan may elect to have this section apply to not more than 2 eligible plan years with respect to the plan, except that in the case of a plan to which section 106 of this Act applies, the plan sponsor may only elect to have this section apply to 1 eligible plan year.

''(2) AMORTIZATION SCHEDULE.—Such election shall specify whether the rules under subsection (b) or (c) shall apply to an election year, except that if a plan sponsor elects

to have this section apply to 2 eligible plan years, the plan sponsor must elect the same rule for both years.

''(3) OTHER RULES.—Such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary of the Treasury, and may be revoked only with the consent of the Secretary of the Treasury.

''(e) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE PLAN YEAR.—For purposes of this subparagraph, the term 'eligible plan year' means any plan year beginning in 2008, 2009, 2010, or 2011, except that a plan year beginning in 2008 shall only be treated as an eligible plan year if the due date for the payment of the minimum required contribution for such plan year occurs on or after the date of the enactment of this clause.

''(2) PRE-EFFECTIVE DATE PLAN YEAR.—The term 'pre-effective date plan year' means, with respect to a plan, any plan year prior to the first year in which the amendments made by this subtitle and subtitle B apply to the plan.

''(3) INCREASED UNFUNDED NEW LIABILITY.—The term 'increased unfunded new liability' means, with respect to a year, the excess (if any) of the unfunded new liability over the amount of unfunded new liability determined as if the value of the plan's assets determined under subsection 302(c)(2) of such Act and section 412(c)(2) of such Code equaled the product of the current liability of the plan for the year multiplied by the funded current liability percentage (as defined in section 302(d)(8)(B) of such Act and 412(l)(8)(B) of such Code) of the plan for the second plan year preceding the first election year of such plan.

''(4) OTHER DEFINITIONS.—The terms 'unfunded new liability' and 'current liability' shall have the meanings set forth in section 302(d) of such Act and section 412(l) of such Code.''.

(b) ELIGIBLE CHARITY PLANS.—Section 104 of the Pension Protection Act of 2006 is amended—

(1) by striking ''eligible cooperative plan'' wherever it appears in subsections (a) and (b) and inserting ''eligible cooperative plan or an eligible charity plan'', and

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

''(d) ELIGIBLE CHARITY PLAN DEFINED.—For purposes of this section, a plan shall be treated as an eligible charity plan for a plan year if the plan is maintained by more than one employer and 100 percent of the employers are described in section 501(c)(3) of such Code.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect as if included in the Pension Protection Act of 2006.

(2) ELIGIBLE CHARITY PLAN.—The amendments made by subsection (b) shall apply to plan years beginning after December 31, 2007, except that a plan sponsor may elect to apply such amendments to plan years beginning after December 31, 2008. Any such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary of the Treasury, and may be revoked only with the consent of the Secretary of the Treasury.

SEC. 613. LOOKBACK FOR CERTAIN BENEFIT RESTRICTIONS.

(a) IN GENERAL.—

(1) AMENDMENT TO ERISA.—Section 206(g)(9) of the Employee Retirement Income Security Act of 1974 is amended by adding at the end the following:

''(D) SPECIAL RULE FOR CERTAIN YEARS.—Solely for purposes of any applicable provision—

''(i) IN GENERAL.—For plan years beginning on or after October 1, 2008, and before October 1, 2010, the adjusted funding target attainment percentage of a plan shall be the greater of—

''(I) such percentage, as determined without regard to this subparagraph, or

''(II) the adjusted funding target attainment percentage for such plan for the plan year beginning after October 1, 2007, and before October 1, 2008, as determined under rules prescribed by the Secretary of the Treasury.

''(ii) SPECIAL RULE.—In the case of a plan for which the valuation date is not the first day of the plan year—

''(I) clause (i) shall apply to plan years beginning after December 31, 2007, and before January 1, 2010, and

''(II) clause (i)(II) shall apply based on the last plan year beginning before November 1, 2007, as determined under rules prescribed by the Secretary of the Treasury.

''(iii) APPLICABLE PROVISION.—For purposes of this subparagraph, the term 'applicable provision' means—

''(I) paragraph (3), but only for purposes of applying such paragraph to a payment which, as determined under rules prescribed by the Secretary of the Treasury, is a payment under a social security leveling option which accelerates payments under the plan before, and reduces payments after, a participant starts receiving social security benefits in order to provide substantially similar aggregate payments both before and after such benefits are received, and

''(II) paragraph (4).''.

(2) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 436(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(3) SPECIAL RULE FOR CERTAIN YEARS.—Solely for purposes of any applicable provision—

''(A) IN GENERAL.—For plan years beginning on or after October 1, 2008, and before October 1, 2010, the adjusted funding target attainment percentage of a plan shall be the greater of—

''(i) such percentage, as determined without regard to this paragraph, or

''(ii) the adjusted funding target attainment percentage for such plan for the plan year beginning after October 1, 2007, and before October 1, 2008, as determined under rules prescribed by the Secretary.

''(B) SPECIAL RULE.—In the case of a plan for which the valuation date is not the first day of the plan year—

''(i) subparagraph (A) shall apply to plan years beginning after December 31, 2007, and before January 1, 2010, and

''(ii) subparagraph (A)(ii) shall apply based on the last plan year beginning before November 1, 2007, as determined under rules prescribed by the Secretary.

''(C) APPLICABLE PROVISION.—For purposes of this paragraph, the term 'applicable provision' means—

''(i) subsection (d), but only for purposes of applying such paragraph to a payment which, as determined under rules prescribed by the Secretary, is a payment under a social security leveling option which accelerates payments under the plan before, and reduces payments after, a participant starts receiving social security benefits in order to provide substantially similar aggregate payments both before and after such benefits are received, and

''(ii) subsection (e).''.

(b) INTERACTION WITH WRERA RULE.—Section 203 of the Worker, Retiree, and Employer Recovery Act of 2008 shall apply to a plan for any plan year in lieu of the amendments made by this section applying to sections 206(g)(4) of the Employee Retirement Income Security Act of 1974 and 436(e) of the Internal Revenue Code of 1986 only to the extent that such section produces a higher adjusted funding target attainment percentage for such plan for such year.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to plan years beginning on or after October 1, 2008.

(2) SPECIAL RULE.—In the case of a plan for which the valuation date is not the first day of the plan year, the amendments made by this section shall apply to plan years beginning after December 31, 2007.

PART II—MULTIEMPLOYER PLANS

SEC. 621. ADJUSTMENTS TO FUNDING STANDARD ACCOUNT RULES.

(a) ADJUSTMENTS.—

(1) AMENDMENT TO ERISA.—Section 304(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084(b)) is amended by adding at the end the following new paragraph:

''(8) SPECIAL RELIEF RULES.—Notwithstanding any other provision of this subsection—

''(A) AMORTIZATION OF NET INVESTMENT LOSSES.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may treat the portion of its experience loss attributable to the net investment losses (if any) incurred in either or both of the first two plan years beginning after August 31, 2008, as an item separate from other experience losses, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years.

''(ii) NO EXTENSION ALLOWED.—If this subparagraph applies for any plan year, no extension of the amortization period under clause (i) shall be allowed under subsection (d).

''(iii) NET INVESTMENT LOSSES.—For purposes of this subparagraph—

''(I) IN GENERAL.—Net investment losses shall be determined in the manner prescribed by the Secretary of the Treasury on the basis of the difference between actual and expected returns (including any difference attributable to any criminally fraudulent investment arrangement).

''(II) CRIMINALLY FRAUDULENT INVESTMENT ARRANGEMENTS.—The determination as to whether an arrangement is a criminally fraudulent investment arrangement shall be made under rules substantially similar to the rules prescribed by the Secretary of the Treasury for purposes of section 165 of the Internal Revenue Code of 1986.

''(B) EXPANDED SMOOTHING PERIOD.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may change its asset valuation method in a manner which—

''(I) spreads the difference between expected and actual returns for either or both of the first 2 plan years beginning after August 31, 2008, over a period of not more than 10 years,

''(II) provides that for either or both of such 2 plan years the value of plan assets at any time shall not be less than 80 percent or greater than 130 percent of the fair market value of such assets at such time, or

''(III) makes both changes described in subclauses (I) and (II) to such method.

''(ii) ASSET VALUATION METHODS.—If this subparagraph applies for any plan year—

''(I) the Secretary of the Treasury shall not treat the asset valuation method of the plan as unreasonable solely because of the changes in such method described in clause (i), and

''(II) such changes shall be deemed approved by such Secretary under section 302(d)(1) and section 412(d)(1) of such Code.

''(iii) AMORTIZATION OF REDUCTION IN UNFUNDED ACCRUED LIABILITY.—If this subparagraph and subparagraph (A) both apply for any plan year, the plan shall treat any reduction in unfunded accrued liability resulting from the application of this subparagraph as a separate experience amortization base, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years rather than the period such liability would otherwise be amortized over.

''(C) SOLVENCY TEST.—The solvency test under this paragraph is met only if the plan actuary certifies that the plan is projected to have sufficient assets to timely pay expected benefits and anticipated expenditures over the amortization period, taking into account the changes in the funding standard account under this paragraph.

''(D) RESTRICTION ON BENEFIT INCREASES.—If subparagraph (A) or (B) apply to a multiemployer plan for any plan year, then, in addition to any other applicable restrictions on benefit increases, a plan amendment increasing benefits may not go into effect during either of the 2 plan years immediately following such plan year unless—

''(i) the plan actuary certifies that—

''(I) any such increase is paid for out of additional contributions not allocated to the plan immediately before the application of this paragraph to the plan, and

''(II) the plan's funded percentage and projected credit balances for such 2 plan years are reasonably expected to be substantially the same as such percentage and balances would have been if the benefit increase had not been adopted, or

''(ii) the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 or to comply with other applicable law.

''(E) REPORTING.—A plan sponsor of a plan to which this paragraph applies shall inform the Pension Benefit Guaranty Corporation of such application in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.''.

(2) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 431(b) is amended by adding at the end the following new paragraph:

''(8) SPECIAL RELIEF RULES.—Notwithstanding any other provision of this subsection—

''(A) AMORTIZATION OF NET INVESTMENT LOSSES.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may treat the portion of its experience loss attributable to the net investment losses (if any) incurred in either or both of the first two plan years beginning after August 31, 2008, as an item separate from other experience losses, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years.

''(ii) NO EXTENSION ALLOWED.—If this subparagraph applies for any plan year, no extension of the amortization period under clause (i) shall be allowed under subsection (d).

''(iii) NET INVESTMENT LOSSES.—For purposes of this subparagraph—

''(I) IN GENERAL.—Net investment losses shall be determined in the manner prescribed by the Secretary on the basis of the difference between actual and expected returns (including any difference attributable to any criminally fraudulent investment arrangement).

''(II) CRIMINALLY FRAUDULENT INVESTMENT ARRANGEMENTS.—The determination as to whether an arrangement is a criminally fraudulent investment arrangement shall be made under rules substantially similar to the rules prescribed by the Secretary for purposes of section 165.

''(B) EXPANDED SMOOTHING PERIOD.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may change its asset valuation method in a manner which—

''(I) spreads the difference between expected and actual returns for either or both of the first 2 plan years beginning after August 31, 2008, over a period of not more than 10 years,

''(II) provides that for either or both of such 2 plan years the value of plan assets at any time shall not be less than 80 percent or greater than 130 percent of the fair market value of such assets at such time, or

''(III) makes both changes described in subclauses (I) and (II) to such method.

''(ii) ASSET VALUATION METHODS.—If this subparagraph applies for any plan year—

''(I) the Secretary shall not treat the asset valuation method of the plan as unreasonable solely because of the changes in such method described in clause (i), and

''(II) such changes shall be deemed approved by the Secretary under section 302(d)(1) of the Employee Retirement Income Security Act of 1974 and section 412(d)(1).

''(iii) AMORTIZATION OF REDUCTION IN UNFUNDED ACCRUED LIABILITY.—If this subparagraph and subparagraph (A) both apply for any plan year, the plan shall treat any reduction in unfunded accrued liability resulting from the application of this subparagraph as a separate experience amortization base, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years rather than the period such liability would otherwise be amortized over.

''(C) SOLVENCY TEST.—The solvency test under this paragraph is met only if the plan actuary certifies that the plan is projected to have sufficient assets to timely pay expected benefits and anticipated expenditures over the amortization period, taking into account the changes in the funding standard account under this paragraph.

''(D) RESTRICTION ON BENEFIT INCREASES.—If subparagraph (A) or (B) apply to a multiemployer plan for any plan year, then, in addition to any other applicable restrictions on benefit increases, a plan amendment increasing benefits may not go into effect during either of the 2 plan years immediately following such plan year unless—

''(i) the plan actuary certifies that—

''(I) any such increase is paid for out of additional contributions not allocated to the plan immediately before the application of this paragraph to the plan, and

''(II) the plan's funded percentage and projected credit balances for such 2 plan years are reasonably expected to be substantially the same as such percentage and balances would have been if the benefit increase had not been adopted, or

''(ii) the amendment is required as a condition of qualification under part I of subchapter D or to comply with other applicable law.

''(E) REPORTING.—A plan sponsor of a plan to which this paragraph applies shall inform the Pension Benefit Guaranty Corporation of such application in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall take effect as of the first day of the first plan year beginning after August 31, 2008, except that any election a plan makes pursuant to this section that affects the plan's funding standard account for the first plan year beginning after August 31, 2008, shall be disregarded for purposes of applying the provisions of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 to such plan year.

(2) RESTRICTIONS ON BENEFIT INCREASES.—Notwithstanding paragraph (1), the restrictions on plan amendments increasing benefits in sections 304(b)(8)(D) of such Act and 431(b)(8)(D) of such Code, as added by this section, shall take effect on the date of enactment of this Act.

TITLE VII—DETERMINATION OF BUDGETARY EFFECTS

SEC. 701. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 3320. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID 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:

Strike subtitle B of title V and insert the following:

Subtitle B—Black Liquor

SEC. 551. EXCLUSION OF UNPROCESSED FUELS FROM THE CELLULOSIC BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Subparagraph (E) of section 40(b)(6) is amended by adding at the end the following new clause:

''(iii) EXCLUSION OF UNPROCESSED FUELS.—The term 'cellulosic biofuel' shall not include any fuel if—

''(I) more than 4 percent of such fuel (determined by weight) is any combination of water and sediment, or

''(II) the ash content of such fuel is more than 1 percent (determined by weight).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used after the date of the enactment of this Act.

SEC. 552. PROHIBITION ON ALTERNATIVE FUEL CREDIT AND ALTERNATIVE FUEL MIXTURE CREDIT FOR BLACK LIQUOR.

(a) IN GENERAL.—The last sentence of section 6426(d)(2) is amended by striking ''or biodiesel'' and inserting ''biodiesel, or any fuel (including lignin, wood residues, or spent pulping liquors) derived from the production of paper or pulp''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuel sold or used after December 31, 2009.

Subtitle C—Homebuyer Credit

SEC. 561. TECHNICAL MODIFICATIONS TO HOMEBUYER CREDIT.

(a) EXPANDED DOCUMENTATION REQUIREMENT.—Subsection (d) of section 36, as amended by the Worker, Homeownership, and Business Assistance Act of 2009, is amended—

(1) by striking ''or'' at the end of paragraph (3),

(2) by striking the period at the end of paragraph (4) and inserting a comma, and

(3) by adding at the end the following new paragraphs:

''(5) in the case of a taxpayer to whom such a credit would be allowed (but for this paragraph) by reason of subsection (c)(6), the taxpayer fails to attach to the return of tax for such taxable year a copy of such property tax bills or other documentation as are required by the Secretary to demonstrate compliance with the requirements of subsection (c)(6), or

''(6) in the case of a taxpayer to whom such a credit would be allowed (but for this paragraph) by reason of subsection (h)(2), the taxpayer fails to attach to the return of tax for such taxable year a copy of the binding contract which meets the requirements of subsection (h)(2).''.

(b) MODIFICATION OF EFFECTIVE DATE OF DOCUMENTATION REQUIREMENTS.—Paragraph (2) of section 12(e) of the Worker, Homeownership, and Business Assistance Act of 2009 is amended by striking ''returns for taxable years ending after the date of the enactment of this Act'' and inserting ''returns filed after the date of the enactment of this Act''.

(c) EFFECTIVE DATES.—

(1) DOCUMENTATION REQUIREMENTS.—The amendments made by subsection (a) shall apply to purchases on or after the date of the enactment of this Act.

(2) EFFECTIVE DATE OF WORKER, HOMEOWNERSHIP, AND BUSINESS ASSISTANCE ACT.—The amendment made by subsection (b) shall apply to purchases of a principal residence on or after the date of the enactment of the Worker, Homeownership, and Business Assistance Act of 2009.

Subtitle D—Economic Substance

SEC. 571. CODIFICATION OF ECONOMIC SUBSTANCE DOCTRINE; PENALTIES.

(a) IN GENERAL.—Section 7701 is amended by redesignating subsection (o) as subsection (p) and by inserting after subsection (n) the following new subsection:

''(o) CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE.—

''(1) APPLICATION OF DOCTRINE.—In the case of any transaction to which the economic substance doctrine is relevant, such transaction shall be treated as having economic substance only if—

''(A) the transaction changes in a meaningful way (apart from Federal income tax effects) the taxpayer's economic position, and

''(B) the taxpayer has a substantial purpose (apart from Federal income tax effects) for entering into such transaction.

''(2) SPECIAL RULE WHERE TAXPAYER RELIES ON PROFIT POTENTIAL.—

''(A) IN GENERAL.—The potential for profit of a transaction shall be taken into account in determining whether the requirements of subparagraphs (A) and (B) of paragraph (1) are met with respect to the transaction only if the present value of the reasonably expected pre-tax profit from the transaction is substantial in relation to the present value of the expected net tax benefits that would be allowed if the transaction were respected.

''(B) TREATMENT OF FEES AND FOREIGN TAXES.—Fees and other transaction expenses shall be taken into account as expenses in determining pre-tax profit under subparagraph (A). The Secretary may issue regulations requiring foreign taxes to be treated as expenses in determining pre-tax profit in appropriate cases.

''(3) STATE AND LOCAL TAX BENEFITS.—For purposes of paragraph (1), any State or local income tax effect which is related to a Federal income tax effect shall be treated in the same manner as a Federal income tax effect.

''(4) FINANCIAL ACCOUNTING BENEFITS.—For purposes of paragraph (1)(B), achieving a financial accounting benefit shall not be taken into account as a purpose for entering into a transaction if the origin of such financial accounting benefit is a reduction of Federal income tax.

''(5) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) ECONOMIC SUBSTANCE DOCTRINE.—The term 'economic substance doctrine' means the common law doctrine under which tax benefits under subtitle A with respect to a transaction are not allowable if the transaction does not have economic substance or lacks a business purpose.

''(B) EXCEPTION FOR PERSONAL TRANSACTIONS OF INDIVIDUALS.—In the case of an individual, paragraph (1) shall apply only to transactions entered into in connection with a trade or business or an activity engaged in for the production of income.

''(C) OTHER COMMON LAW DOCTRINES NOT AFFECTED.—Except as specifically provided in this subsection, the provisions of this subsection shall not be construed as altering or supplanting any other rule of law, and the requirements of this subsection shall be construed as being in addition to any such other rule of law.

''(D) DETERMINATION OF APPLICATION OF DOCTRINE NOT AFFECTED.—The determination of whether the economic substance doctrine is relevant to a transaction shall be made in the same manner as if this subsection had never been enacted.

''(E) TRANSACTION.—The term 'transaction' includes a series of transactions.

''(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection.''.

(b) PENALTY FOR UNDERPAYMENTS ATTRIBUTABLE TO TRANSACTIONS LACKING ECONOMIC SUBSTANCE.—

(1) IN GENERAL.—Subsection (b) of section 6662 is amended by inserting after paragraph (5) the following new paragraph:

''(6) Any disallowance of claimed tax benefits by reason of a transaction lacking economic substance (within the meaning of section 7701(o)) or failing to meet the requirements of any similar rule of law.''.

(2) INCREASED PENALTY FOR NONDISCLOSED TRANSACTIONS.—Section 6662 is amended by adding at the end the following new subsection:

''(i) INCREASE IN PENALTY IN CASE OF NONDISCLOSED NONECONOMIC SUBSTANCE TRANSACTIONS.—

''(1) IN GENERAL.—In the case of any portion of an underpayment which is attributable to one or more nondisclosed noneconomic substance transactions, subsection (a) shall be applied with respect to such portion by substituting '40 percent' for '20 percent'.

''(2) NONDISCLOSED NONECONOMIC SUBSTANCE TRANSACTIONS.—For purposes of this subsection, the term 'nondisclosed noneconomic substance transaction' means any portion of a transaction described in subsection (b)(6) with respect to which the relevant facts affecting the tax treatment are not adequately disclosed in the return nor in a statement attached to the return.

''(3) SPECIAL RULE FOR AMENDED RETURNS.—Except as provided in regulations, in no event shall any amendment or supplement to a return of tax be taken into account for purposes of this subsection if the amendment or supplement is filed after the earlier of the date the taxpayer is first contacted by the Secretary regarding the examination of the return or such other date as is specified by the Secretary.''.

(3) CONFORMING AMENDMENT.—Subparagraph (B) of section 6662A(e)(2) is amended—

(A) by striking ''section 6662(h)'' and inserting ''subsections (h) or (i) of section 6662''; and

(B) by striking ''GROSS VALUATION MISSTATEMENT PENALTY'' in the heading and inserting ''CERTAIN INCREASED UNDERPAYMENT PENALTIES''.

(c) REASONABLE CAUSE EXCEPTION NOT APPLICABLE TO NONECONOMIC SUBSTANCE TRANSACTIONS.—

(1) REASONABLE CAUSE EXCEPTION FOR UNDERPAYMENTS.—Subsection (c) of section 6664 is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(B) by striking ''paragraph (2)'' in paragraph (4)(A), as so redesignated, and inserting ''paragraph (3)''; and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) EXCEPTION.—Paragraph (1) shall not apply to any portion of an underpayment which is attributable to one or more transactions described in section 6662(b)(6).''.

(2) REASONABLE CAUSE EXCEPTION FOR REPORTABLE TRANSACTION UNDERSTATEMENTS.—Subsection (d) of section 6664 is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(B) by striking ''paragraph (2)(C)'' in paragraph (4), as so redesignated, and inserting ''paragraph (3)(C)''; and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) EXCEPTION.—Paragraph (1) shall not apply to any portion of a reportable transaction understatement which is attributable to one or more transactions described in section 6662(b)(6).''.

(d) APPLICATION OF PENALTY FOR ERRONEOUS CLAIM FOR REFUND OR CREDIT TO NONECONOMIC SUBSTANCE TRANSACTIONS.—Section 6676 is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection:

''(c) NONECONOMIC SUBSTANCE TRANSACTIONS TREATED AS LACKING REASONABLE BASIS.—For purposes of this section, any excessive amount which is attributable to any transaction described in section 6662(b)(6) shall not be treated as having a reasonable basis.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to transactions entered into after the date of the enactment of this Act.

(2) UNDERPAYMENTS.—The amendments made by subsections (b) and (c)(1) shall apply to underpayments attributable to transactions entered into after the date of the enactment of this Act.

(3) UNDERSTATEMENTS.—The amendments made by subsection (c)(2) shall apply to understatements attributable to transactions entered into after the date of the enactment of this Act.

(4) REFUNDS AND CREDITS.—The amendment made by subsection (d) shall apply to refunds and credits attributable to transactions entered into after the date of the enactment of this Act.

Subtitle E—Additional Provisions

SEC. 581. REVISION TO THE MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1)(A) of the Social Security Act (42 U.S.C. 1395iii(b)(1)(A)), as amended by section 1011(b) of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), is amended by striking ''$20,740,000,000'' and inserting ''$10,240,000,000''.

SEC. 582. TRANSFER OF STIMULUS FUNDS.

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Pub. Law 111-5), from the amounts appropriated or made available and remaining unobligated under such Act, the Director of the Office of Management and Budget shall transfer from time to time to the general fund of the Treasury an amount equal to the sum of the amount of any net reduction in revenues and the amount of any net increase in spending resulting from the enactment of this Act.

TITLE VI—EXTENSION OF EXPIRING PROVISIONS

Subtitle A—Energy

SEC. 601. ALTERNATIVE MOTOR VEHICLE CREDIT FOR NEW QUALIFIED HYBRID MOTOR VEHICLES OTHER THAN PASSENGER AUTOMOBILES AND LIGHT TRUCKS.

(a) IN GENERAL.—Paragraph (3) of section 30B(k) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property purchased after December 31, 2009.

SEC. 602. INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SEC. 603. CREDIT FOR ELECTRICITY PRODUCED AT CERTAIN OPEN-LOOP BIOMASS FACILITIES.

(a) IN GENERAL.—Clause (ii) of section 45(b)(4)(B) is amended by striking ''5-year period'' and inserting ''6-year period''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to electricity produced and sold after December 31, 2009.

SEC. 604. CREDIT FOR REFINED COAL FACILITIES.

(a) IN GENERAL .—Subparagraphs (A) and (B) of section 45(d)(8) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to facilities placed in service after December 31, 2009.

SEC. 605. CREDIT FOR PRODUCTION OF LOW SULFUR DIESEL FUEL.

(a) APPLICABLE PERIOD.—Paragraph (4) of section 45H(c) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in section 339 of the American Jobs Creation Act of 2004.

SEC. 606. CREDIT FOR PRODUCING FUEL FROM COKE OR COKE GAS.

(a) IN GENERAL.—Paragraph (1) of section 45K(g) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to facilities placed in service after December 31, 2009.

SEC. 607. NEW ENERGY EFFICIENT HOME CREDIT.

(a) IN GENERAL.—Subsection (g) of section 45L is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to homes acquired after December 31, 2009.

SEC. 608. EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR ALTERNATIVE FUEL AND ALTERNATIVE FUEL MIXTURES.

(a) IN GENERAL.—Sections 6426(d)(5), 6426(e)(3), and 6427(e)(6)(C) are each amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SEC. 609. SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to transactions after December 31, 2009.

SEC. 610. SUSPENSION OF LIMITATION ON PERCENTAGE DEPLETION FOR OIL AND GAS FROM MARGINAL WELLS.

(a) IN GENERAL.—Clause (ii) of section 613A(c)(6)(H) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

Subtitle B—Individual Tax Relief

PART I—MISCELLANEOUS PROVISIONS

SEC. 611. DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking ''or 2009'' and inserting ''2009, or 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 612. ADDITIONAL STANDARD DEDUCTION FOR STATE AND LOCAL REAL PROPERTY TAXES.

(a) IN GENERAL.—Subparagraph (C) of section 63(c)(1) is amended by striking ''or 2009'' and inserting ''2009, or 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 613. DEDUCTION OF STATE AND LOCAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 614. CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2009.

SEC. 615. ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 616. TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2009

SEC. 617. LOOK-THRU OF CERTAIN REGULATED INVESTMENT COMPANY STOCK IN DETERMINING GROSS ESTATE OF NONRESIDENTS.

(a) IN GENERAL.—Paragraph (3) of section 2105(d) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to estates of decedents dying after December 31, 2009.

PART II—LOW-INCOME HOUSING CREDITS

SEC. 621. ELECTION FOR REFUNDABLE LOW-INCOME HOUSING CREDIT FOR 2010.

(a) IN GENERAL.—Section 42 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) ELECTION FOR REFUNDABLE CREDITS.—

''(1) IN GENERAL.—The housing credit agency of each State shall be allowed a credit in an amount equal to such State's 2010 low-income housing refundable credit election amount, which shall be payable by the Secretary as provided in paragraph (5).

''(2) 2010 LOW-INCOME HOUSING REFUNDABLE CREDIT ELECTION AMOUNT.—For purposes of this subsection, the term '2010 low-income housing refundable credit election amount' means, with respect to any State, such amount as the State may elect which does not exceed 85 percent of the product of—

''(A) the sum of—

''(i) 100 percent of the State housing credit ceiling for 2010 which is attributable to amounts described in clauses (i) and (iii) of subsection (h)(3)(C), and

''(ii) 40 percent of the State housing credit ceiling for 2010 which is attributable to amounts described in clauses (ii) and (iv) of such subsection, multiplied by

''(B) 10.

''(3) COORDINATION WITH NON-REFUNDABLE CREDIT.—For purposes of this section, the amounts described in clauses (i) through (iv) of subsection (h)(3)(C) with respect to any State for 2010 shall each be reduced by so much of such amount as is taken into account in determining the amount of the credit allowed with respect to such State under paragraph (1).

''(4) SPECIAL RULE FOR BASIS.—Basis of a qualified low-income building shall not be reduced by the amount of any payment made under this subsection.

''(5) PAYMENT OF CREDIT; USE TO FINANCE LOW-INCOME BUILDINGS.—The Secretary shall pay to the housing credit agency of each State an amount equal to the credit allowed under paragraph (1). Rules similar to the rules of subsections (c) and (d) of section 1602 of the American Recovery and Reinvestment Tax Act of 2009 shall apply with respect to any payment made under this paragraph, except that such subsection (d) shall be applied by substituting 'January 1, 2012' for 'January 1, 2011'.''.

(b) CONFORMING AMENDMENT.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting ''42(n),'' after ''36A,''.

Subtitle C—Business Tax Relief

SEC. 631. RESEARCH CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 41(h)(1) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2009.

SEC. 632. INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 633. NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Subparagraph (F) of section 45D(f)(1) is amended by inserting ''and 2010'' after ''2009''.

(b) CONFORMING AMENDMENT.—Paragraph (3) of section 45D(f) is amended by striking ''2014'' and inserting ''2015''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after 2009.

SEC. 634. RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2009.

SEC. 635. MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 636. EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2009.

SEC. 637. 5-YEAR DEPRECIATION FOR FARMING BUSINESS MACHINERY AND EQUIPMENT.

(a) IN GENERAL.—Clause (vii) of section 168(e)(3)(B) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 638. 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 168(e)(7)(A) is amended by striking ''if such building is placed in service after December 31, 2008, and before January 1, 2010,''.

(2) Paragraph (8) of section 168(e) is amended by striking subparagraph (E).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2009.

SEC. 639. 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 640. ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 641. ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2009.

SEC. 642. ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF BOOK INVENTORIES TO PUBLIC SCHOOLS.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(D) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2009.

SEC. 643. ENHANCED CHARITABLE DEDUCTION FOR CORPORATE CONTRIBUTIONS OF COMPUTER INVENTORY FOR EDUCATIONAL PURPOSES.

(a) IN GENERAL.—Subparagraph (G) of section 170(e)(6) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2009.

SEC. 644. ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 645. SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS.

(a) IN GENERAL.—Subsection (f) of section 181 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to productions commencing after December 31, 2009.

SEC. 646. EXPENSING OF ENVIRONMENTAL REMEDIATION COSTS.

(a) IN GENERAL.—Subsection (h) of section 198 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred after December 31, 2009.

SEC. 647. DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) is amended—

(1) by striking ''first 4 taxable years'' and inserting ''first 5 taxable years'', and

(2) by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 648. MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2009.

SEC. 649. EXCLUSION OF GAIN OR LOSS ON SALE OR EXCHANGE OF CERTAIN BROWNFIELD SITES FROM UNRELATED BUSINESS INCOME.

(a) IN GENERAL.—Subparagraph (K) of section 512(b)(19) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property acquired after December 31, 2009.

SEC. 650. TIMBER REIT MODERNIZATION.

(a) IN GENERAL.—Paragraph (8) of section 856(c) is amended by striking ''means'' and all that follows and inserting ''means December 31, 2010.''.

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (I) of section 856(c)(2) is amended by striking ''the first taxable year beginning after the date of the enactment of this subparagraph'' and inserting ''in a taxable year beginning before the termination date''.

(2) Clause (iii) of section 856(c)(5)(H) is amended by inserting ''in taxable years beginning'' after ''dispositions''.

(3) Clause (v) of section 857(b)(6)(D) is amended by inserting ''in a taxable year beginning'' after ''sale''.

(4) Subparagraph (G) of section 857(b)(6) is amended by inserting ''in a taxable year beginning'' after ''In the case of a sale''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 22, 2009.

SEC. 651. TREATMENT OF CERTAIN DIVIDENDS AND ASSETS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C) and (2)(C) of section 871(k) are each amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 652. RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on January 1, 2010. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2009, and before the date of the enactment of this Act, and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

SEC. 653. EXCEPTIONS FOR ACTIVE FINANCING INCOME.

(a) IN GENERAL.—Sections 953(e)(10) and 954(h)(9) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) CONFORMING AMENDMENT.—Section 953(e)(10) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2009, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 654. LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2009, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 655. TEMPORARY REDUCTION IN CORPORATE RATE FOR QUALIFIED TIMBER GAIN.

(a) IN GENERAL.—Paragraph (1) of section 1201(b) is amended by striking ''ending'' and all that follows through ''such date''.

(b) CONFORMING AMENDMENT.—Paragraph (3) of section 1201(b) is amended to read as follows:

''(3) APPLICATION OF SUBSECTION.—The qualified timber gain for any taxable year shall not exceed the qualified timber gain which would be determined by not taking into account—

''(A) any portion of such taxable year after May 22, 2009, and before the date of the enactment of the Hiring Incentives to Restore Employment Act, and

''(B) any portion of such taxable year after December 31, 2010.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 656. BASIS ADJUSTMENT TO STOCK OF S CORPS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2009.

SEC. 657. EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Section 1391 is amended—

(1) by striking ''December 31, 2009'' in subsection (d)(1)(A)(i) and inserting ''December 31, 2010'', and

(2) by striking the last sentence of subsection (h)(2).

(b) INCREASED EXCLUSION OF GAIN ON STOCK OF EMPOWERMENT ZONE BUSINESSES.—Subparagraph (C) of section 1202(a)(2) is amended—

(1) by striking ''December 31, 2014'' and inserting ''December 31, 2015'', and

(2) by striking ''2014'' in the heading and inserting ''2015''.

(c) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation unless, after the date of the enactment of this section, the entity which made such nomination reconfirms such termination date, or amends the nomination to provide for a new termination date, in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2009.

SEC. 658. TAX INCENTIVES FOR INVESTMENT IN THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Subsection (f) of section 1400 is amended by striking ''December 31, 2009'' each place it appears and inserting ''December 31, 2010''.

(b) TAX-EXEMPT DC EMPOWERMENT ZONE BONDS.—Subsection (b) of section 1400A is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) ZERO-PERCENT CAPITAL GAINS RATE.—

(1) ACQUISITION DATE.—Paragraphs (2)(A)(i), (3)(A), (4)(A)(i), and (4)(B)(i)(I) of section 1400B(b) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(2) LIMITATION ON PERIOD OF GAINS.—

(A) IN GENERAL.—Paragraph (2) of section 1400B(e) is amended—

(i) by striking ''December 31, 2014'' and inserting ''December 31, 2015'', and

(ii) by striking ''2014'' in the heading and inserting ''2015''.

(B) PARTNERSHIPS AND S-CORPS.—Paragraph (2) of section 1400B(g) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

(d) FIRST-TIME HOMEBUYER CREDIT.—Subsection (i) of section 1400C is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to periods after December 31, 2009.

(2) TAX-EXEMPT DC EMPOWERMENT ZONE BONDS.—The amendment made by subsection (b) shall apply to bonds issued after December 31, 2009.

(3) ACQUISITION DATES FOR ZERO-PERCENT CAPITAL GAINS RATE.—The amendments made by subsection (c) shall apply to property acquired or substantially improved after December 31, 2009.

(4) HOMEBUYER CREDIT.—The amendment made by subsection (d) shall apply to homes purchased after December 31, 2009.

SEC. 659. RENEWAL COMMUNITY TAX INCENTIVES.

(a) IN GENERAL.—Subsection (b) of section 1400E is amended—

(1) by striking ''December 31, 2009'' in paragraphs (1)(A) and (3) and inserting ''December 31, 2010'', and

(2) by striking ''January 1, 2010'' in paragraph (3) and inserting ''January 1, 2011''.

(b) ZERO-PERCENT CAPITAL GAINS RATE.—

(1) ACQUISITION DATE.—Paragraphs (2)(A)(i), (3)(A), (4)(A)(i), and (4)(B)(i) of section 1400F(b) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(2) LIMITATION ON PERIOD OF GAINS.—Paragraph (2) of section 1400F(c) is amended—

(A) by striking ''December 31, 2014'' and inserting ''December 31, 2015'', and

(B) by striking ''2014'' in the heading and inserting ''2015''.

(3) CLERICAL AMENDMENT.—Subsection (d) of section 1400F is amended by striking ''and 'December 31, 2014' for 'December 31, 2014' ''.

(c) COMMERCIAL REVITALIZATION DEDUCTION.—

(1) IN GENERAL.—Subsection (g) of section 1400I is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(2) CONFORMING AMENDMENT.—Subparagraph (A) of section 1400I(d)(2) is amended by striking ''after 2001 and before 2010'' and inserting ''which begins after 2001 and before the date referred to in subsection (g)''.

(d) INCREASED EXPENSING UNDER SECTION 179.—Subparagraph (A) of section 1400J(b)(1) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(e) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of a renewal community the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A) of section 1400E(b)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation unless, after the date of the enactment of this section, the entity which made such nomination reconfirms such termination date, or amends the nomination to provide for a new termination date, in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to periods after December 31, 2009.

(2) ACQUISITIONS.—The amendments made by subsections (b)(1) and (d) shall apply to acquisitions after December 31, 2009.

(3) COMMERCIAL REVITALIZATION DEDUCTION.—

(A) IN GENERAL.—The amendment made by subsection (c)(1) shall apply to buildings placed in service after December 31, 2009.

(B) CONFORMING AMENDMENT.—The amendment made by subsection (c)(2) shall apply to calendar years beginning after December 31, 2009.

SEC. 660. TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2009.

SEC. 661. AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) by striking ''first 4 taxable years'' and inserting ''first 5 taxable years'', and

(2) by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

Subtitle D—Temporary Disaster Relief Provisions

PART I—NATIONAL DISASTER RELIEF

SEC. 671. WAIVER OF CERTAIN MORTGAGE REVENUE BOND REQUIREMENTS.

(a) IN GENERAL.—Paragraph (11) of section 143(k) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) SPECIAL RULE FOR RESIDENCES DESTROYED IN FEDERALLY DECLARED DISASTERS.—Paragraph (13) of section 143(k), as redesignated by subsection (c), is amended by striking ''January 1, 2010'' in subparagraphs (A)(i) and (B)(i) and inserting ''January 1, 2011''.

(c) TECHNICAL AMENDMENT.—Subsection (k) of section 143 is amended by redesignating the second paragraph (12) (relating to special rules for residences destroyed in federally declared disasters) as paragraph (13).

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendment made by this section shall apply to bonds issued after December 31, 2009.

(2) RESIDENCES DESTROYED IN FEDERALLY DECLARED DISASTERS.—The amendments made by subsection (b) shall apply with respect to disasters occurring after December 31, 2009.

(3) TECHNICAL AMENDMENT.—The amendment made by subsection (c) shall take effect as if included in section 709 of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008.

SEC. 672. LOSSES ATTRIBUTABLE TO FEDERALLY DECLARED DISASTERS.

(a) IN GENERAL.—Subclause (I) of section 165(h)(3)(B)(i) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) $500 LIMITATION.—Paragraph (1) of section 165(h) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to federally declared disasters occurring after December 31, 2009.

(2) $500 LIMITATION.—The amendment made by subsection (b) shall apply to taxable years beginning after December 31, 2009.

SEC. 673. SPECIAL DEPRECIATION ALLOWANCE FOR QUALIFIED DISASTER PROPERTY.

(a) IN GENERAL.—Subclause (I) of section 168(n)(2)(A)(ii) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disasters occurring after December 31, 2009.

SEC. 674. NET OPERATING LOSSES ATTRIBUTABLE TO FEDERALLY DECLARED DISASTERS.

(a) IN GENERAL.—Subclause (I) of section 172(j)(1)(A)(i) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to losses attributable to disasters occurring after December 31, 2009.

SEC. 675. EXPENSING OF QUALIFIED DISASTER EXPENSES.

(a) IN GENERAL.—Subparagraph (A) of section 198A(b)(2) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures on account of disasters occurring after December 31, 2009.

PART II—REGIONAL PROVISIONS

Subpart A—New York Liberty Zone

SEC. 681. SPECIAL DEPRECIATION ALLOWANCE FOR NONRESIDENTIAL AND RESIDENTIAL REAL PROPERTY.

(a) IN GENERAL.—Subparagraph (A) of section 1400L(b)(2) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 682. TAX-EXEMPT BOND FINANCING.

(a) IN GENERAL.—Subparagraph (D) of section 1400L(d)(2) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after December 31, 2009.

Subpart B—GO Zone

SEC. 683. SPECIAL DEPRECIATION ALLOWANCE.

(a) IN GENERAL.—Paragraph (6) of section 1400N(d)(6) is amended by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 684. INCREASE IN REHABILITATION CREDIT.

(a) IN GENERAL.—Subsection (h) of section 1400N is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred after December 31, 2009.

Subpart C—Midwestern Disaster Areas

SEC. 685. SPECIAL RULES FOR USE OF RETIREMENT FUNDS.

(a) IN GENERAL.—Section 702(d)(10) of the Heartland Disaster Tax Relief Act of 2008 (Public Law 110-343; 122 Stat. 3918) is amended—

(1) by striking ''January 1, 2010'' both places it appears and inserting ''January 1, 2011'', and

(2) by striking ''December 31, 2009'' both places it appears and inserting ''December 31, 2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 702(d)(10) of the Heartland Disaster Tax Relief Act of 2008.

SEC. 686. EXCLUSION OF CANCELLATION OF MORTGAGE INDEBTEDNESS.

(a) IN GENERAL.—Section 702(e)(4)(C) of the Heartland Disaster Tax Relief Act of 2008 (Public Law 110-343; 122 Stat. 3918) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to discharges of indebtedness after December 31, 2009.

TITLE VII—UNEMPLOYMENT INSURANCE, HEALTH, AND OTHER PROVISIONS

Subtitle A—Unemployment Insurance

SEC. 701. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''February 28, 2010'' each place it appears and inserting ''May 31, 2010'';

(B) in the heading for subsection (b)(2), by striking ''FEBRUARY 28, 2010'' and inserting ''MAY 31, 2010''; and

(C) in subsection (b)(3), by striking ''July 31, 2010'' and inserting ''November 1, 2010''.

(2) Section 2002(e) 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), is amended—

(A) in paragraph (1)(B), by striking ''February 28, 2010'' and inserting ''May 31, 2010'';

(B) in the heading for paragraph (2), by striking ''FEBRUARY 28, 2010'' and inserting ''MAY 31, 2010''; and

(C) in paragraph (3), by striking ''August 31, 2010'' and inserting ''November 30, 2010''.

(3) Section 2005 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. 444), is amended—

(A) by striking ''February 28, 2010'' each place it appears and inserting ''May 31, 2010''; and

(B) in subsection (c), by striking ''July 31, 2010'' and inserting ''November 1, 2010''.

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''July 31, 2010'' and inserting ''November 1, 2010''.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

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

(2) in subparagraph (C), by striking ''1009'' and inserting ''1009(a)(1)''; and

(3) by inserting after subparagraph (C) the following new subparagraph:

''(D) the amendments made by section 601(a)(1) of the Hiring Incentives to Restore Employment Act; and''.

Subtitle B—Health Provisions

SEC. 711. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by striking ''February 28, 2010'' and inserting ''May 31, 2010''.

(b) CLARIFICATIONS RELATING TO SECTION 3001 OF ARRA.—

(1) CLARIFICATION REGARDING COBRA CONTINUATION RESULTING FROM REDUCTIONS IN HOURS.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended—

(A) in paragraph (3)(C), by inserting before the period at the end the following: ''or consists of a reduction of hours followed by such an involuntary termination of employment during such period'';

(B) in paragraph (16)—

(i) by striking clause (ii) of subparagraph (A), and inserting the following:

''(ii) such individual pays, by the latest of 60 days after the date of the enactment of this paragraph, 30 days after the date of provision of the notification required under subparagraph (D)(ii), or the period described in section 4980B(f)(2)(B)(iii) of the Internal Revenue Code of 1986, the amount of such premium, after the application of paragraph (1)(A).''; and

(ii) by striking subclause (I) of subparagraph (C)(i), and inserting the following:

''(I) such assistance eligible individual experienced an involuntary termination that was a qualifying event prior to the date of enactment of the Department of Defense Appropriations Act, 2010; and''; and

(C) by adding at the end the following:

''(17) SPECIAL RULES IN CASE OF INDIVIDUALS LOSING COVERAGE BECAUSE OF A REDUCTION OF HOURS.—

''(A) NEW ELECTION PERIOD.—

''(i) IN GENERAL.—For purposes of the COBRA continuation provisions, in the case of an individual described in subparagraph (C) who did not make (or who made and discontinued) an election of COBRA continuation coverage on the basis of the reduction of hours of employment, the involuntary termination of employment of such individual after the date of the enactment of the Hiring Incentives to Restore Employment Act shall be treated as a qualifying event.

''(ii) COUNTING COBRA DURATION PERIOD FROM PREVIOUS QUALIFYING EVENT.—In any case of an individual referred to in clause (i), the period of such individual's continuation coverage shall be determined as though the qualifying event were the reduction of hours of employment.

''(iii) CONSTRUCTION.—Nothing in this paragraph shall be construed as requiring an individual referred to in clause (i) to make a payment for COBRA continuation coverage between the reduction of hours and the involuntary termination of employment.

''(iv) PREEXISTING CONDITIONS.—With respect to an individual referred to in clause (i) who elects COBRA continuation coverage pursuant to such clause, rules similar to the rules in paragraph (4)(C) shall apply.

''(B) NOTICES.—In the case of an individual described in subparagraph (C), the administrator of the group health plan (or other entity) involved shall provide, during the 60-day period beginning on the date of such individual's involuntary termination of employment, an additional notification described in paragraph (7)(A), including information on the provisions of this paragraph. Rules similar to the rules of paragraph (7) shall apply with respect to such notification.

''(C) INDIVIDUALS DESCRIBED.—Individuals described in this subparagraph are individuals who are assistance eligible individuals on the basis of a qualifying event consisting of a reduction of hours occurring during the period described in paragraph (3)(A) followed by an involuntary termination of employment insofar as such involuntary termination of employment occurred after the date of the enactment of the Hiring Incentives to Restore Employment Act.''.

(2) CLARIFICATION OF PERIOD OF ASSISTANCE.—Subsection (a)(2)(A)(ii)(I) of such section is amended by striking ''of the first month''.

(3) ENFORCEMENT.—Subsection (a)(5) of such section is amended by adding at the end the following: ''In addition to civil actions that may be brought to enforce applicable provisions of such Act or other laws, the appropriate Secretary or an affected individual may bring a civil action to enforce such determinations and for appropriate relief. In addition, such Secretary may assess a penalty against a plan sponsor or health insurance issuer of not more than $110 per day for each failure to comply with such determination of such Secretary after 10 days after the date of the plan sponsor's or issuer's receipt of the determination.''.

(4) AMENDMENTS RELATING TO SECTION 3001 OF ARRA.—

(A) Subsection (g) of section 35 is amended by striking ''section 3002(a) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a) of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(B) Section 139C is amended by striking ''section 3002 of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001 of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(C) Section 6432 is amended—

(i) in subsection (a), by striking ''section 3002(a) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a) of title III of division B of the American Recovery and Reinvestment Act of 2009'';

(ii) in subsection (c)(3), by striking ''section 3002(a)(1)(A) of such Act'' in subsection (c)(3) and inserting ''section 3001(a)(1)(A) of title III of division B of the American Recovery and Reinvestment Act of 2009''; and

(iii) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and inserting after subsection (d) the following new subsection:.

''(e) EMPLOYER DETERMINATION OF QUALIFYING EVENT AS INVOLUNTARY TERMINATION.—For purposes of this section, in any case in which—

''(1) based on a reasonable interpretation of section 3001(a)(3)(C) of division B of the American Recovery and Reinvestment Act of 2009 and administrative guidance thereunder, an employer determines that the qualifying event with respect to COBRA continuation coverage for an individual was involuntary termination of a covered employee's employment, and

''(2) the employer maintains supporting documentation of the determination, including an attestation by the employer of involuntary termination with respect to the covered employee,

the qualifying event for the individual shall be deemed to be involuntary termination of the covered employee's employment.''.

(D) Subsection (a) of section 6720C is amended by striking ''section 3002(a)(2)(C) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a)(2)(C) of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 to which they relate, except that—

(1) the amendments made by subsections (b)(1) shall apply to periods of coverage beginning after the date of the enactment of this Act; and

(2) the amendments made by paragraphs (2) and (3) of subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 712. EXTENSION OF THERAPY CAPS EXCEPTIONS PROCESS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

SEC. 713. TREATMENT OF PHARMACIES UNDER DURABLE MEDICAL EQUIPMENT ACCREDITATION REQUIREMENTS.

(a) IN GENERAL.—Section 1834(a)(20) of the Social Security Act (42 U.S.C. 1395m(a)(20)) is amended—

(1) in subparagraph (F)—

(A) in clause (i)—

(i) by striking ''clause (ii)'' and inserting ''clauses (ii) and (iii)'';

(ii) by striking ''January 1, 2010'' and inserting ''January 1, 2011''; and

(iii) by striking ''and'' at the end;

(B) in clause (ii)(II), by striking the period at the end and inserting ''; and'';

(C) by inserting after clause (ii)(II) the following new clause:

''(iii)(I) subject to subclause (II), with respect to items and services furnished on or after January 1, 2011, the accreditation requirement of clause (i) shall not apply to a pharmacy described in subparagraph (G); and

''(II) effective with respect to items and services furnished on or after the date of the enactment of this subparagraph, the Secretary may apply to pharmacies quality standards and an accreditation requirement established by the Secretary that are an alternative to the quality standards and accreditation requirement otherwise applicable under this paragraph if the Secretary determines such alternative quality standards and accreditation requirement are appropriate for pharmacies.''; and

(D) by adding at the end the following flush sentence:

''If determined appropriate by the Secretary, any alternative quality standards and accreditation requirement established under clause (iii)(II) may differ for categories of pharmacies established by the Secretary (such as pharmacies described in subparagraph (G)).''; and

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

''(G) PHARMACY DESCRIBED.—A pharmacy described in this subparagraph is a pharmacy that meets each of the following criteria:

''(i) The total billings by the pharmacy for such items and services under this title are less than 5 percent of total pharmacy sales for a previous period (of not less than 24 months) specified by the Secretary.

''(ii) The pharmacy has been enrolled under section 1866(j) as a supplier of durable medical equipment, prosthetics, orthotics, and supplies, has been issued (which may include the renewal of) a provider number for at least 2 years, and for which a final adverse action (as defined in section 424.57(a) of title 42, Code of Federal Regulations) has not been imposed in the past 2 years.

''(iii) The pharmacy submits to the Secretary an attestation, in a form and manner, and at a time, specified by the Secretary, that the pharmacy meets the criteria described in clauses (i) and (ii).

''(iv) The pharmacy agrees to submit materials as requested by the Secretary, or during the course of an audit conducted on a random sample of pharmacies selected annually, to verify that the pharmacy meets the criteria described in clauses (i) and (ii). Materials submitted under the preceding sentence shall include a certification by an independent accountant on behalf of the pharmacy or the submission of tax returns filed by the pharmacy during the relevant periods, as requested by the Secretary.''.

(b) CONFORMING AMENDMENTS.—Section 1834(a)(20)(E) of the Social Security Act (42 U.S.C. 1395m(a)(20)(E)) is amended—

(1) in the first sentence, by striking ''The'' and inserting ''Except as provided in the third sentence, the''; and

(2) by adding at the end the following new sentences: ''Notwithstanding the preceding sentences, any alternative quality standards and accreditation requirement established under subparagraph (F)(iii)(II) shall be established through notice and comment rulemaking. The Secretary may implement by program instruction or otherwise subparagraph (G) after consultation with representatives of relevant parties. The specifications developed by the Secretary in order to implement subparagraph (G) shall be posted on the Internet website of the Centers for Medicare & Medicaid Services.''.

(c) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to this section.

(d) RULE OF CONSTRUCTION.—Nothing in the provisions of, or amendments made by, this section shall be construed as affecting the application of an accreditation requirement for pharmacies to qualify for bidding in a competitive acquisition area under section 1847 of the Social Security Act (42 U.S.C. 1395w–3).

(e) WAIVER OF 1-YEAR REENROLLMENT BAR.—In the case of a pharmacy described in subparagraph (G) of section 1834(a)(20) of the Social Security Act, as added by subsection (a), whose billing privileges were revoked prior to January 1, 2011, by reason of noncompliance with subparagraph (F)(i) of such section, the Secretary of Health and Human Services shall waive any reenrollment bar imposed pursuant to section 424.535(d) of title 42, Code of Federal Regulations (as in effect on the date of the enactment of this Act) for such pharmacy to reapply for such privileges.

SEC. 714. ENHANCED PAYMENT FOR MENTAL HEALTH SERVICES.

Section 138(a)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

SEC. 715. EXTENSION OF AMBULANCE ADD-ONS.

(a) IN GENERAL.—Section 1834(l)(13) of the Social Security Act (42 U.S.C. 1395m(l)(13)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''before January 1, 2010'' and inserting ''before January 1, 2011''; and

(B) in each of clauses (i) and (ii), by striking ''before January 1, 2010'' and inserting ''before January 1, 2011''.

(b) AIR AMBULANCE IMPROVEMENTS.—Section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275) is amended by striking ''ending on December 31, 2009'' and inserting ''ending on December 31, 2010''.

(c) SUPER RURAL AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended—

(1) in the first sentence, by striking ''2010'' and inserting ''2011''; and

(2) by adding at the end the following new sentence: ''For purposes of applying this subparagraph for ground ambulance services furnished on or after January 1, 2010, and before January 1, 2011, the Secretary shall use the percent increase that was applicable under this subparagraph to ground ambulance services furnished during 2009.''.

SEC. 716. EXTENSION OF GEOGRAPHIC FLOOR FOR WORK.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''before January 1, 2010'' and inserting ''before January 1, 2011''.

SEC. 717. EXTENSION OF PAYMENT FOR TECHNICAL COMPONENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES.

Section 542(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), as amended by section 732 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395w–4 note), section 104 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395w–4 note), section 104 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), and section 136 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), is amended by striking ''and 2009'' and inserting ''2009, and 2010''.

SEC. 718. EXTENSION OF OUTPATIENT HOLD HARMLESS PROVISION.

Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)) is amended—

(1) in subclause (II)—

(A) in the first sentence, by striking ''2010''and inserting ''2011''; and

(B) in the second sentence, by striking ''or 2009'' and inserting '', 2009, or 2010''; and

(2) in subclause (III), by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

SEC. 719. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w–4(o)(1)(C)(ii)) is amended by striking ''setting (whether inpatient or outpatient)'' and inserting ''inpatient or emergency room setting''.

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking ''setting (whether inpatient or outpatient)'' and inserting ''inpatient or emergency room setting''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement the amendments made by this section by program instruction or otherwise.

SEC. 720. EXTENSION OF REIMBURSEMENT FOR ALL MEDICARE PART B SERVICES FURNISHED BY CERTAIN INDIAN HOSPITALS AND CLINICS.

Section 1880(e)(1)(A) of the Social Security Act (42 U.S.C. 1395qq(e)(1)(A)) is amended by striking ''5-year period'' and inserting ''6-year period''.

SEC. 721. EXTENSION OF CERTAIN PAYMENT RULES FOR LONG-TERM CARE HOSPITAL SERVICES AND OF MORATORIUM ON THE ESTABLISHMENT OF CERTAIN HOSPITALS AND FACILITIES.

(a) EXTENSION OF CERTAIN PAYMENT RULES.—Section 114(c) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by section 4302(a) of the American Recovery and Reinvestment Act (Public Law 111–5), is amended by striking ''3-year period'' each place it appears and inserting ''4-year period''.

(b) EXTENSION OF MORATORIUM.—Section 114(d)(1) of such Act (42 U.S.C. 1395ww note), as amended by section 4302(b) of the American Recovery and Reinvestment Act (Public Law 111–5), in the matter preceding subparagraph (A), is amended by striking ''3-year period'' and inserting ''4-year period''.

SEC. 722. EXTENSION OF THE MEDICARE RURAL HOSPITAL FLEXIBILITY PROGRAM.

Section 1820(j) of the Social Security Act (42 U.S.C. 1395i–4(j)) is amended—

(1) by striking ''2010, and for'' and inserting ''2010, for''; and

(2) by inserting ''and for making grants to all States under subsection (g), such sums as may be necessary in fiscal year 2011, to remain available until expended'' before the period at the end.

SEC. 723. EXTENSION OF SECTION 508 HOSPITAL RECLASSIFICATIONS.

(a) IN GENERAL.—Subsection (a) of section 106 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395 note), as amended by section 117 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) and section 124 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), is amended by striking ''September 30, 2009'' and inserting ''September 30, 2010''.

(b) SPECIAL RULE FOR FISCAL YEAR 2010.—For purposes of implementation of the amendment made by subsection (a), including (notwithstanding paragraph (3) of section 117(a) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), as amended by section 124(b) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275)) for purposes of the implementation of paragraph (2) of such section 117(a), during fiscal year 2010, the Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall use the hospital wage index that was promulgated by the Secretary in the Federal Register on August 27, 2009 (74 Fed. Reg. 43754), and any subsequent corrections.

SEC. 724. TECHNICAL CORRECTION RELATED TO CRITICAL ACCESS HOSPITAL SERVICES.

(a) IN GENERAL.—Subsections (g)(2)(A) and (l)(8) of section 1834 of the Social Security Act (42 U.S.C. 1395m) are each amended by inserting ''101 percent of'' before ''the reasonable costs''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of section 405(a) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2266).

SEC. 725. EXTENSION FOR SPECIALIZED MA PLANS FOR SPECIAL NEEDS INDIVIDUALS.

(a) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking ''2011'' and inserting ''2012''.

(b) TEMPORARY EXTENSION OF AUTHORITY TO OPERATE BUT NO SERVICE AREA EXPANSION FOR DUAL SPECIAL NEEDS PLANS THAT DO NOT MEET CERTAIN REQUIREMENTS.—Section 164(c)(2) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

SEC. 726. EXTENSION OF REASONABLE COST CONTRACTS.

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

SEC. 727. EXTENSION OF PARTICULAR WAIVER POLICY FOR EMPLOYER GROUP PLANS.

For plan year 2011 and subsequent plan years, to the extent that the Secretary of Health and Human Services is applying the 2008 service area extension waiver policy (as modified in the April 11, 2008, Centers for Medicare & Medicaid Services' memorandum with the subject ''2009 Employer Group Waiver-Modification of the 2008 Service Area Extension Waiver Granted to Certain MA Local Coordinated Care Plans'') to Medicare Advantage coordinated care plans, the Secretary shall extend the application of such waiver policy to employers who contract directly with the Secretary as a Medicare Advantage private fee-for-service plan under section 1857(i)(2) of the Social Security Act (42 U.S.C. 1395w–27(i)(2)) and that had enrollment as of January 1, 2010.

SEC. 728. EXTENSION OF CONTINUING CARE RETIREMENT COMMUNITY PROGRAM.

Notwithstanding any other provision of law, the Secretary of Health and Human Services shall continue to conduct the Erickson Advantage Continuing Care Retirement Community (CCRC) program under part C of title XVIII of the Social Security Act through December 31, 2011.

SEC. 729. FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note) is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Centers for Medicare & Medicaid Services Program Management Account—

''(i) for fiscal year 2009, of $7,500,000; and

''(ii) for fiscal year 2010, of $6,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

(b) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119 is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Administration on Aging—

''(i) for fiscal year 2009, of $7,500,000; and

''(ii) for fiscal year 2010, of $6,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

(c) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119 is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Administration on Aging—

''(i) for fiscal year 2009, of $5,000,000; and

''(ii) for fiscal year 2010, of $6,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

(d) ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119 is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Administration on Aging—

''(i) for fiscal year 2009, of $5,000,000; and

''(ii) for fiscal year 2010, of $2,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

SEC. 730. FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c)(1)(A)(iii) of the Social Security Act (42 U.S.C. 701(c)(1)(A)(iii)) is amended by striking ''fiscal year 2009'' and inserting ''each of fiscal years 2009 through 2011''.

SEC. 731. IMPLEMENTATION FUNDING.

For purposes of carrying out the provisions of, and amendments made by, this title that relate to titles XVIII and XIX of the Social Security Act, there are appropriated to the Secretary of Health and Human Services for the Centers for Medicare & Medicaid Services Program Management Account, from amounts in the general fund of the Treasury not otherwise appropriated, $100,000,000. Amounts appropriated under the preceding sentence shall remain available until expended.

Subtitle C—Other Provisions

SEC. 741. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111–118) is amended—

(1) by striking ''before March 1, 2010''; and

(2) by inserting ''for 2011'' after ''until updated poverty guidelines''.

SEC. 742. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

(a) IN GENERAL.—Subchapter A of chapter 65 is amended by adding at the end the following new section:

"SEC. 6409. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, any refund (or advance payment with respect to a refundable credit) made to any individual under this title shall not be taken into account as income, and shall not be taken into account as resources for a period of 12 months from receipt, for purposes of determining the eligibility of such individual (or any other individual) for benefits or assistance (or the amount or extent of benefits or assistance) under any Federal program or under any State or local program financed in whole or in part with Federal funds.

''(b) TERMINATION.—Subsection (a) shall not apply to any amount received after December 31, 2010.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by adding at the end the following new item:

''Sec. 6409. Refunds disregarded in the administration of Federal programs and federally assisted programs.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after December 31, 2009.

SEC. 743. STATE COURT IMPROVEMENT PROGRAM.

Section 438 of the Social Security Act (42 U.S.C. 629h) is amended—

(1) in subsection (c)(2)(A), by striking ''2010'' and inserting ''2011''; and

(2) in subsection (e), by striking ''2010'' and inserting ''2011''.

SEC. 744. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111-68), as amended by section 1005 of Public Law 111-118, is further amended by striking ''by substituting'' and all that follows through the period at the end, and inserting ''by substituting May 31, 2010, for the date specified in each such section.''.

SEC. 745. EXTENSION OF INTELLIGENCE AUTHORITY SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking ''February 28, 2010'' and inserting ''February 28, 2011''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking ''February 28, 2010'' and inserting ''February 28, 2011''.

SEC. 746. SMALL BUSINESS LOAN GUARANTEE ENHANCEMENT EXTENSIONS.

(a) APPROPRIATION.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, for an additional amount for ''Small Business Administration – Business Loans Program Account'', $354,000,000, to remain available through December 31, 2010, for the cost of—

(1) fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151), as amended by this section, for loans guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.), or section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 152), as amended by this section; and

(2) loan guarantees under section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 152), as amended by this section,

Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

(b) EXTENSION OF PROGRAMS.—

(1) FEES.—Section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151) is amended by striking ''September 30, 2010'' each place it appears and inserting ''December 31, 2010''.

(2) LOAN GUARANTEES.—Section 502(f) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 153) is amended by striking ''February 28, 2010'' and inserting ''December 31, 2010''.

TITLE VIII—PENSION FUNDING RELIEF

Subtitle A—Single Employer Plans

SEC. 801. EXTENDED PERIOD FOR SINGLE-EMPLOYER DEFINED BENEFIT PLANS TO AMORTIZE CERTAIN SHORTFALL AMORTIZATION BASES.

(a) AMENDMENTS TO ERISA.—

(1) IN GENERAL.—Paragraph (2) of section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following subparagraph:

''(D) SPECIAL ELECTION FOR ELIGIBLE PLAN YEARS.—

''(i) IN GENERAL.—If a plan sponsor elects to apply this subparagraph with respect to the shortfall amortization base of a plan for any eligible plan year (in this subparagraph and paragraph (7) referred to as an 'election year'), then, notwithstanding subparagraphs (A) and (B)—

''(I) the shortfall amortization installments with respect to such base shall be determined under clause (ii) or (iii), whichever is specified in the election, and

''(II) the shortfall amortization installment for any plan year in the 9-plan-year period described in clause (ii) or the 15-plan-year period described in clause (iii), respectively, with respect to such shortfall amortization base is the annual installment determined under the applicable clause for that year for that base.

''(ii) 2 PLUS 7 AMORTIZATION SCHEDULE.—The shortfall amortization installments determined under this clause are—

''(I) in the case of the first 2 plan years in the 9-plan-year period beginning with the election year, interest on the shortfall amortization base of the plan for the election year (determined using the effective interest rate for the plan for the election year), and

''(II) in the case of the last 7 plan years in such 9-plan-year period, the amounts necessary to amortize the remaining balance of the shortfall amortization base of the plan for the election year in level annual installments over such last 7 plan years (using the segment rates under subparagraph (C) for the election year).

''(iii) 15-YEAR AMORTIZATION.—The shortfall amortization installments determined under this subparagraph are the amounts necessary to amortize the shortfall amortization base of the plan for the election year in level annual installments over the 15-plan-year period beginning with the election year (using the segment rates under subparagraph (C) for the election year).

''(iv) ELECTION.—

''(I) IN GENERAL.—The plan sponsor of a plan may elect to have this subparagraph apply to not more than 2 eligible plan years with respect to the plan, except that in the case of a plan described in section 106 of the Pension Protection Act of 2006, the plan sponsor may only elect to have this subparagraph apply to a plan year beginning in 2011.

''(II) AMORTIZATION SCHEDULE.—Such election shall specify whether the amortization schedule under clause (ii) or (iii) shall apply to an election year, except that if a plan sponsor elects to have this subparagraph apply to 2 eligible plan years, the plan sponsor must elect the same schedule for both years.

''(III) OTHER RULES.—Such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary of the Treasury, and may be revoked only with the consent of the Secretary of the Treasury. The Secretary of the Treasury shall, before granting a revocation request, provide the Pension Benefit Guaranty Corporation an opportunity to comment on the conditions applicable to the treatment of any portion of the election year shortfall amortization base that remains unamortized as of the revocation date.

''(v) ELIGIBLE PLAN YEAR.—For purposes of this subparagraph, the term 'eligible plan year' means any plan year beginning in 2008, 2009, 2010, or 2011, except that a plan year shall only be treated as an eligible plan year if the due date under subsection (j)(1) for the payment of the minimum required contribution for such plan year occurs on or after the date of the enactment of this subparagraph.

''(vi) REPORTING.—A plan sponsor of a plan who makes an election under clause (i) shall inform the Pension Benefit Guaranty Corporation of such election in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.

''(vii) INCREASES IN REQUIRED INSTALLMENTS IN CERTAIN CASES.—For increases in required contributions in cases of excess compensation or extraordinary dividends or stock redemptions, see paragraph (7).''.

(2) INCREASES IN REQUIRED INSTALLMENTS IN CERTAIN CASES.—Section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following paragraph:

''(7) INCREASES IN ALTERNATE REQUIRED INSTALLMENTS IN CASES OF EXCESS COMPENSATION OR EXTRAORDINARY DIVIDENDS OR STOCK REDEMPTIONS.—

''(A) IN GENERAL.—If there is an installment acceleration amount with respect to a plan for any plan year in the 9-plan-year or 15-plan-year period, whichever is applicable, with respect to an election year under paragraph (2)(D), then the shortfall amortization installment otherwise determined and payable under such paragraph for such plan year shall, subject to the limitation under subparagraph (B), be increased by such amount.

''(B) TOTAL INSTALLMENTS LIMITED TO SHORTFALL BASE.—Subject to rules prescribed by the Secretary of the Treasury, if a shortfall amortization installment with respect to any shortfall amortization base for an election year is required to be increased for any plan year under subparagraph (A)—

''(i) such increase shall not result in the amount of such installment exceeding the present value of such installment and all succeeding installments with respect to such base (determined without regard to such increase but after application of clause (ii)), and

''(ii) subsequent shortfall amortization installments with respect to such base shall, in reverse order of the otherwise required installments, be reduced to the extent necessary to limit the present value of such subsequent shortfall amortization installments (after application of this paragraph) to the present value of the remaining unamortized shortfall amortization base.

''(C) INSTALLMENT ACCELERATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'installment acceleration amount' means, with respect to any plan year, the sum of—

''(I) the aggregate amount of excess employee compensation determined under subparagraph (D) with respect to all employees for the plan year, plus

''(II) the aggregate amount of extraordinary dividends and redemptions determined under subparagraph (E) for the plan year.

''(ii) LIMITATION TO AGGREGATE REDUCED REQUIRED CONTRIBUTIONS.—The installment acceleration amount for any plan year shall not exceed the excess (if any) of—

''(I) the sum of the shortfall amortization installments for the plan year and all preceding plan years in the amortization period elected under paragraph (2)(D) with respect to the shortfall amortization base with respect to an election year, determined without regard to paragraph (2)(D) and this paragraph, over

''(II) the sum of the shortfall amortization installments for such plan year and all such preceding plan years, determined after application of paragraph (2)(D) (and in the case of any preceding plan year, after application of this paragraph).

''(iii) CARRYOVER OF EXCESS INSTALLMENT ACCELERATION AMOUNTS.—

''(I) IN GENERAL.—If the installment acceleration amount for any plan year (determined without regard to clause(ii)) exceeds the limitation under clause (ii), then, subject to subclause (II), such excess shall be treated as an installment acceleration amount with respect to the succeeding plan year.

''(II) CAP TO APPLY.—If any amount treated as an installment acceleration amount under subclause (I) or this subclause with respect any succeeding plan year, when added to other installment acceleration amounts (determined without regard to clause (ii)) with respect to the plan year, exceeds the limitation under clause (ii), the portion of such amount representing such excess shall be treated as an installment acceleration amount with respect to the next succeeding plan year.

''(III) ORDERING RULES.—For purposes of applying subclause (II), installment acceleration amounts for the plan year (determined without regard to any carryover under this clause) shall be applied first against the limitation under clause (ii) and then carryovers to such plan year shall be applied against such limitation on a first-in, first-out basis.

''(D) EXCESS EMPLOYEE COMPENSATION.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'excess employee compensation' means, with respect to any employee for any plan year, the excess (if any) of—

''(I) the aggregate amount includible in income under chapter 1 of the Internal Revenue Code of 1986 for remuneration during the calendar year in which such plan year begins for services performed by the employee for the plan sponsor (whether or not performed during such calendar year), over

''(II) $1,000,000.

''(ii) AMOUNTS SET ASIDE FOR NONQUALIFIED DEFERRED COMPENSATION.—If during any calendar year assets are set aside or reserved (directly or indirectly) in a trust (or other arrangement as determined by the Secretary of the Treasury), or transferred to such a trust or other arrangement, by a plan sponsor for purposes of paying deferred compensation of an employee under a nonqualified deferred compensation plan (as defined in section 409A of such Code) of the plan sponsor, then, for purposes of clause (i), the amount of such assets shall be treated as remuneration of the employee includible in income for the calendar year unless such amount is otherwise includible in income for such year. An amount to which the preceding sentence applies shall not be taken into account under this paragraph for any subsequent calendar year.

''(iii) ONLY REMUNERATION FOR CERTAIN POST-2009 SERVICES COUNTED.—Remuneration shall be taken into account under clause (i) only to the extent attributable to services performed by the employee for the plan sponsor after February 4, 2010.

''(iv) EXCEPTION FOR CERTAIN EQUITY PAYMENTS.—

''(I) IN GENERAL.—Any amount includible in income with respect to the granting on or after February 4, 2010, of an equity interest described in subclause (II) shall not be taken into account under clause (i)(I), but only if all portions of such interest remain subject to a substantial risk of forfeiture (other than in the case of death or disability) at all times before the date which is 5 years after the date on which such interest is granted.

''(II) EQUITY INTERESTS.—An equity interest is described in this subclause if it is a stock option which is granted at its fair market value on the date of the grant or a stock appreciation right which is granted at its fair market value on the date of the grant.

''(III) SUBSTANTIAL RISK OF FORFEITURE.—The term 'substantial risk of forfeiture' has the meaning given such term by section 83(c)(1) of the Internal Revenue Code of 1986.

''(IV) SECRETARIAL AUTHORITY.—The Secretary of the Treasury may by regulation provide for the application of this clause in the case of a person other than a corporation.

''(v) OTHER EXCEPTIONS.—The following amounts includible in income shall not be taken into account under clause (i)(I):

''(I) COMMISSIONS.—Any remuneration payable on a commission basis solely on account of income directly generated by the individual performance of the individual to whom such remuneration is payable.

''(II) PAYMENTS UNDER EXISTING CONTRACTS.—Any remuneration payable under a written binding contract that was in effect on February 4, 2010, and which was not modified in any material respect before such remuneration is repaid. This subclause shall not apply to bonus payments payable under such a contract during a calendar year to the extent that the aggregate amount of such bonus payments during such calendar year exceeds $100,000.

''(vi) SELF-EMPLOYED INDIVIDUAL TREATED AS EMPLOYEE.—The term 'employee' includes, with respect to a calendar year, a self-employed individual who is treated as an employee under section 401(c) of such Code for the taxable year ending during such calendar year, and the term 'compensation' shall include earned income of such individual with respect to such self-employment.

''(vii) INDEXING OF AMOUNT.—In the case of any calendar year beginning after 2010, the dollar amount under clause (i)(II) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) of such Code for the calendar year, determined by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount of any increase under clause (i) is not a multiple of $1,000, such increase shall be rounded to the next lowest multiple of $1,000.

''(E) EXTRAORDINARY DIVIDENDS AND REDEMPTIONS.—

''(i) IN GENERAL.—The amount determined under this subparagraph for any plan year is the sum of—

''(I) the aggregate amount of extraordinary dividends declared during the plan year by the plan sponsor and required to be reported under section 4043(c)(11), plus

''(II) if the plan sponsor redeems, in any 12-month period ending during the plan year, an aggregate of 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or an aggregate of 10 percent or more of the total value of shares of all classes of stock, of the plan sponsor, the aggregate fair market value of the stock so redeemed.

''(ii) ONLY CERTAIN POST-2009 DIVIDENDS AND REDEMPTIONS COUNTED.—For purposes of clause (i)—

''(I) dividends shall be taken into account only if declared after February 4, 2010, and

''(II) if clause (i)(II) otherwise applies for any plan year (determined without regard to this subclause), only the fair market value of redemptions occurring after February 4, 2010, shall be taken into account in determining the amount under such clause for the plan year.

''(iii) EXCEPTION FOR INTRA-GROUP DIVIDENDS.—An extraordinary dividend paid by one member of a controlled group (as defined in section 302(d)(3)) to another member of such group shall not be taken into account under clause (i)(I).

''(F) OTHER DEFINITIONS AND RULES.—For purposes of this paragraph—

''(i) BONUS PAYMENT.—The term 'bonus payment' means any payment which is a payment for services rendered and which is in addition to any amount payable to such individual for services performed by such individual at a regular hourly, daily, weekly, monthly, or similar periodic rate. Such term does not include payments to an employee as commissions, contributions to any qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986), welfare and fringe benefits, overtime pay, or expense reimbursements. The Secretary of the Treasury may recharacterize a payment that is a disguised bonus as a bonus payment for purposes of this paragraph.

''(ii) PLAN SPONSOR.—The term ' plan sponsor' includes any member of the plan sponsor's controlled group (as defined in section 302(d)(3)).

''(iii) ELECTIONS FOR MULTIPLE PLANS.—If a plan sponsor makes elections under paragraph (2)(D) with respect to 2 or more plans, the Secretary of the Treasury shall provide rules for the application of this paragraph to such plans, including rules for the ratable allocation of any installment acceleration amount among such plans on the basis of each plan's relative reduction in the plan's shortfall amortization installment for the first plan year in the amortization period described in subparagraph (A) (determined without regard to this paragraph).

''(iv) MERGERS AND ACQUISITIONS.—The Secretary of the Treasury shall prescribe rules for the application of paragraph (2)(D) and this paragraph in any case where there is a merger or acquisition involving a plan sponsor making the election under paragraph (2)(D).''.

(3) CONFORMING AMENDMENTS.—Section 303 of such Act (29 U.S.C. 1083) is amended—

(A) in subsection (c)(1), by striking ''the shortfall amortization bases for such plan year and each of the 6 preceding plan years'' and inserting ''any shortfall amortization base which has not been fully amortized under this subsection'', and

(B) in subsection (j)(3), by adding at the end the following:

''(F) QUARTERLY CONTRIBUTIONS NOT TO INCLUDE CERTAIN INCREASED CONTRIBUTIONS.—Subparagraph (D) shall be applied without regard to any increase under subsection (c)(7).''.

(b) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Paragraph (2) of section 430(c) is amended by adding at the end the following subparagraph:

''(D) SPECIAL ELECTION FOR ELIGIBLE PLAN YEARS.—

''(i) IN GENERAL.—If a plan sponsor elects to apply this subparagraph with respect to the shortfall amortization base of a plan for any eligible plan year (in this subparagraph and paragraph (7) referred to as an 'election year'), then, notwithstanding subparagraphs (A) and (B)—

''(I) the shortfall amortization installments with respect to such base shall be determined under clause (ii) or (iii), whichever is specified in the election, and

''(II) the shortfall amortization installment for any plan year in the 9-plan-year period described in clause (ii) or the 15-plan-year period described in clause (iii), respectively, with respect to such shortfall amortization base is the annual installment determined under the applicable clause for that year for that base.

''(ii) 2 PLUS 7 AMORTIZATION SCHEDULE.—The shortfall amortization installments determined under this clause are—

''(I) in the case of the first 2 plan years in the 9-plan-year period beginning with the election year, interest on the shortfall amortization base of the plan for the election year (determined using the effective interest rate for the plan for the election year), and

''(II) in the case of the last 7 plan years in such 9-plan-year period, the amounts necessary to amortize the remaining balance of the shortfall amortization base of the plan for the election year in level annual installments over such last 7 plan years (using the segment rates under subparagraph (C) for the election year).

''(iii) 15-YEAR AMORTIZATION.—The shortfall amortization installments determined under this subparagraph are the amounts necessary to amortize the shortfall amortization base of the plan for the election year in level annual installments over the 15-plan-year period beginning with the election year (using the segment rates under subparagraph (C) for the election year).

''(iv) ELECTION.—

''(I) IN GENERAL.—The plan sponsor of a plan may elect to have this subparagraph apply to not more than 2 eligible plan years with respect to the plan, except that in the case of a plan described in section 106 of the Pension Protection Act of 2006, the plan sponsor may only elect to have this subparagraph apply to a plan year beginning in 2011.

''(II) AMORTIZATION SCHEDULE.—Such election shall specify whether the amortization schedule under clause (ii) or (iii) shall apply to an election year, except that if a plan sponsor elects to have this subparagraph apply to 2 eligible plan years, the plan sponsor must elect the same schedule for both years.

''(III) OTHER RULES.—Such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary, and may be revoked only with the consent of the Secretary. The Secretary shall, before granting a revocation request, provide the Pension Benefit Guaranty Corporation an opportunity to comment on the conditions applicable to the treatment of any portion of the election year shortfall amortization base that remains unamortized as of the revocation date.

''(v) ELIGIBLE PLAN YEAR.—For purposes of this subparagraph, the term 'eligible plan year' means any plan year beginning in 2008, 2009, 2010, or 2011, except that a plan year shall only be treated as an eligible plan year if the due date under subsection (j)(1) for the payment of the minimum required contribution for such plan year occurs on or after the date of the enactment of this subparagraph.

''(vi) REPORTING.—A plan sponsor of a plan who makes an election under clause (i) shall inform the Pension Benefit Guaranty Corporation of such election in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.

''(vii) INCREASES IN REQUIRED INSTALLMENTS IN CERTAIN CASES.—For increases in required contributions in cases of excess compensation or extraordinary dividends or stock redemptions, see paragraph (7).''.

(2) INCREASES IN REQUIRED CONTRIBUTIONS IF EXCESS COMPENSATION PAID.—Section 430(c) is amended by adding at the end the following paragraph:

''(7) INCREASES IN ALTERNATE REQUIRED INSTALLMENTS IN CASES OF EXCESS COMPENSATION OR EXTRAORDINARY DIVIDENDS OR STOCK REDEMPTIONS.—

''(A) IN GENERAL.—If there is an installment acceleration amount with respect to a plan for any plan year in the 9-plan-year or 15-plan-year period, whichever is applicable, with respect to an election year under paragraph (2)(D), then the shortfall amortization installment otherwise determined and payable under such paragraph for such plan year shall, subject to the limitation under subparagraph (B), be increased by such amount.

''(B) TOTAL INSTALLMENTS LIMITED TO SHORTFALL BASE.—Subject to rules prescribed by the Secretary, if a shortfall amortization installment with respect to any shortfall amortization base for an election year is required to be increased for any plan year under subparagraph (A)—

''(i) such increase shall not result in the amount of such installment exceeding the present value of such installment and all succeeding installments with respect to such base (determined without regard to such increase but after application of clause (ii)), and

''(ii) subsequent shortfall amortization installments with respect to such base shall, in reverse order of the otherwise required installments, be reduced to the extent necessary to limit the present value of such subsequent shortfall amortization installments (after application of this paragraph) to the present value of the remaining unamortized shortfall amortization base.

''(C) INSTALLMENT ACCELERATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'installment acceleration amount' means, with respect to any plan year, the sum of—

''(I) the aggregate amount of excess employee compensation determined under subparagraph (D) with respect to all employees for the plan year, plus

''(II) the aggregate amount of extraordinary dividends and redemptions determined under subparagraph (E) for the plan year.

''(ii) LIMITATION TO AGGREGATE REDUCED REQUIRED CONTRIBUTIONS.—The installment acceleration amount for any plan year shall not exceed the excess (if any) of—

''(I) the sum of the shortfall amortization installments for the plan year and all preceding plan years in the amortization period elected under paragraph (2)(D) with respect to the shortfall amortization base with respect to an election year, determined without regard to paragraph (2)(D) and this paragraph, over

''(II) the sum of the shortfall amortization installments for such plan year and all such preceding plan years, determined after application of paragraph (2)(D) (and in the case of any preceding plan year, after application of this paragraph).

''(iii) CARRYOVER OF EXCESS INSTALLMENT ACCELERATION AMOUNTS.—

''(I) IN GENERAL.—If the installment acceleration amount for any plan year (determined without regard to clause(ii)) exceeds the limitation under clause (ii), then, subject to subclause (II), such excess shall be treated as an installment acceleration amount with respect to the succeeding plan year.

''(II) CAP TO APPLY.—If any amount treated as an installment acceleration amount under subclause (I) or this subclause with respect any succeeding plan year, when added to other installment acceleration amounts (determined without regard to clause (ii)) with respect to the plan year, exceeds the limitation under clause (ii), the portion of such amount representing such excess shall be treated as an installment acceleration amount with respect to the next succeeding plan year.

''(III) ORDERING RULES.—For purposes of applying subclause (II), installment acceleration amounts for the plan year (determined without regard to any carryover under this clause) shall be applied first against the limitation under clause (ii) and then carryovers to such plan year shall be applied against such limitation on a first-in, first-out basis.

''(D) EXCESS EMPLOYEE COMPENSATION.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'excess employee compensation' means, with respect to any employee for any plan year, the excess (if any) of—

''(I) the aggregate amount includible in income under this chapter for remuneration during the calendar year in which such plan year begins for services performed by the employee for the plan sponsor (whether or not performed during such calendar year), over

''(II) $1,000,000.

''(ii) AMOUNTS SET ASIDE FOR NONQUALIFIED DEFERRED COMPENSATION.—If during any calendar year assets are set aside or reserved (directly or indirectly) in a trust (or other arrangement as determined by the Secretary), or transferred to such a trust or other arrangement, by a plan sponsor for purposes of paying deferred compensation of an employee under a nonqualified deferred compensation plan (as defined in section 409A) of the plan sponsor, then, for purposes of clause (i), the amount of such assets shall be treated as remuneration of the employee includible in income for the calendar year unless such amount is otherwise includible in income for such year. An amount to which the preceding sentence applies shall not be taken into account under this paragraph for any subsequent calendar year.

''(iii) ONLY REMUNERATION FOR CERTAIN POST-2009 SERVICES COUNTED.—Remuneration shall be taken into account under clause (i) only to the extent attributable to services performed by the employee for the plan sponsor after February 4, 2010.

''(iv) EXCEPTION FOR CERTAIN EQUITY PAYMENTS.—

''(I) IN GENERAL.—Any amount includible in income with respect to the granting on or after February 4, 2010, of an equity interest described in subclause (II) shall not be taken into account under clause (i)(I), but only if all portions of such interest remain subject to a substantial risk of forfeiture (other than in the case of death or disability) at all times before the date which is 5 years after the date on which such interest is granted.

''(II) EQUITY INTERESTS.—An equity interest is described in this subclause if it is a stock option which is granted at its fair market value on the date of the grant or a stock appreciation right which is granted at its fair market value on the date of the grant.

''(III) SUBSTANTIAL RISK OF FORFEITURE.—The term 'substantial risk of forfeiture' has the meaning given such term by section 83(c)(1).

''(IV) SECRETARIAL AUTHORITY.—The Secretary may by regulation provide for the application of this clause in the case of a person other than a corporation.

''(v) OTHER EXCEPTIONS.—The following amounts includible in income shall not be taken into account under clause (i)(I):

''(I) COMMISSIONS.—Any remuneration payable on a commission basis solely on account of income directly generated by the individual performance of the individual to whom such remuneration is payable.

''(II) PAYMENTS UNDER EXISTING CONTRACTS.—Any remuneration payable under a written binding contract that was in effect on February 4, 2010, and which was not modified in any material respect before such remuneration is repaid. This subclause shall not apply to bonus payments payable under such a contract during a calendar year to the extent that the aggregate amount of such bonus payments during such calendar year exceeds $100,000.

''(vi) SELF-EMPLOYED INDIVIDUAL TREATED AS EMPLOYEE.—The term 'employee' includes, with respect to a calendar year, a self-employed individual who is treated as an employee under section 401(c) for the taxable year ending during such calendar year, and the term 'compensation' shall include earned income of such individual with respect to such self-employment.

''(vii) INDEXING OF AMOUNT.—In the case of any calendar year beginning after 2010, the dollar amount under clause (i)(II) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount of any increase under clause (i) is not a multiple of $1,000, such increase shall be rounded to the next lowest multiple of $1,000.

''(E) EXTRAORDINARY DIVIDENDS AND REDEMPTIONS.—

''(i) IN GENERAL.—The amount determined under this subparagraph for any plan year is the sum of—

''(I) the aggregate amount of extraordinary dividends declared during the plan year by the plan sponsor and required to be reported under section 4043(c)(11) of the Employee Retirement Income Security Act of 1974 , plus

''(II) if the plan sponsor redeems, in any 12-month period ending during the plan year, an aggregate of 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or an aggregate of 10 percent or more of the total value of shares of all classes of stock, of the plan sponsor, the aggregate fair market value of the stock so redeemed.

''(ii) ONLY CERTAIN POST-2009 DIVIDENDS AND REDEMPTIONS COUNTED.—For purposes of clause (i)—

''(I) dividends shall be taken into account only if declared after February 4, 2010, and

''(II) if clause (i)(II) otherwise applies for any plan year (determined without regard to this subclause), only the fair market value of redemptions occurring after February 4, 2010, shall be taken into account in determining the amount under such clause for the plan year.

''(iii) EXCEPTION FOR INTRA-GROUP DIVIDENDS.—An extraordinary dividend paid by one member of a controlled group (as defined in section 412(d)(3)) to another member of such group shall not be taken into account under clause (i)(I).

''(F) OTHER DEFINITIONS AND RULES.—For purposes of this paragraph—

''(i) BONUS PAYMENT.—The term 'bonus payment' means any payment which is a payment for services rendered and which is in addition to any amount payable to such individual for services performed by such individual at a regular hourly, daily, weekly, monthly, or similar periodic rate. Such term does not include payments to an employee as commissions, contributions to any qualified retirement plan (as defined in section 4974(c)), welfare and fringe benefits, overtime pay, or expense reimbursements. The Secretary may recharacterize a payment that is a disguised bonus as a bonus payment for purposes of this paragraph.

''(ii) PLAN SPONSOR.—The term ' plan sponsor' includes any member of the plan sponsor's controlled group (as defined in section 412(d)(3)).

''(iii) ELECTIONS FOR MULTIPLE PLANS.—If a plan sponsor makes elections under paragraph (2)(D) with respect to 2 or more plans, the Secretary shall provide rules for the application of this paragraph to such plans, including rules for the ratable allocation of any installment acceleration amount among such plans on the basis of each plan's relative reduction in the plan's shortfall amortization installment for the first plan year in the amortization period described in subparagraph (A) (determined without regard to this paragraph).

''(iv) MERGERS AND ACQUISITIONS.—The Secretary shall prescribe rules for the application of paragraph (2)(D) and this paragraph in any case where there is a merger or acquisition involving a plan sponsor making the election under paragraph (2)(D).''.

(3) CONFORMING AMENDMENTS.—Section 430 is amended—

(A) in subsection (c)(1), by striking ''the shortfall amortization bases for such plan year and each of the 6 preceding plan years'' and inserting ''any shortfall amortization base which has not been fully amortized under this subsection'', and

(B) in subsection (j)(3), by adding at the end the following:

''(F) QUARTERLY CONTRIBUTIONS NOT TO INCLUDE CERTAIN INCREASED CONTRIBUTIONS.—Subparagraph (D) shall be applied without regard to any increase under subsection (c)(7).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2007.

SEC. 802. APPLICATION OF EXTENDED AMORTIZATION PERIOD TO PLANS SUBJECT TO PRIOR LAW FUNDING RULES.

(a) IN GENERAL.—Title I of the Pension Protection Act of 2006 is amended by redesignating section 107 as section 108 and by inserting the following after section 106:

''SEC. 107. APPLICATION OF EXTENDED AMORTIZATION PERIODS TO PLANS WITH DELAYED EFFECTIVE DATE.

''(a) IN GENERAL.—If the plan sponsor of a plan to which section 104, 105, or 106 of this Act applies elects to have this section apply for any eligible plan year (in this section referred to as an 'election year'), section 302 of the Employee Retirement Income Security Act of 1974 and section 412 of the Internal Revenue Code of 1986 (as in effect before the amendments made by this subtitle and subtitle B) shall apply to such year in the manner described in subsection (b) or (c), whichever is specified in the election. All references in this section to 'such Act' or 'such Code' shall be to such Act or such Code as in effect before the amendments made by this subtitle and subtitle B.

''(b) APPLICATION OF 2 AND 7 RULE.—In the case of an election year to which this subsection applies—

''(1) 2-YEAR LOOKBACK FOR DETERMINING DEFICIT REDUCTION CONTRIBUTIONS FOR CERTAIN PLANS.—For purposes of applying section 302(d)(9) of such Act and section 412(l)(9) of such Code, the funded current liability percentage (as defined in subparagraph (C) thereof) for such plan for such plan year shall be such funded current liability percentage of such plan for the second plan year preceding the first election year of such plan.

''(2) CALCULATION OF DEFICIT REDUCTION CONTRIBUTION.—For purposes of applying section 302(d) of such Act and section 412(l) of such Code to a plan to which such sections apply (after taking into account paragraph (1))—

''(A) in the case of the increased unfunded new liability of the plan, the applicable percentage described in section 302(d)(4)(C) of such Act and section 412(l)(4)(C) of such Code shall be the third segment rate described in sections 104(b), 105(b), and 106(b) of this Act, and

''(B) in the case of the excess of the unfunded new liability over the increased unfunded new liability, such applicable percentage shall be determined without regard to this section.

''(c) APPLICATION OF 15-YEAR AMORTIZATION.—In the case of an election year to which this subsection applies, for purposes of applying section 302(d) of such Act and section 412(l) of such Code—

''(1) in the case of the increased unfunded new liability of the plan, the applicable percentage described in section 302(d)(4)(C) of such Act and section 412(l)(4)(C) of such Code for any pre-effective date plan year beginning with or after the first election year shall be the ratio of—

''(A) the annual installments payable in each year if the increased unfunded new liability for such plan year were amortized over 15 years, using an interest rate equal to the third segment rate described in sections 104(b), 105(b), and 106(b) of this Act, to

''(B) the increased unfunded new liability for such plan year, and

''(2) in the case of the excess of the unfunded new liability over the increased unfunded new liability, such applicable percentage shall be determined without regard to this section.

''(d) ELECTION.—

''(1) IN GENERAL.—The plan sponsor of a plan may elect to have this section apply to not more than 2 eligible plan years with respect to the plan, except that in the case of a plan to which section 106 of this Act applies, the plan sponsor may only elect to have this section apply to 1 eligible plan year.

''(2) AMORTIZATION SCHEDULE.—Such election shall specify whether the rules under subsection (b) or (c) shall apply to an election year, except that if a plan sponsor elects to have this section apply to 2 eligible plan years, the plan sponsor must elect the same rule for both years.

''(3) OTHER RULES.—Such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary of the Treasury, and may be revoked only with the consent of the Secretary of the Treasury.

''(e) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE PLAN YEAR.—For purposes of this subparagraph, the term 'eligible plan year' means any plan year beginning in 2008, 2009, 2010, or 2011, except that a plan year beginning in 2008 shall only be treated as an eligible plan year if the due date for the payment of the minimum required contribution for such plan year occurs on or after the date of the enactment of this clause.

''(2) PRE-EFFECTIVE DATE PLAN YEAR.—The term 'pre-effective date plan year' means, with respect to a plan, any plan year prior to the first year in which the amendments made by this subtitle and subtitle B apply to the plan.

''(3) INCREASED UNFUNDED NEW LIABILITY.—The term 'increased unfunded new liability' means, with respect to a year, the excess (if any) of the unfunded new liability over the

amount of unfunded new liability determined as if the value of the plan's assets determined under subsection 302(c)(2) of such Act and section 412(c)(2) of such Code equaled the product of the current liability of the plan for the year multiplied by the funded current liability percentage (as defined in section 302(d)(8)(B) of such Act and 412(l)(8)(B) of such Code) of the plan for the second plan year preceding the first election year of such plan.

''(4) OTHER DEFINITIONS.—The terms 'unfunded new liability' and 'current liability' shall have the meanings set forth in section 302(d) of such Act and section 412(l) of such Code.''.

(b) ELIGIBLE CHARITY PLANS.—Section 104 of the Pension Protection Act of 2006 is amended—

(1) by striking ''eligible cooperative plan'' wherever it appears in subsections (a) and (b) and inserting ''eligible cooperative plan or an eligible charity plan'', and

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

''(d) ELIGIBLE CHARITY PLAN DEFINED.—For purposes of this section, a plan shall be treated as an eligible charity plan for a plan year if the plan is maintained by more than one employer and 100 percent of the employers are described in section 501(c)(3) of such Code.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect as if included in the Pension Protection Act of 2006.

(2) ELIGIBLE CHARITY PLAN.—The amendments made by subsection (b) shall apply to plan years beginning after December 31, 2007, except that a plan sponsor may elect to apply such amendments to plan years beginning after December 31, 2008. Any such election shall be made at such time, and in such form and manner, as shall be prescribed by the Secretary of the Treasury, and may be revoked only with the consent of the Secretary of the Treasury.

SEC. 803. LOOKBACK FOR CERTAIN BENEFIT RESTRICTIONS.

(a) IN GENERAL.—

(1) AMENDMENT TO ERISA.—Section 206(g)(9) of the Employee Retirement Income Security Act of 1974 is amended by adding at the end the following:

''(D) SPECIAL RULE FOR CERTAIN YEARS.—Solely for purposes of any applicable provision—

''(i) IN GENERAL.—For plan years beginning on or after October 1, 2008, and before October 1, 2010, the adjusted funding target attainment percentage of a plan shall be the greater of—

''(I) such percentage, as determined without regard to this subparagraph, or

''(II) the adjusted funding target attainment percentage for such plan for the plan year beginning after October 1, 2007, and before October 1, 2008, as determined under rules prescribed by the Secretary of the Treasury.

''(ii) SPECIAL RULE.—In the case of a plan for which the valuation date is not the first day of the plan year—

''(I) clause (i) shall apply to plan years beginning after December 31, 2007, and before January 1, 2010, and

''(II) clause (i)(II) shall apply based on the last plan year beginning before November 1, 2007, as determined under rules prescribed by the Secretary of the Treasury.

''(iii) APPLICABLE PROVISION.—For purposes of this subparagraph, the term 'applicable provision' means—

''(I) paragraph (3), but only for purposes of applying such paragraph to a payment which, as determined under rules prescribed by the Secretary of the Treasury, is a payment under a social security leveling option which accelerates payments under the plan before, and reduces payments after, a participant starts receiving social security benefits in order to provide substantially similar aggregate payments both before and after such benefits are received, and

''(II) paragraph (4).''.

(2) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 436(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(3) SPECIAL RULE FOR CERTAIN YEARS.—Solely for purposes of any applicable provision—

''(A) IN GENERAL.—For plan years beginning on or after October 1, 2008, and before October 1, 2010, the adjusted funding target attainment percentage of a plan shall be the greater of—

''(i) such percentage, as determined without regard to this paragraph, or

''(ii) the adjusted funding target attainment percentage for such plan for the plan year beginning after October 1, 2007, and before October 1, 2008, as determined under rules prescribed by the Secretary.

''(B) SPECIAL RULE.—In the case of a plan for which the valuation date is not the first day of the plan year—

''(i) subparagraph (A) shall apply to plan years beginning after December 31, 2007, and before January 1, 2010, and

''(ii) subparagraph (A)(ii) shall apply based on the last plan year beginning before November 1, 2007, as determined under rules prescribed by the Secretary.

''(C) APPLICABLE PROVISION.—For purposes of this paragraph, the term 'applicable provision' means—

''(i) subsection (d), but only for purposes of applying such paragraph to a payment which, as determined under rules prescribed by the Secretary, is a payment under a social security leveling option which accelerates payments under the plan before, and reduces payments after, a participant starts receiving social security benefits in order to provide substantially similar aggregate payments both before and after such benefits are received, and

''(ii) subsection (e).''.

(b) INTERACTION WITH WRERA RULE.—Section 203 of the Worker, Retiree, and Employer Recovery Act of 2008 shall apply to a plan for any plan year in lieu of the amendments made by this section applying to sections 206(g)(4) of the Employee Retirement Income Security Act of 1974 and 436(e) of the Internal Revenue Code of 1986 only to the extent that such section produces a higher adjusted funding target attainment percentage for such plan for such year.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to plan years beginning on or after October 1, 2008.

(2) SPECIAL RULE.—In the case of a plan for which the valuation date is not the first day of the plan year, the amendments made by this section shall apply to plan years beginning after December 31, 2007.

Subtitle B—Multiemployer Plans

SEC. 811. ADJUSTMENTS TO FUNDING STANDARD ACCOUNT RULES.

(a) ADJUSTMENTS.—

(1) AMENDMENT TO ERISA.—Section 304(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084(b)) is amended by adding at the end the following new paragraph:

''(8) SPECIAL RELIEF RULES.—Notwithstanding any other provision of this subsection—

''(A) AMORTIZATION OF NET INVESTMENT LOSSES.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may treat the portion of its experience loss attributable to the net investment losses (if any) incurred in either or both of the first two plan years beginning after August 31, 2008, as an item separate from other experience losses, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years.

''(ii) NO EXTENSION ALLOWED.—If this subparagraph applies for any plan year, no extension of the amortization period under clause (i) shall be allowed under subsection (d).

''(iii) NET INVESTMENT LOSSES.—For purposes of this subparagraph—

''(I) IN GENERAL.—Net investment losses shall be determined in the manner prescribed by the Secretary of the Treasury on the basis of the difference between actual and expected returns (including any difference attributable to any criminally fraudulent investment arrangement).

''(II) CRIMINALLY FRAUDULENT INVESTMENT ARRANGEMENTS.—The determination as to whether an arrangement is a criminally fraudulent investment arrangement shall be made under rules substantially similar to the rules prescribed by the Secretary of the Treasury for purposes of section 165 of the Internal Revenue Code of 1986.

''(B) EXPANDED SMOOTHING PERIOD.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may change its asset valuation method in a manner which—

''(I) spreads the difference between expected and actual returns for either or both of the first 2 plan years beginning after August 31, 2008, over a period of not more than 10 years,

''(II) provides that for either or both of such 2 plan years the value of plan assets at any time shall not be less than 80 percent or greater than 130 percent of the fair market value of such assets at such time, or

''(III) makes both changes described in subclauses (I) and (II) to such method.

''(ii) ASSET VALUATION METHODS.—If this subparagraph applies for any plan year—

''(I) the Secretary of the Treasury shall not treat the asset valuation method of the plan as unreasonable solely because of the changes in such method described in clause (i), and

''(II) such changes shall be deemed approved by such Secretary under section 302(d)(1) and section 412(d)(1) of such Code.

''(iii) AMORTIZATION OF REDUCTION IN UNFUNDED ACCRUED LIABILITY.—If this subparagraph and subparagraph (A) both apply for any plan year, the plan shall treat any reduction in unfunded accrued liability resulting from the application of this subparagraph as a separate experience amortization base, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years rather than the period such liability would otherwise be amortized over.

''(C) SOLVENCY TEST.—The solvency test under this paragraph is met only if the plan actuary certifies that the plan is projected to have sufficient assets to timely pay expected benefits and anticipated expenditures over the amortization period, taking into account the changes in the funding standard account under this paragraph.

''(D) RESTRICTION ON BENEFIT INCREASES.—If subparagraph (A) or (B) apply to a multiemployer plan for any plan year, then, in addition to any other applicable restrictions on benefit increases, a plan amendment increasing benefits may not go into effect during either of the 2 plan years immediately following such plan year unless—

''(i) the plan actuary certifies that—

''(I) any such increase is paid for out of additional contributions not allocated to the plan immediately before the application of this paragraph to the plan, and

''(II) the plan's funded percentage and projected credit balances for such 2 plan years are reasonably expected to be substantially the same as such percentage and balances would have been if the benefit increase had not been adopted, or

''(ii) the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 or to comply with other applicable law.

''(E) REPORTING.—A plan sponsor of a plan to which this paragraph applies shall inform the Pension Benefit Guaranty Corporation of such application in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.''.

(2) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 431(b) is amended by adding at the end the following new paragraph:

''(8) SPECIAL RELIEF RULES.—Notwithstanding any other provision of this subsection—

''(A) AMORTIZATION OF NET INVESTMENT LOSSES.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may treat the portion of its experience loss attributable to the net investment losses (if any) incurred in either or both of the first two plan years beginning after August 31, 2008, as an item separate from other experience losses, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years.

''(ii) NO EXTENSION ALLOWED.—If this subparagraph applies for any plan year, no extension of the amortization period under clause (i) shall be allowed under subsection (d).

''(iii) NET INVESTMENT LOSSES.—For purposes of this subparagraph—

''(I) IN GENERAL.—Net investment losses shall be determined in the manner prescribed by the Secretary on the basis of the difference between actual and expected returns (including any difference attributable to any criminally fraudulent investment arrangement).

''(II) CRIMINALLY FRAUDULENT INVESTMENT ARRANGEMENTS.—The determination as to whether an arrangement is a criminally fraudulent investment arrangement shall be made under rules substantially similar to the rules prescribed by the Secretary for purposes of section 165.

''(B) EXPANDED SMOOTHING PERIOD.—

''(i) IN GENERAL.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met may change its asset valuation method in a manner which—

''(I) spreads the difference between expected and actual returns for either or both of the first 2 plan years beginning after August 31, 2008, over a period of not more than 10 years,

''(II) provides that for either or both of such 2 plan years the value of plan assets at any time shall not be less than 80 percent or greater than 130 percent of the fair market value of such assets at such time, or

''(III) makes both changes described in subclauses (I) and (II) to such method.

''(ii) ASSET VALUATION METHODS.—If this subparagraph applies for any plan year—

''(I) the Secretary shall not treat the asset valuation method of the plan as unreasonable solely because of the changes in such method described in clause (i), and

''(II) such changes shall be deemed approved by the Secretary under section 302(d)(1) of the Employee Retirement Income Security Act of 1974 and section 412(d)(1).

''(iii) AMORTIZATION OF REDUCTION IN UNFUNDED ACCRUED LIABILITY.—If this subparagraph and subparagraph (A) both apply for any plan year, the plan shall treat any reduction in unfunded accrued liability resulting from the application of this subparagraph as a separate experience amortization base, to be amortized in equal annual installments (until fully amortized) over a period of 30 plan years rather than the period such liability would otherwise be amortized over.

''(C) SOLVENCY TEST.—The solvency test under this paragraph is met only if the plan actuary certifies that the plan is projected to have sufficient assets to timely pay expected benefits and anticipated expenditures over the amortization period, taking into account the changes in the funding standard account under this paragraph.

''(D) RESTRICTION ON BENEFIT INCREASES.—If subparagraph (A) or (B) apply to a multiemployer plan for any plan year, then, in addition to any other applicable restrictions on benefit increases, a plan amendment increasing benefits may not go into effect during either of the 2 plan years immediately following such plan year unless—

''(i) the plan actuary certifies that—

''(I) any such increase is paid for out of additional contributions not allocated to the plan immediately before the application of this paragraph to the plan, and

''(II) the plan's funded percentage and projected credit balances for such 2 plan years are reasonably expected to be substantially the same as such percentage and balances would have been if the benefit increase had not been adopted, or

''(ii) the amendment is required as a condition of qualification under part I of subchapter D or to comply with other applicable law.

''(E) REPORTING.—A plan sponsor of a plan to which this paragraph applies shall inform the Pension Benefit Guaranty Corporation of such application in such form and manner as the Director of the Pension Benefit Guaranty Corporation may prescribe.''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall take effect as of the first day of the first plan year beginning after August 31, 2008, except that any election a plan makes pursuant to this section that affects the plan's funding standard account for the first plan year beginning after August 31, 2008, shall be disregarded for purposes of applying the provisions of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 to such plan year.

(2) RESTRICTIONS ON BENEFIT INCREASES.—Notwithstanding paragraph (1), the restrictions on plan amendments increasing benefits in sections 304(b)(8)(D) of such Act and 431(b)(8)(D) of such Code, as added by this section, shall take effect on the date of enactment of this Act.

TITLE IX—SATELLITE TELEVISION EXTENSION

SEC. 901. SHORT TITLE.

This title may be cited as the ''Satellite Television Extension and Localism Act of 2010''.

Subtitle A—Statutory Licenses

SEC. 901. REFERENCE.

Except as otherwise provided, whenever in this subtitle an amendment is made to a section or other provision, the reference shall be considered to be made to such section or provision of title 17, United States Code.

SEC. 902. MODIFICATIONS TO STATUTORY LICENSE FOR SATELLITE CARRIERS.

(a) HEADING RENAMED.—

(1) IN GENERAL.—The heading of section 119 is amended by striking ''**superstations and network stations for private home viewing**'' and inserting ''**distant television programming by satellite**''.

(2) TABLE OF CONTENTS.—The table of contents for chapter 1 is amended by striking the item relating to section 119 and inserting the following:

''119. Limitations on exclusive rights: Secondary transmissions of distant television programming by satellite.''.

(b) UNSERVED HOUSEHOLD DEFINED.—

(1) IN GENERAL.—Section 119(d)(10) is amended—

(A) by striking subparagraph (A) and inserting the following:

''(A) cannot receive, through the use of an antenna, an over-the-air signal containing the primary stream, or, on or after the qualifying date, the multicast stream, originating in that household's local market and affiliated with that network of—

''(i) if the signal originates as an analog signal, Grade B intensity as defined by the Federal Communications Commission in section 73.683(a) of title 47, Code of Federal Regulations, as in effect on January 1, 1999; or

''(ii) if the signal originates as a digital signal, intensity defined in the values for the digital television noise-limited service contour, as defined in regulations issued by the Federal Communications Commission (section 73.622(e) of title 47, Code of Federal Regulations), as such regulations may be amended from time to time;'';

(B) in subparagraph (B)—

(i) by striking ''subsection (a)(14)'' and inserting ''subsection (a)(13),''; and

(ii) by striking ''Satellite Home Viewer Extension and Reauthorization Act of 2004'' and inserting ''Satellite Television Extension and Localism Act of 2010''; and

(C) in subparagraph (D), by striking ''(a)(12)'' and inserting ''(a)(11)''.

(2) QUALIFYING DATE DEFINED.—Section 119(d) is amended by adding at the end the following:

''(14) QUALIFYING DATE.—The term 'qualifying date', for purposes of paragraph (10)(A), means—

''(A) July 1, 2010, for multicast streams that exist on December 31, 2009; and

''(B) January 1, 2011, for all other multicast streams.''.

(c) FILING FEE.—Section 119(b)(1) is amended—

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

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

(3) by adding at the end the following:

''(C) a filing fee, as determined by the Register of Copyrights pursuant to section 708(a).''.

(d) DEPOSIT OF STATEMENTS AND FEES; VERIFICATION PROCEDURES.—Section 119(b) is amended—

(1) by amending the subsection heading to read as follows: ''(b) DEPOSIT OF STATEMENTS AND FEES; VERIFICATION PROCEDURES.—'';

(2) in paragraph (1), by striking subparagraph (B) and inserting the following:

''(B) a royalty fee payable to copyright owners pursuant to paragraph (4) for that 6-month period, computed by multiplying the total number of subscribers receiving each secondary transmission of a primary stream or multicast stream of each non-network station or network station during each calendar year month by the appropriate rate in effect under this subsection; and'';

(3) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(4) by inserting after paragraph (1) the following:

''(2) VERIFICATION OF ACCOUNTS AND FEE PAYMENTS.—The Register of Copyrights shall issue regulations to permit interested parties to verify and audit the statements of account and royalty fees submitted by satellite carriers under this subsection.'';

(5) in paragraph (3), as redesignated, in the first sentence—

(A) by inserting ''(including the filing fee specified in paragraph (1)(C))'' after ''shall receive all fees''; and

(B) by striking ''paragraph (4)'' and inserting ''paragraph (5)'';

(6) in paragraph (4), as redesignated—

(A) by striking ''paragraph (2)'' and inserting ''paragraph (3)''; and

(B) by striking ''paragraph (4)'' each place it appears and inserting ''paragraph (5)''; and

(7) in paragraph (5), as redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(e) ADJUSTMENT OF ROYALTY FEES.—Section 119(c) is amended as follows:

(1) Paragraph (1) is amended—

(A) in the heading for such paragraph, by striking ''ANALOG'';

(B) in subparagraph (A)—

(i) by striking ''primary analog transmissions'' and inserting ''primary transmissions''; and

(ii) by striking ''July 1, 2004'' and inserting ''July 1, 2009'';

(C) in subparagraph (B)—

(i) by striking ''January 2, 2005, the Librarian of Congress'' and inserting ''March 1, 2010, the Copyright Royalty Judges''; and

(ii) by striking ''primary analog transmission'' and inserting ''primary transmissions'';

(D) in subparagraph (C), by striking ''Librarian of Congress'' and inserting ''Copyright Royalty Judges'';

(E) in subparagraph (D)—

(i) in clause (i)—

(I) by striking ''(i) Voluntary agreements'' and inserting the following:

''(i) VOLUNTARY AGREEMENTS; FILING.—Voluntary agreements''; and

(II) by striking ''that a parties'' and inserting ''that are parties''; and

(ii) in clause (ii)—

(I) by striking ''(ii)(I) Within'' and inserting the following:

''(ii) PROCEDURE FOR ADOPTION OF FEES.—

''(I) PUBLICATION OF NOTICE.—Within'';

(II) in subclause (I), by striking ''an arbitration proceeding pursuant to subparagraph (E)'' and inserting ''a proceeding under subparagraph (F)'';

(III) in subclause (II), by striking ''(II) Upon receiving a request under subclause (I), the Librarian of Congress'' and inserting the following:

''(II) PUBLIC NOTICE OF FEES.—Upon receiving a request under subclause (I), the Copyright Royalty Judges''; and

(IV) in subclause (III)—

(aa) by striking ''(III) The Librarian'' and inserting the following:

''(III) ADOPTION OF FEES.—The Copyright Royalty Judges'';

(bb) by striking ''an arbitration proceeding'' and inserting ''the proceeding under subparagraph (F)''; and

(cc) by striking ''the arbitration proceeding'' and inserting ''that proceeding'';

(F) in subparagraph (E)—

(i) by striking ''Copyright Office'' and inserting ''Copyright Royalty Judges''; and

(ii) by striking ''February 28, 2010'' and inserting ''December 31, 2014''; and

(G) in subparagraph (F)—

(i) in the heading, by striking ''COMPULSORY ARBITRATION'' and inserting '' COPYRIGHT ROYALTY JUDGES PROCEEDING'';

(ii) in clause (i)—

(I) in the heading, by striking ''PROCEEDINGS'' and inserting ''THE PROCEEDING'';

(II) in the matter preceding subclause (I)—

(aa) by striking ''May 1, 2005, the Librarian of Congress'' and inserting ''May 3, 2010, the Copyright Royalty Judges'';

(bb) by striking ''arbitration proceedings'' and inserting ''a proceeding'';

(cc) by striking ''fee to be paid'' and inserting ''fees to be paid'';

(dd) by striking ''primary analog transmission'' and inserting ''the primary transmissions''; and

(ee) by striking ''distributors'' and inserting ''distributors—'';

(III) in subclause (II)—

(aa) by striking ''Librarian of Congress'' and inserting ''Copyright Royalty Judges''; and

(bb) by striking ''arbitration''; and

(IV) by amending the last sentence to read as follows: ''Such proceeding shall be conducted under chapter 8.'';

(iii) in clause (ii), by amending the matter preceding subclause (I) to read as follows:

''(ii) ESTABLISHMENT OF ROYALTY FEES.—In determining royalty fees under this subparagraph, the Copyright Royalty Judges shall establish fees for the secondary transmissions of the primary transmissions of network stations and non-network stations that most clearly represent the fair market value of secondary transmissions, except that the Copyright Royalty Judges shall adjust royalty fees to account for the obligations of the parties under any applicable voluntary agreement filed with the Copyright Royalty Judges in accordance with subparagraph (D). In determining the fair market value, the Judges shall base their decision on economic, competitive, and programming information presented by the parties, including—'';

(iv) by amending clause (iii) to read as follows:

''(iii) EFFECTIVE DATE FOR DECISION OF COPYRIGHT ROYALTY JUDGES.—The obligation to pay the royalty fees established under a determination that is made by the Copyright Royalty Judges in a proceeding under this paragraph shall be effective as of January 1, 2010.''; and

(v) in clause (iv)—

(I) in the heading, by striking ''FEE'' and inserting ''FEES''; and

(II) by striking ''fee referred to in (iii)'' and inserting ''fees referred to in clause (iii)''.

(2) Paragraph (2) is amended to read as follows:

''(2) ANNUAL ROYALTY FEE ADJUSTMENT.—Effective January 1 of each year, the royalty fee payable under subsection (b)(1)(B) for the secondary transmission of the primary transmissions of network stations and non-network stations shall be adjusted by the Copyright Royalty Judges to reflect any changes occurring in the cost of living as determined by the most recent Consumer Price Index (for all consumers and for all items) published by the Secretary of Labor before December 1 of the preceding year. Notification of the adjusted fees shall be published in the Federal Register at least 25 days before January 1.''.

(f) DEFINITIONS.—

(1) SUBSCRIBER.—Section 119(d)(8) is amended to read as follows:

''(8) SUBSCRIBER; SUBSCRIBE.—

''(A) SUBSCRIBER.—The term 'subscriber' means a person or entity that receives a secondary transmission service from a satellite carrier and pays a fee for the service, directly or indirectly, to the satellite carrier or to a distributor.

''(B) SUBSCRIBE.—The term 'subscribe' means to elect to become a subscriber.''.

(2) LOCAL MARKET.—Section 119(d)(11) is amended to read as follows:

''(11) LOCAL MARKET.—The term 'local market' has the meaning given such term under section 122(j).''.

(3) LOW POWER TELEVISION STATION.—Section 119(d) is amended by striking paragraph (12) and redesignating paragraphs (13) and (14) as paragraphs (12) and (13), respectively.

(4) MULTICAST STREAM.—Section 119(d), as amended by paragraph (3), is further amended by adding at the end the following new paragraph:

''(14) MULTICAST STREAM.—The term 'multicast stream' means a digital stream containing programming and program-related material affiliated with a television network, other than the primary stream.''.

(5) PRIMARY STREAM.—Section 119(d), as amended by paragraph (4), is further amended by adding at the end the following new paragraph:

''(15) PRIMARY STREAM.—The term 'primary stream' means—

''(A) the single digital stream of programming as to which a television broadcast station has the right to mandatory carriage with a satellite carrier under the rules of the Federal Communications Commission in effect on July 1, 2009; or

''(B) if there is no stream described in subparagraph (A), then either—

''(i) the single digital stream of programming associated with the network last transmitted by the station as an analog signal; or

''(ii) if there is no stream described in clause (i), then the single digital stream of programming affiliated with the network that, as of July 1, 2009, had been offered by the television broadcast station for the longest period of time.''.

(6) CLERICAL AMENDMENT.—Section 119(d) is amended in paragraphs (1), (2), and (5) by striking ''which'' each place it appears and inserting ''that''.

(g) SUPERSTATION REDESIGNATED AS NON-NETWORK STATION.—Section 119 is amended—

(1) by striking ''superstation'' each place it appears in a heading and each place it appears in text and inserting ''non-network station''; and

(2) by striking ''superstations'' each place it appears in a heading and each place it appears in text and inserting ''non-network stations''.

(h) REMOVAL OF CERTAIN PROVISIONS.—

(1) REMOVAL OF PROVISIONS.—Section 119(a) is amended—

(A) in paragraph (2), by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C);

(B) by striking paragraph (3) and redesignating paragraphs (4) through (14) as paragraphs (3) through (13), respectively; and

(C) by striking paragraph (15) and redesignating paragraph (16) as paragraph (14).

(2) CONFORMING AMENDMENTS.—Section 119 is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''(5), (6), and (8)'' and inserting ''(4), (5), and (7)'';

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking ''subparagraphs (B) and (C) of this paragraph and paragraphs (5), (6), (7), and (8)'' and inserting ''subparagraph (B) of this paragraph and paragraphs (4), (5), (6), and (7)'';

(II) in subparagraph (B)(i), by striking the second sentence; and

(III) in subparagraph (C) (as redesignated), by striking clauses (i) and (ii) and inserting the following:

''(i) INITIAL LISTS.—A satellite carrier that makes secondary transmissions of a primary transmission made by a network station pursuant to subparagraph (A) shall, not later than 90 days after commencing such secondary transmissions, submit to the network that owns or is affiliated with the network

station a list identifying (by name and address, including street or rural route number, city, State, and 9-digit zip code) all subscribers to which the satellite carrier makes secondary transmissions of that primary transmission to subscribers in unserved households.

''(ii) MONTHLY LISTS.—After the submission of the initial lists under clause (i), the satellite carrier shall, not later than the 15th of each month, submit to the network a list, aggregated by designated market area, identifying (by name and address, including street or rural route number, city, State, and 9-digit zip code) any persons who have been added or dropped as subscribers under clause (i) since the last submission under this subparagraph.''; and

(iii) in subparagraph (E) of paragraph (3) (as redesignated)—

(I) by striking ''under paragraph (3) or''; and

(II) by striking ''paragraph (12)'' and inserting ''paragraph (11)''; and

(B) in subsection (b)(1), by striking the final sentence.

(i) MODIFICATIONS TO PROVISIONS FOR SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS.—

(1) PREDICTIVE MODEL.—Section 119(a)(2)(B)(ii) is amended by adding at the end the following:

''(III) ACCURATE PREDICTIVE MODEL WITH RESPECT TO DIGITAL SIGNALS.—Notwithstanding subclause (I), in determining presumptively whether a person resides in an unserved household under subsection (d)(10)(A) with respect to digital signals, a court shall rely on a predictive model set forth by the Federal Communications Commission pursuant to a rulemaking as provided in section 339(c)(3) of the Communications Act of 1934 (47 U.S.C. 339(c)(3)), as that model may be amended by the Commission over time under such section to increase the accuracy of that model. Until such time as the Commission sets forth such model, a court shall rely on the predictive model as recommended by the Commission with respect to digital signals in its Report to Congress in ET Docket No. 05–182, FCC 05–199 (released December 9, 2005).''.

(2) MODIFICATIONS TO STATUTORY LICENSE WHERE RETRANSMISSIONS INTO LOCAL MARKET AVAILABLE.—Section 119(a)(3) (as redesignated) is amended—

(A) by striking ''analog'' each place it appears in a heading and text;

(B) by striking subparagraphs (B), (C), and (D), and inserting the following:

''(B) RULES FOR LAWFUL SUBSCRIBERS AS OF DATE OF ENACTMENT OF 2009 ACT.—In the case of a subscriber of a satellite carrier who, on the day before the date of the enactment of the Satellite Television Extension and Localism Act of 2010, was lawfully receiving the secondary transmission of the primary transmission of a network station under the statutory license under paragraph (2) (in this subparagraph referred to as the 'distant signal'), other than subscribers to whom subparagraph (A) applies, the statutory license under paragraph (2) shall apply to secondary transmissions by that satellite carrier to that subscriber of the distant signal of a station affiliated with the same television network, and the subscriber's household shall continue to be considered to be an unserved household with respect to such network, until such time as the subscriber elects to terminate such secondary transmissions, whether or not the subscriber elects to subscribe to receive the secondary transmission of the primary transmission of a local network station affiliated with the same network pursuant to the statutory license under section 122.

''(C) FUTURE APPLICABILITY.—

''(i) WHEN LOCAL SIGNAL AVAILABLE AT TIME OF SUBSCRIPTION.—The statutory license under paragraph (2) shall not apply to the secondary transmission by a satellite carrier of the primary transmission of a network station to a person who is not a subscriber lawfully receiving such secondary transmission as of the date of the enactment of the Satellite Television Extension and Localism Act of 2010 and, at the time such person seeks to subscribe to receive such secondary transmission, resides in a local market where the satellite carrier makes available to that person the secondary transmission of the primary transmission of a local network station affiliated with the same network pursuant to the statutory license under section 122.

''(ii) WHEN LOCAL SIGNAL AVAILABLE AFTER SUBSCRIPTION.—In the case of a subscriber who lawfully subscribes to and receives the secondary transmission by a satellite carrier of the primary transmission of a network station under the statutory license under paragraph (2) (in this clause referred to as the 'distant signal') on or after the date of the enactment of the Satellite Television Extension and Localism Act of 2010, the statutory license under paragraph (2) shall apply to secondary transmissions by that satellite carrier to that subscriber of the distant signal of a station affiliated with the same television network, and the subscriber's household shall continue to be considered to be an unserved household with respect to such network, until such time as the subscriber elects to terminate such secondary transmissions, but only if such subscriber subscribes to the secondary transmission of the primary transmission of a local network station affiliated with the same network within 60 days after the satellite carrier makes available to the subscriber such secondary transmission of the primary transmission of such local network station.'';

(C) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (D), (E), and (F), respectively;

(D) in subparagraph (E) (as redesignated), by striking ''(C) or (D)'' and inserting ''(B) or (C)''; and

(E) in subparagraph (F) (as redesignated), by inserting ''9-digit'' before ''zip code''.

(3) STATUTORY DAMAGES FOR TERRITORIAL RESTRICTIONS.—Section 119(a)(6) (as redesignated) is amended—

(A) in subparagraph (A)(ii), by striking ''$5'' and inserting ''$250'';

(B) in subparagraph (B)—

(i) in clause (i), by striking ''$250,000 for each 6-month period'' and inserting ''$2,500,000 for each 3-month period''; and

(ii) in clause (ii), by striking ''$250,000'' and inserting ''$2,500,000''; and

(C) by adding at the end the following flush sentences:

''The court shall direct one half of any statutory damages ordered under clause (i) to be deposited with the Register of Copyrights for distribution to copyright owners pursuant to subsection (b). The Copyright Royalty Judges shall issue regulations establishing procedures for distributing such funds, on a proportional basis, to copyright owners whose works were included in the secondary transmissions that were the subject of the statutory damages.''.

(4) TECHNICAL AMENDMENT.—Section 119(a)(4) (as redesignated) is amended by striking ''and 509''.

(5) CLERICAL AMENDMENT.—Section 119(a)(2)(B)(iii)(II) is amended by striking ''In this clause'' and inserting ''In this clause,''.

(j) MORATORIUM EXTENSION.—Section 119(e) is amended by striking ''February 28, 2010'' and inserting ''December 31, 2014''.

(k) CLERICAL AMENDMENTS.—Section 119 is amended—

(1) by striking ''of the Code of Federal Regulations'' each place it appears and inserting '', Code of Federal Regulations''; and

(2) in subsection (d)(6), by striking ''or the Direct'' and inserting '', or the Direct''.

SEC. 903. MODIFICATIONS TO STATUTORY LICENSE FOR SATELLITE CARRIERS IN LOCAL MARKETS.

(a) HEADING RENAMED.—

(1) IN GENERAL.—The heading of section 122 is amended by striking ''**by satellite carriers within local markets**'' and inserting ''**of local television programming by satellite**''.

(2) TABLE OF CONTENTS.—The table of contents for chapter 1 is amended by striking the item relating to section 122 and inserting the following:

''122. Limitations on exclusive rights: Secondary transmissions of local television programming by satellite.''.

(b) STATUTORY LICENSE.—Section 122(a) is amended to read as follows:

''(a) SECONDARY TRANSMISSIONS INTO LOCAL MARKETS.—

''(1) SECONDARY TRANSMISSIONS OF TELEVISION BROADCAST STATIONS WITHIN A LOCAL MARKET.—A secondary transmission of a performance or display of a work embodied in a primary transmission of a television broadcast station into the station's local market shall be subject to statutory licensing under this section if—

''(A) the secondary transmission is made by a satellite carrier to the public;

''(B) with regard to secondary transmissions, the satellite carrier is in compliance with the rules, regulations, or authorizations of the Federal Communications Commission governing the carriage of television broadcast station signals; and

''(C) the satellite carrier makes a direct or indirect charge for the secondary transmission to—

''(i) each subscriber receiving the secondary transmission; or

''(ii) a distributor that has contracted with the satellite carrier for direct or indirect delivery of the secondary transmission to the public.

''(2) SIGNIFICANTLY VIEWED STATIONS.—

''(A) IN GENERAL.—A secondary transmission of a performance or display of a work embodied in a primary transmission of a television broadcast station to subscribers who receive secondary transmissions of primary transmissions under paragraph (1) shall be subject to statutory licensing under this paragraph if the secondary transmission is of the primary transmission of a network station or a non-network station to a subscriber who resides outside the station's local market but within a community in which the signal has been determined by the Federal Communications Commission to be significantly viewed in such community, pursuant to the rules, regulations, and authorizations of the Federal Communications Commission in effect on April 15, 1976, applicable to determining with respect to a cable system whether signals are significantly viewed in a community.

''(B) WAIVER.—A subscriber who is denied the secondary transmission of the primary transmission of a network station or a non-network station under subparagraph (A) may request a waiver from such denial by submitting a request, through the subscriber's satellite carrier, to the network station or non-network station in the local market affiliated with the same network or non-network where the subscriber is located. The network station or non-network station shall accept or reject the subscriber's request for a waiver within 30 days after receipt of the request. If the network station or non-network station fails to accept or reject the subscriber's

request for a waiver within that 30-day period, that network station or non-network station shall be deemed to agree to the waiver request.

''(3) SECONDARY TRANSMISSION OF LOW POWER PROGRAMMING.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a secondary transmission of a performance or display of a work embodied in a primary transmission of a television broadcast station to subscribers who receive secondary transmissions of primary transmissions under paragraph (1) shall be subject to statutory licensing under this paragraph if the secondary transmission is of the primary transmission of a television broadcast station that is licensed as a low power television station, to a subscriber who resides within the same designated market area as the station that originates the transmission.

''(B) NO APPLICABILITY TO REPEATERS AND TRANSLATORS.—Secondary transmissions provided for in subparagraph (A) shall not apply to any low power television station that retransmits the programs and signals of another television station for more than 2 hours each day.

''(C) NO IMPACT ON OTHER SECONDARY TRANSMISSIONS OBLIGATIONS.—A satellite carrier that makes secondary transmissions of a primary transmission of a low power television station under a statutory license provided under this section is not required, by reason of such secondary transmissions, to make any other secondary transmissions.

''(4) SPECIAL EXCEPTIONS.—A secondary transmission of a performance or display of a work embodied in a primary transmission of a television broadcast station to subscribers who receive secondary transmissions of primary transmissions under paragraph (1) shall, if the secondary transmission is made by a satellite carrier that complies with the requirements of paragraph (1), be subject to statutory licensing under this paragraph as follows:

''(A) STATES WITH SINGLE FULL-POWER NETWORK STATION.—In a State in which there is licensed by the Federal Communications Commission a single full-power station that was a network station on January 1, 1995, the statutory license provided for in this paragraph shall apply to the secondary transmission by a satellite carrier of the primary transmission of that station to any subscriber in a community that is located within that State and that is not within the first 50 television markets as listed in the regulations of the Commission as in effect on such date (47 C.F.R. 76.51).

''(B) STATES WITH ALL NETWORK STATIONS AND NON-NETWORK STATIONS IN SAME LOCAL MARKET.—In a State in which all network stations and non-network stations licensed by the Federal Communications Commission within that State as of January 1, 1995, are assigned to the same local market and that local market does not encompass all counties of that State, the statutory license provided under this paragraph shall apply to the secondary transmission by a satellite carrier of the primary transmissions of such station to all subscribers in the State who reside in a local market that is within the first 50 major television markets as listed in the regulations of the Commission as in effect on such date (section 76.51 of title 47, Code of Federal Regulations).

''(C) ADDITIONAL STATIONS.—In the case of that State in which are located 4 counties that—

''(i) on January 1, 2004, were in local markets principally comprised of counties in another State, and

''(ii) had a combined total of 41,340 television households, according to the U.S. Television Household Estimates by Nielsen Media Research for 2004,

the statutory license provided under this paragraph shall apply to secondary transmissions by a satellite carrier to subscribers in any such county of the primary transmissions of any network station located in that State, if the satellite carrier was making such secondary transmissions to any subscribers in that county on January 1, 2004.

''(D) CERTAIN ADDITIONAL STATIONS.—If 2 adjacent counties in a single State are in a local market comprised principally of counties located in another State, the statutory license provided for in this paragraph shall apply to the secondary transmission by a satellite carrier to subscribers in those 2 counties of the primary transmissions of any network station located in the capital of the State in which such 2 counties are located, if—

''(i) the 2 counties are located in a local market that is in the top 100 markets for the year 2003 according to Nielsen Media Research; and

''(ii) the total number of television households in the 2 counties combined did not exceed 10,000 for the year 2003 according to Nielsen Media Research.

''(E) NETWORKS OF NONCOMMERCIAL EDUCATIONAL BROADCAST STATIONS.—In the case of a system of three or more noncommercial educational broadcast stations licensed to a single State, public agency, or political, educational, or special purpose subdivision of a State, the statutory license provided for in this paragraph shall apply to the secondary transmission of the primary transmission of such system to any subscriber in any county or county equivalent within such State, if such subscriber is located in a designated market area that is not otherwise eligible to receive the secondary transmission of the primary transmission of a noncommercial educational broadcast station located within the State pursuant to paragraph (1).

''(5) APPLICABILITY OF ROYALTY RATES AND PROCEDURES.—The royalty rates and procedures under section 119(b) shall apply to the secondary transmissions to which the statutory license under paragraph (4) applies.''.

(c) REPORTING REQUIREMENTS.—Section 122(b) is amended—

(1) in paragraph (1), by striking ''station a list'' and all that follows through the end and inserting the following: ''station—

''(A) a list identifying (by name in alphabetical order and street address, including county and 9-digit zip code) all subscribers to which the satellite carrier makes secondary transmissions of that primary transmission under subsection (a); and

''(B) a separate list, aggregated by designated market area (by name and address, including street or rural route number, city, State, and 9-digit zip code), which shall indicate those subscribers being served pursuant to paragraph (2) of subsection (a).''; and

(2) in paragraph (2), by striking ''network a list'' and all that follows through the end and inserting the following: ''network—

''(A) a list identifying (by name in alphabetical order and street address, including county and 9-digit zip code) any subscribers who have been added or dropped as subscribers since the last submission under this subsection; and

''(B) a separate list, aggregated by designated market area (by name and street address, including street or rural route number, city, State, and 9-digit zip code), identifying those subscribers whose service pursuant to paragraph (2) of subsection (a) has been added or dropped since the last submission under this subsection.''.

(d) NO ROYALTY FEE FOR CERTAIN SECONDARY TRANSMISSIONS.—Section 122(c) is amended—

(1) in the heading, by inserting ''FOR CERTAIN SECONDARY TRANSMISSIONS'' after ''REQUIRED''; and

(2) by striking ''subsection (a)'' and inserting ''paragraphs (1), (2), and (3) of subsection (a)''.

(e) VIOLATIONS FOR TERRITORIAL RESTRICTIONS.—

(1) MODIFICATION TO STATUTORY DAMAGES.—Section 122(f) is amended—

(A) in paragraph (1)(B), by striking ''$5'' and inserting ''$250''; and

(B) in paragraph (2), by striking ''$250,000'' each place it appears and inserting ''$2,500,000''.

(2) CONFORMING AMENDMENTS FOR ADDITIONAL STATIONS.—Section 122 is amended—

(A) in subsection (f), by striking ''section 119 or'' each place it appears and inserting the following: ''section 119, subject to statutory licensing by reason of paragraph (2)(A), (3), or (4) of subsection (a), or subject to''; and

(B) in subsection (g), by striking ''section 119 or'' and inserting the following: ''section 119, paragraph (2)(A), (3), or (4) of subsection (a), or''.

(f) DEFINITIONS.—Section 122(j) is amended—

(1) in paragraph (1), by striking ''which contracts'' and inserting ''that contracts'';

(2) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively;

(3) in paragraph (3)—

(A) by redesignating such paragraph as paragraph (4);

(B) in the heading of such paragraph, by inserting ''NON-NETWORK STATION;'' after ''NETWORK STATION;''; and

(C) by inserting '' 'non-network station','' after '' 'network station','';

(4) by inserting after paragraph (2) the following:

''(3) LOW POWER TELEVISION STATION.—The term 'low power television station' means a low power TV station as defined in section 74.701(f) of title 47, Code of Federal Regulations, as in effect on June 1, 2004. For purposes of this paragraph, the term 'low power television station' includes a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.'';

(5) by inserting after paragraph (4) (as redesignated) the following:

''(5) NONCOMMERCIAL EDUCATIONAL BROADCAST STATION.—The term 'noncommercial educational broadcast station' means a television broadcast station that is a noncommercial educational broadcast station as defined in section 397 of the Communications Act of 1934, as in effect on the date of the enactment of the Satellite Television Extension and Localism Act of 2010.''; and

(6) by amending paragraph (6) (as redesignated) to read as follows:

''(6) SUBSCRIBER.—The term 'subscriber' means a person or entity that receives a secondary transmission service from a satellite carrier and pays a fee for the service, directly or indirectly, to the satellite carrier or to a distributor.''.

SEC. 904. MODIFICATIONS TO CABLE SYSTEM SECONDARY TRANSMISSION RIGHTS UNDER SECTION 111.

(a) HEADING RENAMED.—

(1) IN GENERAL.—The heading of section 111 is amended by inserting at the end the following: ''**of broadcast programming by cable**''.

(2) TABLE OF CONTENTS.—The table of contents for chapter 1 is amended by striking the item relating to section 111 and inserting the following:

''111. Limitations on exclusive rights: Secondary transmissions of broadcast programming by cable.''.

(b) TECHNICAL AMENDMENT.—Section 111(a)(4) is amended by striking ''; or'' and inserting ''or section 122;''.

(c) STATUTORY LICENSE FOR SECONDARY TRANSMISSIONS BY CABLE SYSTEMS.—Section 111(d) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''A cable system whose secondary'' and inserting the following: ''STATEMENT OF ACCOUNT AND ROYALTY FEES.—Subject to paragraph (5), a cable system whose secondary''; and

(ii) by striking ''by regulation—'' and inserting ''by regulation the following:'';

(B) in subparagraph (A)—

(i) by striking ''a statement of account'' and inserting ''A statement of account''; and

(ii) by striking ''; and'' and inserting a period; and

(C) by striking subparagraphs (B), (C), and (D) and inserting the following:

''(B) Except in the case of a cable system whose royalty fee is specified in subparagraph (E) or (F), a total royalty fee payable to copyright owners pursuant to paragraph (3) for the period covered by the statement, computed on the basis of specified percentages of the gross receipts from subscribers to the cable service during such period for the basic service of providing secondary transmissions of primary broadcast transmitters, as follows:

''(i) 1.064 percent of such gross receipts for the privilege of further transmitting, beyond the local service area of such primary transmitter, any non-network programming of a primary transmitter in whole or in part, such amount to be applied against the fee, if any, payable pursuant to clauses (ii) through (iv);

''(ii) 1.064 percent of such gross receipts for the first distant signal equivalent;

''(iii) 0.701 percent of such gross receipts for each of the second, third, and fourth distant signal equivalents; and

''(iv) 0.330 percent of such gross receipts for the fifth distant signal equivalent and each distant signal equivalent thereafter.

''(C) In computing amounts under clauses (ii) through (iv) of subparagraph (B)—

''(i) any fraction of a distant signal equivalent shall be computed at its fractional value;

''(ii) in the case of any cable system located partly within and partly outside of the local service area of a primary transmitter, gross receipts shall be limited to those gross receipts derived from subscribers located outside of the local service area of such primary transmitter; and

''(iii) if a cable system provides a secondary transmission of a primary transmitter to some but not all communities served by that cable system—

''(I) the gross receipts and the distant signal equivalent values for such secondary transmission shall be derived solely on the basis of the subscribers in those communities where the cable system provides such secondary transmission; and

''(II) the total royalty fee for the period paid by such system shall not be less than the royalty fee calculated under subparagraph (B)(i) multiplied by the gross receipts from all subscribers to the system.

''(D) A cable system that, on a statement submitted before the date of the enactment of the Satellite Television Extension and Localism Act of 2010, computed its royalty fee consistent with the methodology under subparagraph (C)(iii), or that amends a statement filed before such date of enactment to compute the royalty fee due using such methodology, shall not be subject to an action for infringement, or eligible for any royalty refund or offset, arising out of its use of such methodology on such statement.

''(E) If the actual gross receipts paid by subscribers to a cable system for the period covered by the statement for the basic service of providing secondary transmissions of primary broadcast transmitters are $263,800 or less—

''(i) gross receipts of the cable system for the purpose of this paragraph shall be computed by subtracting from such actual gross receipts the amount by which $263,800 exceeds such actual gross receipts, except that in no case shall a cable system's gross receipts be reduced to less than $10,400; and

''(ii) the royalty fee payable under this paragraph to copyright owners pursuant to paragraph (3) shall be 0.5 percent, regardless of the number of distant signal equivalents, if any.

''(F) If the actual gross receipts paid by subscribers to a cable system for the period covered by the statement for the basic service of providing secondary transmissions of primary broadcast transmitters are more than $263,800 but less than $527,600, the royalty fee payable under this paragraph to copyright owners pursuant to paragraph (3) shall be—

''(i) 0.5 percent of any gross receipts up to $263,800, regardless of the number of distant signal equivalents, if any; and

''(ii) 1 percent of any gross receipts in excess of $263,800, but less than $527,600, regardless of the number of distant signal equivalents, if any.

''(G) A filing fee, as determined by the Register of Copyrights pursuant to section 708(a).'';

(2) in paragraph (2), in the first sentence—

(A) by striking ''The Register of Copyrights'' and inserting the following ''HANDLING OF FEES.—The Register of Copyrights''; and

(B) by inserting ''(including the filing fee specified in paragraph (1)(G))'' after ''shall receive all fees'';

(3) in paragraph (3)—

(A) by striking ''The royalty fees'' and inserting the following: ''DISTRIBUTION OF ROYALTY FEES TO COPYRIGHT OWNERS.—The royalty fees'';

(B) in subparagraph (A)—

(i) by striking ''any such'' and inserting ''Any such''; and

(ii) by striking ''; and'' and inserting a period;

(C) in subparagraph (B)—

(i) by striking ''any such'' and inserting ''Any such''; and

(ii) by striking the semicolon and inserting a period; and

(D) in subparagraph (C), by striking ''any such'' and inserting ''Any such'';

(4) in paragraph (4), by striking ''The royalty fees'' and inserting the following: ''PROCEDURES FOR ROYALTY FEE DISTRIBUTION.—The royalty fees''; and

(5) by adding at the end the following new paragraphs:

''(5) 3.75 PERCENT RATE AND SYNDICATED EXCLUSIVITY SURCHARGE NOT APPLICABLE TO MULTICAST STREAMS.—The royalty rates specified in sections 256.2(c) and 256.2(d) of title 37, Code of Federal Regulations (commonly referred to as the '3.75 percent rate' and the 'syndicated exclusivity surcharge', respectively), as in effect on the date of the enactment of the Satellite Television Extension and Localism Act of 2010, as such rates may be adjusted, or such sections redesignated, thereafter by the Copyright Royalty Judges, shall not apply to the secondary transmission of a multicast stream.

''(6) VERIFICATION OF ACCOUNTS AND FEE PAYMENTS.—The Register of Copyrights shall issue regulations to provide for the confidential verification by copyright owners whose works were embodied in the secondary transmissions of primary transmissions pursuant to this section of the information reported on the semiannual statements of account filed under this subsection on or after January 1, 2010, in order that the auditor designated under subparagraph (A) is able to confirm the correctness of the calculations and royalty payments reported therein. The regulations shall—

''(A) establish procedures for the designation of a qualified independent auditor—

''(i) with exclusive authority to request verification of such a statement of account on behalf of all copyright owners whose works were the subject of secondary transmissions of primary transmissions by the cable system (that deposited the statement) during the accounting period covered by the statement; and

''(ii) who is not an officer, employee, or agent of any such copyright owner for any purpose other than such audit;

''(B) establish procedures for safeguarding all non-public financial and business information provided under this paragraph;

''(C)(i) require a consultation period for the independent auditor to review its conclusions with a designee of the cable system;

''(ii) establish a mechanism for the cable system to remedy any errors identified in the auditor's report and to cure any underpayment identified; and

''(iii) provide an opportunity to remedy any disputed facts or conclusions;

''(D) limit the frequency of requests for verification for a particular cable system and the number of audits that a multiple system operator can be required to undergo in a single year; and

''(E) permit requests for verification of a statement of account to be made only within 3 years after the last day of the year in which the statement of account is filed.

''(7) ACCEPTANCE OF ADDITIONAL DEPOSITS.—Any royalty fee payments received by the Copyright Office from cable systems for the secondary transmission of primary transmissions that are in addition to the payments calculated and deposited in accordance with this subsection shall be deemed to have been deposited for the particular accounting period for which they are received and shall be distributed as specified under this subsection.''.

(d) EFFECTIVE DATE OF NEW ROYALTY FEE RATES.—The royalty fee rates established in section 111(d)(1)(B) of title 17, United States Code, as amended by subsection (c)(1)(C) of this section, shall take effect commencing with the first accounting period occurring in 2010.

(e) DEFINITIONS.—Section 111(f) is amended—

(1) by striking the first undesignated paragraph and inserting the following:

''(1) PRIMARY TRANSMISSION.—A 'primary transmission' is a transmission made to the public by a transmitting facility whose signals are being received and further transmitted by a secondary transmission service, regardless of where or when the performance or display was first transmitted. In the case of a television broadcast station, the primary stream and any multicast streams transmitted by the station constitute primary transmissions.'';

(2) in the second undesignated paragraph—

(A) by striking ''A 'secondary transmission' '' and inserting the following:

''(2) SECONDARY TRANSMISSION.—A 'secondary transmission' ''; and

(B) by striking '' 'cable system' '' and inserting ''cable system'';

(3) in the third undesignated paragraph—

(A) by striking ''A 'cable system' '' and inserting the following:

''(3) CABLE SYSTEM.—A 'cable system' ''; and

(B) by striking ''Territory, Trust Territory, or Possession'' and inserting ''territory, trust territory, or possession of the United States'';

(4) in the fourth undesignated paragraph, in the first sentence—

(A) by striking ''The 'local service area of a primary transmitter', in the case of a television broadcast station, comprises the area in which such station is entitled to insist'' and inserting the following:

''(4) LOCAL SERVICE AREA OF A PRIMARY TRANSMITTER.—The 'local service area of a primary transmitter', in the case of both the primary stream and any multicast streams transmitted by a primary transmitter that is a television broadcast station, comprises the area where such primary transmitter could have insisted'';

(B) by striking ''76.59 of title 47 of the Code of Federal Regulations'' and inserting the following: ''76.59 of title 47, Code of Federal Regulations, or within the noise-limited contour as defined in 73.622(e)(1) of title 47, Code of Federal Regulations''; and

(C) by striking ''as defined by the rules and regulations of the Federal Communications Commission,'';

(5) by amending the fifth undesignated paragraph to read as follows:

''(5) DISTANT SIGNAL EQUIVALENT.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), a 'distant signal equivalent'—

''(i) is the value assigned to the secondary transmission of any non-network television programming carried by a cable system in whole or in part beyond the local service area of the primary transmitter of such programming; and

''(ii) is computed by assigning a value of one to each primary stream and to each multicast stream (other than a simulcast) that is an independent station, and by assigning a value of one-quarter to each primary stream and to each multicast stream (other than a simulcast) that is a network station or a noncommercial educational station.

''(B) EXCEPTIONS.—The values for independent, network, and noncommercial educational stations specified in subparagraph (A) are subject to the following:

''(i) Where the rules and regulations of the Federal Communications Commission require a cable system to omit the further transmission of a particular program and such rules and regulations also permit the substitution of another program embodying a performance or display of a work in place of the omitted transmission, or where such rules and regulations in effect on the date of the enactment of the Copyright Act of 1976 permit a cable system, at its election, to effect such omission and substitution of a nonlive program or to carry additional programs not transmitted by primary transmitters within whose local service area the cable system is located, no value shall be assigned for the substituted or additional program.

''(ii) Where the rules, regulations, or authorizations of the Federal Communications Commission in effect on the date of the enactment of the Copyright Act of 1976 permit a cable system, at its election, to omit the further transmission of a particular program and such rules, regulations, or authorizations also permit the substitution of another program embodying a performance or display of a work in place of the omitted transmission, the value assigned for the substituted or additional program shall be, in the case of a live program, the value of one full distant signal equivalent multiplied by a fraction that has as its numerator the number of days in the year in which such substitution occurs and as its denominator the number of days in the year.

''(iii) In the case of the secondary transmission of a primary transmitter that is a television broadcast station pursuant to the late-night or specialty programming rules of the Federal Communications Commission, or the secondary transmission of a primary transmitter that is a television broadcast station on a part-time basis where full-time carriage is not possible because the cable system lacks the activated channel capacity to retransmit on a full-time basis all signals that it is authorized to carry, the values for independent, network, and noncommercial educational stations set forth in subparagraph (A), as the case may be, shall be multiplied by a fraction that is equal to the ratio of the broadcast hours of such primary transmitter retransmitted by the cable system to the total broadcast hours of the primary transmitter.

''(iv) No value shall be assigned for the secondary transmission of the primary stream or any multicast streams of a primary transmitter that is a television broadcast station in any community that is within the local service area of the primary transmitter.'';

(6) by striking the sixth undesignated paragraph and inserting the following:

''(6) NETWORK STATION.—

''(A) TREATMENT OF PRIMARY STREAM.—The term 'network station' shall be applied to a primary stream of a television broadcast station that is owned or operated by, or affiliated with, one or more of the television networks in the United States providing nationwide transmissions, and that transmits a substantial part of the programming supplied by such networks for a substantial part of the primary stream's typical broadcast day.

''(B) TREATMENT OF MULTICAST STREAMS.—The term 'network station' shall be applied to a multicast stream on which a television broadcast station transmits all or substantially all of the programming of an interconnected program service that—

''(i) is owned or operated by, or affiliated with, one or more of the television networks described in subparagraph (A); and

''(ii) offers programming on a regular basis for 15 or more hours per week to at least 25 of the affiliated television licensees of the interconnected program service in 10 or more States.'';

(7) by striking the seventh undesignated paragraph and inserting the following:

''(7) INDEPENDENT STATION.—The term 'independent station' shall be applied to the primary stream or a multicast stream of a television broadcast station that is not a network station or a noncommercial educational station.'';

(8) by striking the eighth undesignated paragraph and inserting the following:

''(8) NONCOMMERCIAL EDUCATIONAL STATION.—The term 'noncommercial educational station' shall be applied to the primary stream or a multicast stream of a television broadcast station that is a noncommercial educational broadcast station as defined in section 397 of the Communications Act of 1934, as in effect on the date of the enactment of the Satellite Television Extension and Localism Act of 2010.''; and

(9) by adding at the end the following:

''(9) PRIMARY STREAM.—A 'primary stream' is—

''(A) the single digital stream of programming that, before June 12, 2009, was substantially duplicating the programming transmitted by the television broadcast station as an analog signal; or

''(B) if there is no stream described in subparagraph (A), then the single digital stream of programming transmitted by the television broadcast station for the longest period of time.

''(10) PRIMARY TRANSMITTER.—A 'primary transmitter' is a television or radio broadcast station licensed by the Federal Communications Commission, or by an appropriate governmental authority of Canada or Mexico, that makes primary transmissions to the public.

''(11) MULTICAST STREAM.—A 'multicast stream' is a digital stream of programming that is transmitted by a television broadcast station and is not the station's primary stream.

''(12) SIMULCAST.—A 'simulcast' is a multicast stream of a television broadcast station that duplicates the programming transmitted by the primary stream or another multicast stream of such station.

''(13) SUBSCRIBER; SUBSCRIBE.—

''(A) SUBSCRIBER.—The term 'subscriber' means a person or entity that receives a secondary transmission service from a cable system and pays a fee for the service, directly or indirectly, to the cable system.

''(B) SUBSCRIBE.—The term 'subscribe' means to elect to become a subscriber.''.

(f) TIMING OF SECTION 111 PROCEEDINGS.—Section 804(b)(1) is amended by striking ''2005'' each place it appears and inserting ''2015''.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CORRECTIONS TO FIX LEVEL DESIGNATIONS.—Section 111 is amended—

(A) in subsections (a), (c), and (e), by striking ''clause'' each place it appears and inserting ''paragraph'';

(B) in subsection (c)(1), by striking ''clauses'' and inserting ''paragraphs''; and

(C) in subsection (e)(1)(F), by striking ''subclause'' and inserting ''subparagraph''.

(2) CONFORMING AMENDMENT TO HYPHENATE NONNETWORK.—Section 111 is amended by striking ''nonnetwork'' each place it appears and inserting ''non-network''.

(3) PREVIOUSLY UNDESIGNATED PARAGRAPH.—Section 111(e)(1) is amended by striking ''second paragraph of subsection (f)'' and inserting ''subsection (f)(2)''.

(4) REMOVAL OF SUPERFLUOUS ANDS.—Section 111(e) is amended—

(A) in paragraph (1)(A), by striking ''and'' at the end;

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (1)(C), by striking ''and'' at the end;

(D) in paragraph (1)(D), by striking ''and'' at the end; and

(E) in paragraph (2)(A), by striking ''and'' at the end.

(5) REMOVAL OF VARIANT FORMS REFERENCES.—Section 111 is amended—

(A) in subsection (e)(4), by striking '', and each of its variant forms,''; and

(B) in subsection (f), by striking ''and their variant forms''.

(6) CORRECTION TO TERRITORY REFERENCE.—Section 111(e)(2) is amended in the matter preceding subparagraph (A) by striking ''three territories'' and inserting ''five entities''.

(h) EFFECTIVE DATE WITH RESPECT TO MULTICAST STREAMS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the amendments made by this section, to the extent such amendments assign a distant signal equivalent value to the secondary transmission of the multicast stream of a primary transmitter, shall take effect on the date of the enactment of this Act.

(2) DELAYED APPLICABILITY.—

(A) SECONDARY TRANSMISSIONS OF A MULTICAST STREAM BEYOND THE LOCAL SERVICE AREA OF ITS PRIMARY TRANSMITTER BEFORE 2009 ACT.—In any case in which a cable system was making secondary transmissions

of a multicast stream beyond the local service area of its primary transmitter before the date of the enactment of this Act, a distant signal equivalent value (referred to in paragraph (1)) shall not be assigned to secondary transmissions of such multicast stream that are made on or before June 30, 2010.

(B) MULTICAST STREAMS SUBJECT TO PRE-EXISTING WRITTEN AGREEMENTS FOR THE SECONDARY TRANSMISSION OF SUCH STREAMS.—In any case in which the secondary transmission of a multicast stream of a primary transmitter is the subject of a written agreement entered into on or before June 30, 2009, between a cable system or an association representing the cable system and a primary transmitter or an association representing the primary transmitter, a distant signal equivalent value (referred to in paragraph (1)) shall not be assigned to secondary transmissions of such multicast stream beyond the local service area of its primary transmitter that are made on or before the date on which such written agreement expires.

(C) NO REFUNDS OR OFFSETS FOR PRIOR STATEMENTS OF ACCOUNT.—A cable system that has reported secondary transmissions of a multicast stream beyond the local service area of its primary transmitter on a statement of account deposited under section 111 of title 17, United States Code, before the date of the enactment of this Act shall not be entitled to any refund, or offset, of royalty fees paid on account of such secondary transmissions of such multicast stream.

(3) DEFINITIONS.—In this subsection, the terms ''cable system'', ''secondary transmission'', ''multicast stream'', and ''local service area of a primary transmitter'' have the meanings given those terms in section 111(f) of title 17, United States Code, as amended by this section.

SEC. 905. CERTAIN WAIVERS GRANTED TO PROVIDERS OF LOCAL-INTO-LOCAL SERVICE FOR ALL DMAS.

Section 119 is amended by adding at the end the following new subsection:

''(g) CERTAIN WAIVERS GRANTED TO PROVIDERS OF LOCAL-INTO-LOCAL SERVICE TO ALL DMAS.—

''(1) INJUNCTION WAIVER.—A court that issued an injunction pursuant to subsection (a)(7)(B) before the date of the enactment of this subsection shall waive such injunction if the court recognizes the entity against which the injunction was issued as a qualified carrier.

''(2) LIMITED TEMPORARY WAIVER.—

''(A) IN GENERAL.—Upon a request made by a satellite carrier, a court that issued an injunction against such carrier under subsection (a)(7)(B) before the date of the enactment of this subsection shall waive such injunction with respect to the statutory license provided under subsection (a)(2) to the extent necessary to allow such carrier to make secondary transmissions of primary transmissions made by a network station to unserved households located in short markets in which such carrier was not providing local service pursuant to the license under section 122 as of December 31, 2009.

''(B) EXPIRATION OF TEMPORARY WAIVER.—A temporary waiver of an injunction under subparagraph (A) shall expire after the end of the 120-day period beginning on the date such temporary waiver is issued unless extended for good cause by the court making the temporary waiver.

''(C) FAILURE TO PROVIDE LOCAL-INTO-LOCAL SERVICE TO ALL DMAS.—

''(i) FAILURE TO ACT REASONABLY AND IN GOOD FAITH.—If the court issuing a temporary waiver under subparagraph (A) determines that the satellite carrier that made the request for such waiver has failed to act reasonably or has failed to make a good faith effort to provide local-into-local service to all DMAs, such failure—

''(I) is actionable as an act of infringement under section 501 and the court may in its discretion impose the remedies provided for in sections 502 through 506 and subsection (a)(6)(B) of this section; and

''(II) shall result in the termination of the waiver issued under subparagraph (A).

''(ii) FAILURE TO PROVIDE LOCAL-INTO-LOCAL SERVICE.—If the court issuing a temporary waiver under subparagraph (A) determines that the satellite carrier that made the request for such waiver has failed to provide local-into-local service to all DMAs, but determines that the carrier acted reasonably and in good faith, the court may in its discretion impose financial penalties that reflect—

''(I) the degree of control the carrier had over the circumstances that resulted in the failure;

''(II) the quality of the carrier's efforts to remedy the failure; and

''(III) the severity and duration of any service interruption.

''(D) SINGLE TEMPORARY WAIVER AVAILABLE.—An entity may only receive one temporary waiver under this paragraph.

''(E) SHORT MARKET DEFINED.—For purposes of this paragraph, the term 'short market' means a local market in which programming of one or more of the four most widely viewed television networks nationwide as measured on the date of the enactment of this subsection is not offered on the primary stream transmitted by any local television broadcast station.

''(3) ESTABLISHMENT OF QUALIFIED CARRIER RECOGNITION.—

''(A) STATEMENT OF ELIGIBILITY.—An entity seeking to be recognized as a qualified carrier under this subsection shall file a statement of eligibility with the court that imposed the injunction. A statement of eligibility must include—

''(i) an affidavit that the entity is providing local-into-local service to all DMAs;

''(ii) a request for a waiver of the injunction; and

''(iii) a certification issued pursuant to section 342(a) of Communications Act of 1934.

''(B) GRANT OF RECOGNITION AS A QUALIFIED CARRIER.—Upon receipt of a statement of eligibility, the court shall recognize the entity as a qualified carrier and issue the waiver under paragraph (1).

''(C) VOLUNTARY TERMINATION.—At any time, an entity recognized as a qualified carrier may file a statement of voluntary termination with the court certifying that it no longer wishes to be recognized as a qualified carrier. Upon receipt of such statement, the court shall reinstate the injunction waived under paragraph (1).

''(D) LOSS OF RECOGNITION PREVENTS FUTURE RECOGNITION.—No entity may be recognized as a qualified carrier if such entity had previously been recognized as a qualified carrier and subsequently lost such recognition or voluntarily terminated such recognition under subparagraph (C).

''(4) QUALIFIED CARRIER OBLIGATIONS AND COMPLIANCE.—

''(A) CONTINUING OBLIGATIONS.—

''(i) IN GENERAL.—An entity recognized as a qualified carrier shall continue to provide local-into-local service to all DMAs.

''(ii) COOPERATION WITH GAO EXAMINATION.—An entity recognized as a qualified carrier shall fully cooperate with the Comptroller General in the examination required by subparagraph (B).

''(B) QUALIFIED CARRIER COMPLIANCE EXAMINATION.—

''(i) EXAMINATION AND REPORT.—The Comptroller General shall conduct an examination and publish a report concerning the qualified carrier's compliance with the royalty payment and household eligibility requirements of the license under this section. The report shall address the qualified carrier's conduct during the period beginning on the date on which the qualified carrier is recognized as such under paragraph (3)(B) and ending on December 31, 2011.

''(ii) RECORDS OF QUALIFIED CARRIER.—Beginning on the date that is one year after the date on which the qualified carrier is recognized as such under paragraph (3)(B), but not later than October 1, 2011, the qualified carrier shall provide the Comptroller General with all records that the Comptroller General, in consultation with the Register of Copyrights, considers to be directly pertinent to the following requirements under this section:

''(I) Proper calculation and payment of royalties under the statutory license under this section.

''(II) Provision of service under this license to eligible subscribers only.

''(iii) SUBMISSION OF REPORT.—The Comptroller General shall file the report required by clause (i) not later than March 1, 2012, with the court referred to in paragraph (1) that issued the injunction, the Register of Copyrights, the Committees on the Judiciary and on Energy and Commerce of the House of Representatives, and the Committees on the Judiciary and on Commerce, Science, and Transportation of the Senate.

''(iv) EVIDENCE OF INFRINGEMENT.—The Comptroller General shall include in the report a statement of whether the examination by the Comptroller General indicated that there is substantial evidence that a copyright holder could bring a successful action under this section against the qualified carrier for infringement. The Comptroller General shall consult with the Register of Copyrights in preparing such statement.

''(v) SUBSEQUENT EXAMINATION.—If the report includes the Comptroller General's statement that there is substantial evidence that a copyright holder could bring a successful action under this section against the qualified carrier for infringement, the Comptroller General shall, not later than 6 months after the report under clause (i) is published, initiate another examination of the qualified carrier's compliance with the royalty payment and household eligibility requirements of the license under this section since the last report was filed under clause (iii). The Comptroller General shall file a report on such examination with the court referred to in paragraph (1) that issued the injunction, the Register of Copyrights, the Committees on the Judiciary and on Energy and Commerce of the House of Representatives, and the Committees on the Judiciary and on Commerce, Science, and Transportation of the Senate. The report shall include a statement described in clause (iv), prepared in consultation with the Register of Copyrights.

''(vi) COMPLIANCE.—Upon motion filed by an aggrieved copyright owner, the court recognizing an entity as a qualified carrier shall terminate such designation upon finding that the entity has failed to cooperate with the examinations required by this subparagraph.

''(C) AFFIRMATION.—A qualified carrier shall file an affidavit with the district court and the Register of Copyrights 30 months after such status was granted stating that, to the best of the affiant's knowledge, it is in compliance with the requirements for a qualified carrier.

''(D) COMPLIANCE DETERMINATION.—Upon the motion of an aggrieved television broadcast station, the court recognizing an entity

as a qualified carrier may make a determination of whether the entity is providing local-into-local service to all DMAs.

''(E) PLEADING REQUIREMENT.—In any motion brought under subparagraph (D), the party making such motion shall specify one or more designated market areas (as such term is defined in section 122(j)(2)(C)) for which the failure to provide service is being alleged, and, for each such designated market area, shall plead with particularity the circumstances of the alleged failure.

''(F) BURDEN OF PROOF.—In any proceeding to make a determination under subparagraph (D), and with respect to a designated market area for which failure to provide service is alleged, the entity recognized as a qualified carrier shall have the burden of proving that the entity provided local-into-local service with a good quality satellite signal to at least 90 percent of the households in such designated market area (based on the most recent census data released by the United States Census Bureau) at the time and place alleged.

''(5) FAILURE TO PROVIDE SERVICE.—

''(A) PENALTIES.—If the court recognizing an entity as a qualified carrier finds that such entity has willfully failed to provide local-into-local service to all DMAs, such finding shall result in the loss of recognition of the entity as a qualified carrier and the termination of the waiver provided under paragraph (1), and the court may, in its discretion—

''(i) treat such failure as an act of infringement under section 501, and subject such infringement to the remedies provided for in sections 502 through 506 and subsection (a)(6)(B) of this section; and

''(ii) impose a fine of not less than $250,000 and not more than $5,000,000.

''(B) EXCEPTION FOR NONWILLFUL VIOLATION.—If the court determines that the failure to provide local-into-local service to all DMAs is nonwillful, the court may in its discretion impose financial penalties for noncompliance that reflect—

''(i) the degree of control the entity had over the circumstances that resulted in the failure;

''(ii) the quality of the entity's efforts to remedy the failure and restore service; and

''(iii) the severity and duration of any service interruption.

''(6) PENALTIES FOR VIOLATIONS OF LICENSE.—A court that finds, under subsection (a)(6)(A), that an entity recognized as a qualified carrier has willfully made a secondary transmission of a primary transmission made by a network station and embodying a performance or display of a work to a subscriber who is not eligible to receive the transmission under this section shall reinstate the injunction waived under paragraph (1), and the court may order statutory damages of not more than $2,500,000.

''(7) LOCAL-INTO-LOCAL SERVICE TO ALL DMAS DEFINED.—For purposes of this subsection:

''(A) IN GENERAL.—An entity provides 'local-into-local service to all DMAs' if the entity provides local service in all designated market areas (as such term is defined in section 122(j)(2)(C)) pursuant to the license under section 122.

''(B) HOUSEHOLD COVERAGE.—For purposes of subparagraph (A), an entity that makes available local-into-local service with a good quality satellite signal to at least 90 percent of the households in a designated market area based on the most recent census data released by the United States Census Bureau shall be considered to be providing local service to such designated market area.

''(C) GOOD QUALITY SATELLITE SIGNAL DEFINED.—The term 'good quality signal' has the meaning given such term under section 342(e)(2) of Communications Act of 1934.''.

SEC. 906. COPYRIGHT OFFICE FEES.

Section 708(a) is amended—

(1) in paragraph (8), by striking ''and'' after the semicolon;

(2) in paragraph (9), by striking the period and inserting a semicolon;

(3) by inserting after paragraph (9) the following:

''(10) on filing a statement of account based on secondary transmissions of primary transmissions pursuant to section 119 or 122; and

''(11) on filing a statement of account based on secondary transmissions of primary transmissions pursuant to section 111.''; and

(4) by adding at the end the following new sentence: ''Fees established under paragraphs (10) and (11) shall be reasonable and may not exceed one-half of the cost necessary to cover reasonable expenses incurred by the Copyright Office for the collection and administration of the statements of account and any royalty fees deposited with such statements.''.

SEC. 907. TERMINATION OF LICENSE.

Section 1003(a)(2)(A) of Public Law 111-118 is amended by striking ''February 28, 2010'' and inserting ''December 31, 2014''.

SEC. 908. CONSTRUCTION.

Nothing in section 111, 119, or 122 of title 17, United States Code, including the amendments made to such sections by this subtitle, shall be construed to affect the meaning of any terms under the Communications Act of 1934, except to the extent that such sections are specifically cross-referenced in such Act or the regulations issued thereunder.

Subtitle B—Communications Provisions

SEC. 921. REFERENCE.

Except as otherwise provided, whenever in this subtitle an amendment is made to a section or other provision, the reference shall be considered to be made to such section or provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.).

SEC. 922. EXTENSION OF AUTHORITY.

Section 325(b) is amended—

(1) in paragraph (2)(C), by striking ''February 28, 2010'' and inserting ''December 31, 2014''; and

(2) in paragraph (3)(C), by striking ''March 1, 2010'' each place it appears in clauses (ii) and (iii) and inserting ''January 1, 2015''.

SEC. 923. SIGNIFICANTLY VIEWED STATIONS.

(a) IN GENERAL.—Paragraphs (1) and (2) of section 340(b) are amended to read as follows:

''(1) SERVICE LIMITED TO SUBSCRIBERS TAKING LOCAL-INTO-LOCAL SERVICE.—This section shall apply only to retransmissions to subscribers of a satellite carrier who receive retransmissions of a signal from that satellite carrier pursuant to section 338.

''(2) SERVICE LIMITATIONS.—A satellite carrier may retransmit to a subscriber in high definition format the signal of a station determined by the Commission to be significantly viewed under subsection (a) only if such carrier also retransmits in high definition format the signal of a station located in the local market of such subscriber and affiliated with the same network whenever such format is available from such station.''.

(b) RULEMAKING REQUIRED.—Within 180 days after the date of the enactment of this Act, the Federal Communications Commission shall take all actions necessary to promulgate a rule to implement the amendments made by subsection (a).

SEC. 924. DIGITAL TELEVISION TRANSITION CONFORMING AMENDMENTS.

(a) SECTION 338.—Section 338 is amended—

(1) in subsection (a), by striking ''(3) EFFECTIVE DATE.—No satellite'' and all that follows through ''until January 1, 2002.''; and

(2) by amending subsection (g) to read as follows:

''(g) CARRIAGE OF LOCAL STATIONS ON A SINGLE RECEPTION ANTENNA.—

''(1) SINGLE RECEPTION ANTENNA.—Each satellite carrier that retransmits the signals of local television broadcast stations in a local market shall retransmit such stations in such market so that a subscriber may receive such stations by means of a single reception antenna and associated equipment.

''(2) ADDITIONAL RECEPTION ANTENNA.—If the carrier retransmits the signals of local television broadcast stations in a local market in high definition format, the carrier shall retransmit such signals in such market so that a subscriber may receive such signals by means of a single reception antenna and associated equipment, but such antenna and associated equipment may be separate from the single reception antenna and associated equipment used to comply with paragraph (1).''.

(b) SECTION 339.—Section 339 is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by striking ''Such two network stations'' and all that follows through ''more than two network stations.''; and

(B) in paragraph (2)—

(i) in the heading for subparagraph (A), by striking ''TO ANALOG SIGNALS'';

(ii) in subparagraph (A)—

(I) in the heading for clause (i), by striking ''ANALOG'';

(II) in clause (i)—

(aa) by striking ''analog'' each place it appears; and

(bb) by striking ''October 1, 2004'' and inserting ''October 1, 2009'';

(III) in the heading for clause (ii), by striking ''ANALOG''; and

(IV) in clause (ii)—

(aa) by striking ''analog'' each place it appears; and

(bb) by striking ''2004'' and inserting ''2009'';

(iii) by amending subparagraph (B) to read as follows:

''(B) RULES FOR OTHER SUBSCRIBERS.—

''(i) IN GENERAL.—In the case of a subscriber of a satellite carrier who is eligible to receive the signal of a network station under this section (in this subparagraph referred to as a 'distant signal'), other than subscribers to whom subparagraph (A) applies, the following shall apply:

''(I) In a case in which the satellite carrier makes available to that subscriber, on January 1, 2005, the signal of a local network station affiliated with the same television network pursuant to section 338, the carrier may only provide the secondary transmissions of the distant signal of a station affiliated with the same network to that subscriber if the subscriber's satellite carrier, not later than March 1, 2005, submits to that television network the list and statement required by subparagraph (F)(i).

''(II) In a case in which the satellite carrier does not make available to that subscriber, on January 1, 2005, the signal of a local network station pursuant to section 338, the carrier may only provide the secondary transmissions of the distant signal of a station affiliated with the same network to that subscriber if—

''(aa) that subscriber seeks to subscribe to such distant signal before the date on which such carrier commences to carry pursuant to section 338 the signals of stations from the local market of such local network station; and

''(bb) the satellite carrier, within 60 days after such date, submits to each television network the list and statement required by subparagraph (F)(ii).

''(ii) SPECIAL CIRCUMSTANCES.—A subscriber of a satellite carrier who was lawfully receiving the distant signal of a network station on the day before the date of enactment of the Satellite Television Extension and Localism Act of 2010 may receive both such distant signal and the local signal of a network station affiliated with the same network until such subscriber chooses to no longer receive such distant signal from such carrier, whether or not such subscriber elects to subscribe to such local signal.'';

(iv) in subparagraph (C)—

(I) by striking ''analog'';

(II) in clause (i), by striking ''the Satellite Home Viewer Extension and Reauthorization Act of 2004; and'' and inserting the following:

''the Satellite Television Extension and Localism Act of 2010 and, at the time such person seeks to subscribe to receive such secondary transmission, resides in a local market where the satellite carrier makes available to that person the signal of a local network station affiliated with the same television network pursuant to section 338 (and the retransmission of such signal by such carrier can reach such subscriber); or''; and

(III) by amending clause (ii) to read as follows:

''(ii) lawfully subscribes to and receives a distant signal on or after the date of enactment of the Satellite Television Extension and Localism Act of 2010, and, subsequent to such subscription, the satellite carrier makes available to that subscriber the signal of a local network station affiliated with the same network as the distant signal (and the retransmission of such signal by such carrier can reach such subscriber), unless such person subscribes to the signal of the local network station within 60 days after such signal is made available.'';

(v) in subparagraph (D)—

(I) in the heading, by striking ''DIGITAL'';

(II) by striking clauses (i), (iii) through (v), (vii) through (ix), and (xi);

(III) by redesignating clause (vi) as clause (i) and transferring such clause to appear before clause (ii);

(IV) by amending such clause (i) (as so redesignated) to read as follows:

''(i) ELIGIBILITY AND SIGNAL TESTING.—A subscriber of a satellite carrier shall be eligible to receive a distant signal of a network station affiliated with the same network under this section if, with respect to a local network station, such subscriber—

''(I) is a subscriber whose household is not predicted by the model specified in subsection (c)(3) to receive the signal intensity required under section 73.622(e)(1) or, in the case of a low-power station or translator station transmitting an analog signal, section 73.683(a) of title 47, Code of Federal Regulations, or a successor regulation;

''(II) is determined, based on a test conducted in accordance with section 73.686(d) of title 47, Code of Federal Regulations, or any successor regulation, not to be able to receive a signal that exceeds the signal intensity standard in section 73.622(e)(1) or, in the case of a low-power station or translator station transmitting an analog signal, section 73.683(a) of such title, or a successor regulation; or

''(III) is in an unserved household, as determined under section 119(d)(10)(A) of title 17, United States Code.'';

(V) in clause (ii)—

(aa) by striking ''DIGITAL'' in the heading;

(bb) by striking ''digital'' the first two places such term appears;

(cc) by striking ''Satellite Home Viewer Extension and Reauthorization Act of 2004'' and inserting ''Satellite Television Extension and Localism Act of 2010''; and

(dd) by striking '', whether or not such subscriber elects to subscribe to local digital signals'';

(VI) by inserting after clause (ii) the following new clause:

''(iii) TIME-SHIFTING PROHIBITED.—In a case in which the satellite carrier makes available to an eligible subscriber under this subparagraph the signal of a local network station pursuant to section 338, the carrier may only provide the distant signal of a station affiliated with the same network to that subscriber if, in the case of any local market in the 48 contiguous States of the United States, the distant signal is the secondary transmission of a station whose prime time network programming is generally broadcast simultaneously with, or later than, the prime time network programming of the affiliate of the same network in the local market.''; and

(VII) by redesignating clause (x) as clause (iv); and

(vi) in subparagraph (E), by striking ''distant analog signal or'' and all that follows through ''(B), or (D))'' and inserting ''distant signal'';

(2) in subsection (c)—

(A) by amending paragraph (3) to read as follows:

''(3) ESTABLISHMENT OF IMPROVED PREDICTIVE MODEL AND ON-LOCATION TESTING REQUIRED.—

''(A) PREDICTIVE MODEL.—Within 180 days after the date of the enactment of the Satellite Television Extension and Localism Act of 2010, the Commission shall develop and prescribe by rule a point-to-point predictive model for reliably and presumptively determining the ability of individual locations, through the use of an antenna, to receive signals in accordance with the signal intensity standard in section 73.622(e)(1) of title 47, Code of Federal Regulations, or a successor regulation, including to account for the continuing operation of translator stations and low power television stations. In prescribing such model, the Commission shall rely on the Individual Location Longley-Rice model set forth by the Commission in CS Docket No. 98–201, as previously revised with respect to analog signals, and as recommended by the Commission with respect to digital signals in its Report to Congress in ET Docket No. 05–182, FCC 05–199 (released December 9, 2005). The Commission shall establish procedures for the continued refinement in the application of the model by the use of additional data as it becomes available.

''(B) ON-LOCATION TESTING.—The Commission shall issue an order completing its rulemaking proceeding in ET Docket No. 06–94 within 180 days after the date of enactment of the Satellite Television Extension and Localism Act of 2010. In conducting such rulemaking, the Commission shall seek ways to minimize consumer burdens associated with on-location testing.'';

(B) by amending paragraph (4)(A) to read as follows:

''(A) IN GENERAL.—If a subscriber's request for a waiver under paragraph (2) is rejected and the subscriber submits to the subscriber's satellite carrier a request for a test verifying the subscriber's inability to receive a signal of the signal intensity referenced in clause (i) of subsection (a)(2)(D), the satellite carrier and the network station or stations asserting that the retransmission is prohibited with respect to that subscriber shall select a qualified and independent person to conduct the test referenced in such clause. Such test shall be conducted within 30 days after the date the subscriber submits a request for the test. If the written findings and conclusions of a test conducted in accordance with such clause demonstrate that the subscriber does not receive a signal that meets or exceeds the requisite signal intensity standard in such clause, the subscriber shall not be denied the retransmission of a signal of a network station under section 119(d)(10)(A) of title 17, United States Code.'';

(C) in paragraph (4)(B), by striking ''the signal intensity'' and all that follows through ''United States Code'' and inserting ''such requisite signal intensity standard''; and

(D) in paragraph (4)(E), by striking ''Grade B intensity''.

(c) SECTION 340.—Section 340(i) is amended by striking paragraph (4).

SEC. 925. APPLICATION PENDING COMPLETION OF RULEMAKINGS.

(a) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending on the date on which the Federal Communications Commission adopts rules pursuant to the amendments to the Communications Act of 1934 made by section 923 and section 924 of this title, the Federal Communications Commission shall follow its rules and regulations promulgated pursuant to sections 338, 339, and 340 of the Communications Act of 1934 as in effect on the day before the date of the enactment of this Act.

(b) TRANSLATOR STATIONS AND LOW POWER TELEVISION STATIONS.—Notwithstanding subsection (a), for purposes of determining whether a subscriber within the local market served by a translator station or a low power television station affiliated with a television network is eligible to receive distant signals under section 339 of the Communications Act of 1934, the rules and regulations of the Federal Communications Commission for determining such subscriber's eligibility as in effect on the day before the date of the enactment of this Act shall apply until the date on which the translator station or low power television station is licensed to broadcast a digital signal.

(c) DEFINITIONS.—As used in this subtitle:

(1) LOCAL MARKET; LOW POWER TELEVISION STATION; SATELLITE CARRIER; SUBSCRIBER; TELEVISION BROADCAST STATION.—The terms ''local market'', ''low power television station'', ''satellite carrier'', ''subscriber'', and ''television broadcast station'' have the meanings given such terms in section 338(k) of the Communications Act of 1934.

(2) NETWORK STATION; TELEVISION NETWORK.—The terms ''network station'' and ''television network'' have the meanings given such terms in section 339(d) of such Act.

SEC. 926. PROCESS FOR ISSUING QUALIFIED CARRIER CERTIFICATION.

Part I of title III is amended by adding at the end the following new section:

''SEC. 342. PROCESS FOR ISSUING QUALIFIED CARRIER CERTIFICATION.

''(a) CERTIFICATION.—The Commission shall issue a certification for the purposes of section 119(g)(3)(A)(iii) of title 17, United States Code, if the Commission determines that—

''(1) a satellite carrier is providing local service pursuant to the statutory license under section 122 of such title in each designated market area; and

''(2) with respect to each designated market area in which such satellite carrier was not providing such local service as of the date of enactment of the Satellite Television Extension and Localism Act of 2010—

''(A) the satellite carrier's satellite beams are designed, and predicted by the satellite manufacturer's pre-launch test data, to provide a good quality satellite signal to at least 90 percent of the households in each such designated market area based on the most recent census data released by the United States Census Bureau; and

''(B) there is no material evidence that there has been a satellite or sub-system failure subsequent to the satellite's launch that

precludes the ability of the satellite carrier to satisfy the requirements of subparagraph (A).

''(b) INFORMATION REQUIRED.—Any entity seeking the certification provided for in subsection (a) shall submit to the Commission the following information:

''(1) An affidavit stating that, to the best of the affiant's knowledge, the satellite carrier provides local service in all designated market areas pursuant to the statutory license provided for in section 122 of title 17, United States Code, and listing those designated market areas in which local service was provided as of the date of enactment of the Satellite Television Extension and Localism Act of 2010.

''(2) For each designated market area not listed in paragraph (1):

''(A) Identification of each such designated market area and the location of its local receive facility.

''(B) Data showing the number of households, and maps showing the geographic distribution thereof, in each such designated market area based on the most recent census data released by the United States Census Bureau.

''(C) Maps, with superimposed effective isotropically radiated power predictions obtained in the satellite manufacturer's prelaunch tests, showing that the contours of the carrier's satellite beams as designed and the geographic area that the carrier's satellite beams are designed to cover are predicted to provide a good quality satellite signal to at least 90 percent of the households in such designated market area based on the most recent census data released by the United States Census Bureau.

''(D) For any satellite relied upon for certification under this section, an affidavit stating that, to the best of the affiant's knowledge, there have been no satellite or sub-system failures subsequent to the satellite's launch that would degrade the design performance to such a degree that a satellite transponder used to provide local service to any such designated market area is precluded from delivering a good quality satellite signal to at least 90 percent of the households in such designated market area based on the most recent census data released by the United States Census Bureau.

''(E) Any additional engineering, designated market area, or other information the Commission considers necessary to determine whether the Commission shall grant a certification under this section.

''(c) CERTIFICATION ISSUANCE.—

''(1) PUBLIC COMMENT.—The Commission shall provide 30 days for public comment on a request for certification under this section.

''(2) DEADLINE FOR DECISION.—The Commission shall grant or deny a request for certification within 90 days after the date on which such request is filed.

''(d) SUBSEQUENT AFFIRMATION.—An entity granted qualified carrier status pursuant to section 119(g) of title 17, United States Code, shall file an affidavit with the Commission 30 months after such status was granted stating that, to the best of the affiant's knowledge, it is in compliance with the requirements for a qualified carrier.

''(e) DEFINITIONS.—For the purposes of this section:

''(1) DESIGNATED MARKET AREA.—The term 'designated market area' has the meaning given such term in section 122(j)(2)(C) of title 17, United States Code.

''(2) GOOD QUALITY SATELLITE SIGNAL.—

''(A) IN GENERAL.—The term ''good quality satellite signal'' means—

''(i) a satellite signal whose power level as designed shall achieve reception and demodulation of the signal at an availability level of at least 99.7 percent using—

''(I) models of satellite antennas normally used by the satellite carrier's subscribers; and

''(II) the same calculation methodology used by the satellite carrier to determine predicted signal availability in the top 100 designated market areas; and

''(ii) taking into account whether a signal is in standard definition format or high definition format, compression methodology, modulation, error correction, power level, and utilization of advances in technology that do not circumvent the intent of this section to provide for non-discriminatory treatment with respect to any comparable television broadcast station signal, a video signal transmitted by a satellite carrier such that—

''(I) the satellite carrier treats all television broadcast stations' signals the same with respect to statistical multiplexer prioritization; and

''(II) the number of video signals in the relevant satellite transponder is not more than the then current greatest number of video signals carried on any equivalent transponder serving the top 100 designated market areas.

''(B) DETERMINATION.—For the purposes of subparagraph (A), the top 100 designated market areas shall be as determined by Nielsen Media Research and published in the Nielsen Station Index Directory and Nielsen Station Index United States Television Household Estimates or any successor publication as of the date of a satellite carrier's application for certification under this section.''.

SEC. 927. NONDISCRIMINATION IN CARRIAGE OF HIGH DEFINITION DIGITAL SIGNALS OF NONCOMMERCIAL EDUCATIONAL TELEVISION STATIONS.

(a) IN GENERAL.—Section 338(a) is amended by adding at the end the following new paragraph:

''(5) NONDISCRIMINATION IN CARRIAGE OF HIGH DEFINITION SIGNALS OF NONCOMMERCIAL EDUCATIONAL TELEVISION STATIONS.—

''(A) EXISTING CARRIAGE OF HIGH DEFINITION SIGNALS.—If, before the date of enactment of the Satellite Television Extension and Localism Act of 2010, an eligible satellite carrier is providing, under section 122 of title 17, United States Code, any secondary transmissions in high definition format to subscribers located within the local market of a television broadcast station of a primary transmission made by that station, then such satellite carrier shall carry the signals in high-definition format of qualified noncommercial educational television stations located within that local market in accordance with the following schedule:

''(i) By December 31, 2010, in at least 50 percent of the markets in which such satellite carrier provides such secondary transmissions in high definition format.

''(ii) By December 31, 2011, in every market in which such satellite carrier provides such secondary transmissions in high definition format.

''(B) NEW INITIATION OF SERVICE.—If, on or after the date of enactment of the Satellite Television Extension and Localism Act of 2010, an eligible satellite carrier initiates the provision, under section 122 of title 17, United States Code, of any secondary transmissions in high definition format to subscribers located within the local market of a television broadcast station of a primary transmission made by that station, then such satellite carrier shall carry the signals in high-definition format of all qualified noncommercial educational television stations located within that local market.''.

(b) DEFINITIONS.—Section 338(k) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively;

(2) by inserting after paragraph (1) the following new paragraph:

''(2) ELIGIBLE SATELLITE CARRIER.—The term 'eligible satellite carrier' means any satellite carrier that is not a party to a carriage contract that—

''(A) governs carriage of at least 30 qualified noncommercial educational television stations; and

''(B) is in force and effect within 60 days after the date of enactment of the Satellite Television Extension and Localism Act of 2010.'';

(3) by redesignating paragraphs (6) through (9) (as previously redesignated) as paragraphs (7) through (10), respectively; and

(4) by inserting after paragraph (5) (as so redesignated) the following new paragraph:

''(6) QUALIFIED NONCOMMERCIAL EDUCATIONAL TELEVISION STATION.—The term 'qualified noncommercial educational television station' means any full-power television broadcast station that—

''(A) under the rules and regulations of the Commission in effect on March 29, 1990, is licensed by the Commission as a noncommercial educational broadcast station and is owned and operated by a public agency, nonprofit foundation, nonprofit corporation, or nonprofit association; and

''(B) has as its licensee an entity that is eligible to receive a community service grant, or any successor grant thereto, from the Corporation for Public Broadcasting, or any successor organization thereto, on the basis of the formula set forth in section 396(k)(6)(B) of this title.''.

SEC. 928. SAVINGS CLAUSE REGARDING DEFINITIONS.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to affect—

(1) the meaning of the terms ''program related'' and ''primary video'' under the Communications Act of 1934; or

(2) the meaning of the term ''multicast'' in any regulations issued by the Federal Communications Commission.

SEC. 929. STATE PUBLIC AFFAIRS BROADCASTS.

Section 335(b) is amended—

(1) by inserting ''**STATE PUBLIC AFFAIRS,**'' after ''**EDUCATIONAL,**'' in the heading;

(2) by striking paragraph (1) and inserting the following:

''(1) CHANNEL CAPACITY REQUIRED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Commission shall require, as a condition of any provision, initial authorization, or authorization renewal for a provider of direct broadcast satellite service providing video programming, that the provider of such service reserve a portion of its channel capacity, equal to not less than 4 percent nor more than 7 percent, exclusively for noncommercial programming of an educational or informational nature.

''(B) REQUIREMENT FOR QUALIFIED SATELLITE PROVIDER.—The Commission shall require, as a condition of any provision, initial authorization, or authorization renewal for a qualified satellite provider of direct broadcast satellite service providing video programming, that such provider reserve a portion of its channel capacity, equal to not less than 3.5 percent nor more than 7 percent, exclusively for noncommercial programming of an educational or informational nature.'';

(3) in paragraph (5), by striking ''For purposes of the subsection—'' and inserting ''For purposes of this subsection:''; and

(4) by adding at the end of paragraph (5) the following:

''(C) The term 'qualified satellite provider' means any provider of direct broadcast satellite service that—

''(i) provides the retransmission of the State public affairs networks of at least 15 different States;

''(ii) offers the programming of State public affairs networks upon reasonable prices, terms, and conditions as determined by the Commission under paragraph (4); and

''(iii) does not delete any noncommercial programming of an educational or informational nature in connection with the carriage of a State public affairs network.

''(D) The term 'State public affairs network' means a non-commercial non-broadcast network or a noncommercial educational television station—

''(i) whose programming consists of information about State government deliberations and public policy events; and

''(ii) that is operated by—

''(I) a State government or subdivision thereof;

''(II) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code and that is governed by an independent board of directors; or

''(III) a cable system.''.

Subtitle C—Reports and Savings Provision

SEC. 931. DEFINITION.

In this subtitle, the term ''appropriate Congressional committees'' means the Committees on the Judiciary and on Commerce, Science, and Transportation of the Senate and the Committees on the Judiciary and on Energy and Commerce of the House of Representatives.

SEC. 932. REPORT ON MARKET BASED ALTERNATIVES TO STATUTORY LICENSING.

Not later than 1 year after the date of the enactment of this Act, and after consultation with the Federal Communications Commission, the Register of Copyrights shall submit to the appropriate Congressional committees a report containing—

(1) proposed mechanisms, methods, and recommendations on how to implement a phase-out of the statutory licensing requirements set forth in sections 111, 119, and 122 of title 17, United States Code, by making such sections inapplicable to the secondary transmission of a performance or display of a work embodied in a primary transmission of a broadcast station that is authorized to license the same secondary transmission directly with respect to all of the performances and displays embodied in such primary transmission;

(2) any recommendations for alternative means to implement a timely and effective phase-out of the statutory licensing requirements set forth in sections 111, 119, and 122 of title 17, United States Code; and

(3) any recommendations for legislative or administrative actions as may be appropriate to achieve such a phase-out.

SEC. 933. REPORT ON COMMUNICATIONS IMPLICATIONS OF STATUTORY LICENSING MODIFICATIONS.

(a) STUDY.—The Comptroller General shall conduct a study that analyzes and evaluates the changes to the carriage requirements currently imposed on multichannel video programming distributors under the Communications Act of 1934 (47 U.S.C. 151 et seq.) and the regulations promulgated by the Federal Communications Commission that would be required or beneficial to consumers, and such other matters as the Comptroller General deems appropriate, if Congress implemented a phase-out of the current statutory licensing requirements set forth under sections 111, 119, and 122 of title 17, United States Code. Among other things, the study shall consider the impact such a phase-out and related changes to carriage requirements would have on consumer prices and access to programming.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall report to the appropriate Congressional committees the results of the study, including any recommendations for legislative or administrative actions.

SEC. 934. REPORT ON IN-STATE BROADCAST PROGRAMMING.

Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission shall submit to the appropriate Congressional committees a report containing an analysis of—

(1) the number of households in a State that receive the signals of local broadcast stations assigned to a community of license that is located in a different State;

(2) the extent to which consumers in each local market have access to in-state broadcast programming over the air or from a multichannel video programming distributor; and

(3) whether there are alternatives to the use of designated market areas, as defined in section 122 of title 17, United States Code, to define local markets that would provide more consumers with in-state broadcast programming.

SEC. 935. LOCAL NETWORK CHANNEL BROADCAST REPORTS.

(a) REQUIREMENT.—

(1) IN GENERAL.—On the 180th day after the date of the enactment of this Act, and on each succeeding anniversary of such 180th day, each satellite carrier shall submit an annual report to the Federal Communications Commission setting forth—

(A) each local market in which it—

(i) retransmits signals of 1 or more television broadcast stations with a community of license in that market;

(ii) has commenced providing such signals in the preceding 1-year period; and

(iii) has ceased to provide such signals in the preceding 1-year period; and

(B) detailed information regarding the use and potential use of satellite capacity for the retransmission of local signals in each local market.

(2) TERMINATION.—The requirement under paragraph (1) shall cease after each satellite carrier has submitted 5 reports under such paragraph.

(b) FCC STUDY; REPORT.—

(1) STUDY.—If no satellite carrier files a request for a certification under section 342 of the Communications Act of 1934 (as added by section 926 of this title) within 180 days after the date of the enactment of this Act, the Federal Communications Commission shall initiate a study of—

(A) incentives that would induce a satellite carrier to provide the signals of 1 or more television broadcast stations licensed to provide signals in local markets in which the satellite carrier does not provide such signals; and

(B) the economic and satellite capacity conditions affecting delivery of local signals by satellite carriers to these markets.

(2) REPORT.—Within 1 year after the date of the initiation of the study under paragraph (1), the Federal Communications Commission shall submit a report to the appropriate Congressional committees containing its findings, conclusions, and recommendations.

(c) DEFINITIONS.—In this section—

(1) the terms ''local market'' and ''satellite carrier'' have the meaning given such terms in section 339(d) of the Communications Act of 1934 (47 U.S.C. 339(d)); and

(2) the term ''television broadcast station'' has the meaning given such term in section 325(b)(7) of such Act (47 U.S.C. 325(b)(7)).

SEC. 936. SAVINGS PROVISION REGARDING USE OF NEGOTIATED LICENSES.

(a) IN GENERAL.—Nothing in this title, title 17, United States Code, the Communications Act of 1934, regulations promulgated by the Register of Copyrights under this title or title 17, United States Code, or regulations promulgated by the Federal Communications Commission under this title or the Communications Act of 1934 shall be construed to prevent a multichannel video programming distributor from retransmitting a performance or display of a work pursuant to an authorization granted by the copyright owner or, if within the scope of its authorization, its licensee.

(b) LIMITATION.—Nothing in subsection (a) shall be construed to affect any obligation of a multichannel video programming distributor under section 325(b) of the Communications Act of 1934 to obtain the authority of a television broadcast station before retransmitting that station's signal.

Subtitle D—Severability

SEC. 941. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

TITLE X—ADDITIONAL PROVISIONS

SEC. 1001. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE FOR THE LAST 10 MONTHS OF 2010.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), is amended to read as follows:

''(10) UPDATE FOR 2010.—

''(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), and (9)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2010, the update to the single conversion factor shall be 0 percent for 2010.

''(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR 2011 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for 2011 and subsequent years as if subparagraph (A) had never applied.''.

SEC. 1002. NONAPPLICATION OF CERTAIN LABOR STANDARDS.

Section 1601 of the American Recovery and Reinvestment Tax Act of 2009 shall not apply to any specified tax credit bond described in section 6431(f)(2)(A) of the Internal Revenue Code of 1986 (as added by section 301 of this Act).

SEC. 1003. E-VERIFY PROGRAM PARTICIPATION REQUIREMENT FOR EMPLOYERS RECEIVING PAYROLL TAX FORGIVENESS.

(a) IN GENERAL.—Paragraph (2) of section 3111(d), as added by section 101, is amended by adding at the end the following new subparagraph:

''(C) E-VERIFY PROGRAM REQUIREMENT.—The term 'qualified employer' shall not include any employer that does not participate in the E-Verify Program carried out under subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 as of the hiring date of any qualified individual.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as if included in the amendments made by section 101 of this Act.

TITLE XI—DETERMINATION OF BUDGETARY EFFECTS

SEC. 1101. DETERMINATION OF BUDGETARY EFFECTS.

(a) IN GENERAL.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) EMERGENCY DESIGNATION.—For all of the provisions in titles VI and VII, one-half of the amounts of the budgetary effects are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010, and designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 3321. Mr. BROWN of Ohio (for Mrs. BOXER (for herself and Mr. FEINGOLD)) proposed an amendment to the resolution S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters; as follows:

In paragraph (1) of the resolving clause, strike ''Guinea, and calls for an immediate cessation of violence, including gender-based violence and targeted killings by security forces'' and insert ''Guinea''.

Strike paragraphs (2) through (5) of the resolving clause and insert the following:

(2) urges the prosecution, by the appropriate authorities, of those responsible for orchestrating or carrying out the violence in Guinea;

(3) urges the President, in coordination with leaders from the European Union and the African Union, to continue to consider punitive measures that could be taken against senior officials in Guinea found to be complicit in the violence, and in particular, the atrocities perpetrated against women and other gross human rights violations;

(4) encourages the President to remain actively engaged in the political situation in Guinea, and to continue to convey that the blatant abuse of women will not be tolerated;

(5) calls on President Blaise Compaoré of Burkina Faso to ensure that Captain Camara does not return to Guinea in order to allow a peaceful transition to civilian rule;

(6) notes that the first steps set forth in the Joint Declaration of Ouagadougou have been initiated with the naming of a prime minister and urges all parties to continue to adhere to the agreement to see the process through free, fair, and timely elections; and

(7) recognizes the importance of the multilateral observer mission to help ensure peace and security in Guinea during the period of transition.

SA 3322. Mr. BROWN of Ohio (for Mrs. BOXER (for herself and Mr. FEINGOLD)) proposed an amendment to the resolution S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters; as follows:

Strike the 2nd whereas clause of the preamble and insert the following:

Whereas, on September 28, 2009, authorities of the Government of Guinea opened fire on a crowd of thousands of unarmed opposition protesters who were gathered in and around an outdoor stadium to protest statements made by Captain Camara that he may run for president, after he said that he would not;

Strike the 3rd whereas clause of the preamble and insert the following:

Whereas, on September 29, 2009, the United States Department of State condemned the brazen and inappropriate use of force by the military against civilians in Guinea, and demanded the immediate release of opposition leaders and a return to civilian rule as soon as possible;

Whereas, according to the United Nations Security Council Report of the International Commission of Inquiry Mandated to Establish the Facts and Circumstances of the Events of 28 September 2009 in Guinea, 156 people were killed or disappeared and at least 109 women and girls ''were subjected to rape and other sexual violence, including sexual mutilation and sexual slavery'';

Strike the 5th whereas clause of the preamble.

Strike the 6th whereas clause of the preamble.

Insert between the 7th and 8th whereas clauses of the preamble, the following:

Whereas, according to the humanitarian organization CARE, ''What happened in Guinea is an outrage—and a stark reminder of a larger epidemic of violence against women and girls around the world.'';

In the 8th whereas clause of the preamble, strike the ''and'' at the end.

Strike the 9th whereas clause of the preamble, and insert the following:

Whereas the International Commission of Inquiry of the United Nations concluded that ''the crimes perpetrated on 28 September 2009 and in the immediate aftermath can be described as crimes against humanity'' and that there is sufficient evidence that Captain Camara ''incurred individual criminal liability and command responsibility for the events that occurred during the attack and related events in their immediate aftermath'';

Whereas, on January 15, 2010, General Sékouba Konate and Captain Camara of the Republic of Guinea and President Blaise Compaoré of Burkina Faso signed the Joint Declaration of Ouagadougou pledging to form a transitional government of national unity in Guinea, to hold elections within six months without the participation of candidates from the military junta, and to permit the entry of an international observer mission from the Economic Community of West African States; and

Whereas, in accordance with the Joint Declaration of Ouagadougou, a prime minister from the coalition of opposition forces, Forces Vives, has been named to the transitional government: Now, therefore, be it

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SA 3323. Mr. BROWN of Ohio (for Mrs. BOXER (for herself and Mr. FEINGOLD)) proposed an amendment to the resolution S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters; as follows:

Amend the title so as to read: ''A resolution deploring the rape and assault of women in Guinea and the killing of political protesters on September 28, 2009.''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the hearing scheduled before the Committee on Energy and Natural Resources, previously announced for February 10th, has been rescheduled and will now be held on Wednesday, March 3, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's Proposed Budget for Fiscal Year 2011 for the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to allison_seyferth @energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Allison Seyferth at (202) 224–4905.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, February 24, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's Proposed Budget for Fiscal Year 2011 for the Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to allison_seyferth @energy.senate.gov.

For further information, please contact Scott Miller at (202) 224–5488 or Allison Seyferth at (202) 224–4905

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 25, 2010; at 10:30 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this oversight hearing is to examine the science and policy behind the Federal framework and non-Federal efforts to prevent introduction of the aquatic invasive Asian carp into the Great Lakes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email

to Gina__Weinstock@energy.senate.gov.

For further information, please contact Tanya Trujillo at (202) 224–5479 or Gina Weinstock at (202) 224–5684.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 25, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to Examine Tribal Programs and Initiatives Proposed in the President's fiscal year 2011 Budget.

Those wishing additional information may contact the Indian Affairs Committee at 202–224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 22, 2010, at 2:30 p.m.

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, NUTRITION AND FORESTRY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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
Stephanie Mercier:									
Switzerland	Franc		2,691.00						2,691.00
United States	Dollar				6,144.90				6,144.90
Hayden Milberg:									
Switzerland	Franc		2,097.00						2,097.00
United States	Dollar				6,144.90				6,144.00
Bartholomew Kempf:									
Denmark	Kroner		9,258.00						9,258.00
United States	Dollar				2,046.90				2,046.00
Karla Thieman:									
Denmark	Kroner		9,481.00						9,481.00
United States	Dollar				1,289.20				1,289.20
Joseph Shultz:									
Denmark	Kroner		4,661.00						4,661.00
United States	Dollar				1,143.00				1,143.00
Christopher Adamo:									
Denmark	Kroner		5,885.00						5,885.00
United States	Dollar				1,130.00				1,130.00
Julie Barkemeyer:									
Denmark	Kroner		9,622.00						9,622.00
United States	Dollar				1,252.00				1,252.00
Sean Babington:									
Denmark	Kroner		10,028.00						10,028.00
United States	Dollar				2,938.60				2,938.60
Total			53,723.00		22,088.60		0.00		75,811.60

SENATOR BLANCHE L. LINCOLN,
Chairman, Committee on Agriculture, Nutrition & Forestry, Jan. 26, 2010.

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 OCT. 1 TO DEC. 31, 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
Galen Fountain:									
Italy	Euro		2,167.00						2,167.00
United States	Dollar				2,166.00				2,166.00
Allen Cutler:									
Russia	Ruble		1,825.00						1,825.00
United States	Dollar				7,444.00				7,444.00
Senator Daniel Inouye:									
United Arab Emirates	Dirham		146.94						146.94
Afghanistan	Afghani		56.00						56.00
United States	Dollar				8,184.10				8,184.10
Nicole DiResta:									
United Arab Emirates	Dirham		146.94						146.94
Afghanistan	Afghani		56.00						
United States	Dollar				8,184.10				8,184.10
Elizabeth Schmid:									
United Arab Emirates	Dirham		146.94						146.94
Afghanistan	Afghani		56.00						56.00
United States	Dollar				8,184.10				8,184.10
Christine Crawford:									
South Africa	Dollar		513.00						513.00
Netherlands	Euro		1,279.00						1,279.00
Botswana	Dollar		219.00						219.00
United States	Dollar				11,118.00				11,118.00
Total			6,611.82		45,280.30				51,836.12

SENATOR DANIEL K. INOUYE,
Chairman, Committee on Appropriations, Jan. 26, 2010.

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 OCT. 1 TO DEC. 31, 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
Adam J. Barker:									
United States	Dollar				9,885.00				9,885.00
Jordan	Dollar		67.00						67.00
Kuwait	Dollar		80.00						80.00
Michael V. Kostiw:									
United States	Dollar				9,915.90				9,915.90
Jordan	Dollar		157.00						157.00
Kuwait	Dollar		140.00						140.00
Michael J. Noblet:									
United States	Dollar				10,147.00				10,147.00
Jordan	Dollar		228.00						228.00
Kuwait	Dollar		361.00						361.00
Gabriella Eisen:									
United States	Dollar				9,633.60				9,633.60
United Arab Emirates	Dollar		108.00		506.38				614.38
Afghanistan	Dollar		8.00						8.00
Israel	Dollar		133.00						133.00
Germany	Dollar		540.00						540.00
Senator George S. LeMieux:									
United Arab Emirates	Dollar		6.00						6.00
Afghanistan	Dollar		13.00				196.35		209.35
John W. Heath, Jr.:									
United States	Dollar				7,347.90				7,347.90
United Kingdom	Pound		806.05		79.67				885.72
Brooke Buchanan:									
Canada	Dollar		166.00						166.00
Dana W. White:									
United States	Dollar				7,153.00				7,153.00
Germany	Dollar		153.00						153.00
Michael J. Kuiken:									
United States	Dollar				7,118.00				7,118.00
Germany	Dollar		163.00						163.00
Howard H. Hoege, III:									
United States	Dollar				7,306.90				7,306.90
United Kingdom	Pound		839.49		75.24		18.97		933.70
Senator John McCain:									
Canada	Dollar		20.80						20.80
Senator Joseph I. Lieberman:									
Israel	Shekel		251.00						251.00
Christopher J. Griffin:									
Israel	Shekel		219.00						219.00
Vance F. Serchuk:									
Israel	Shekel		402.00						402.00
Senator Roland W. Burris:									
United States	Dollar				7,620.60				7,620.60
Kuwait	Dollar		159.00				306.00		465.00
Roosevelt Barfield:									
United States	Dollar				7,620.60				7,620.60
Kuwait	Dollar		159.00				306.00		465.00
John W. Heath, Jr.:									
United States	Dollar				8,252.00		2.00		8,254.00
United Arab Emirates	Dirham		1,258.86						1,258.86
Joseph M. Bryan:									
United States	Dollar				7,238.90				7,238.90
United Kingdom	Pound		915.00		125.21				1,040.21
Howard H. Hoege III:									
United States	Dollar				8,269.10				8,269.10
United Arab Emirates	Dollar		228.65		5.41		4.16		238.22
Daniel A. Lerner:									
United States	Dollar				3,928.00				3,928.00
United States	Dollar				6,083.00				6,083.00
United Kingdom	Dollar		1,887.00						1,887.00
Germany	Dollar		370.00						370.00
Belgium	Dollar		1,359.00						1,359.00
Poland	Dollar		147.00						147.00
Senator Lindsey Graham:									
Israel	Dollar		415.00						415.00
Jennifer Olson:									
Israel	Dollar		591.00						591.00
Ilona R. Cohen:									
United States	Dollar		10.24		7,309.15		8.71		7,328.10
United Kingdom	Pound		792.95		72.29				865.24
Ilona R. Cohen:									
United States	Dollar				8,264.35		9.45		8,273.80
United Arab Emirates	Dollar		265.39		5.45		7.08		277.92
David M. Morriss:									
United States	Dollar				8,885.00				8,885.00
United Arab Emirates	Dollar		192.00						192.00
Kuwait	Dollar		318.00						318.00
Afghanistan	Dollar		73.00						73.00
Michael V. Kostiw:									
United States	Dollar				8,884.60				8,884.60
United Arab Emirates	Dollar		197.00						197.00
Kuwait	Dollar		318.00						318.00
Michael V. Kostiw:									
United States	Dollar				6,640.30				6,640.30
Israel	Dollar		704.00						704.00
Diana Tabler Forbes:									
United States	Dollar				8,606.00		10.00		8,616.00
United Arab Emirates	Dollar		1,104.82						1,104.82
Afghanistan	Dollar		78.00						78.00
Christian D. Brose:									
Canada	Dollar		166.00						166.00
Senator Mark Udall:									
Canada	Dollar		20.80						20.80
Jennifer Barrett:									
Canada	Dollar		20.80						20.80
Senator Saxby Chambliss:									
United States	Dollar				9,428.50				9,428.50
United Arab Emirates	Dollar		476.00				29.00		505.00
Afghanistan	Dollar		44.00				12.00		56.00
Pakistan	Dollar		122.00				30.00		152.00
Clyde Taylor:									
United States	Dollar				9,435.50				9,435.50
United Arab Emirates	Dollar		476.00				29.00		505.00

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 ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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
Afghanistan	Dollar		44.00				12.00		56.00
Pakistan	Dollar		122.00				30.00		152.00
Joseph Bryan:									
United States	Dollar				8,269.10				8,269.10
United Arab Emirates	Dollar		222.80				5.35		228.15
Madelyn R. Creedon:									
United States	Dollar				9,261.00				9,261.00
England	Pound		906.00		20.00				926.00
Scotland	Pound		513.00						513.00
Germany	Euro		157.00						157.00
Belgium	Euro		1,212.00						1,212.00
Richard W. Fieldhouse:									
United States	Dollar				9,754.00				9,754.00
Belgium	Euro		852.00						852.00
Germany	Euro		113.00		136.00				249.00
Poland	Zloty		147.00						147.00
Michael J. Kuiken:									
United States	Dollar				3,984.00				3,984.00
Israel	Shekel		703.00						703.00
Paul C. Hutton IV:									
United States	Dollar				4,033.50				4,033.50
Israel	Shekel		241.78						241.78
Total			22,963.43		221,300.15		1,016.07		245,279.65

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Jan. 7, 2010.

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 THE BUDGET FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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 Jeff Merkley:									
United States	Dollar				7,138.60				7,138.60
Kuwait	Dinar		369.42						369.42
Mr. William White:									
United States	Dollar				7,138.60				7,138.60
Kuwait	Dinar		371.42						371.42
Misc. expenses of Codel:					194.94		3,934.88		4,129.82
Total			740.84		14,472.14		3,934.88		19,147.86

SENATOR KENT CONRAD,
Chairman, Committee on Budget, Jan. 29, 2010.

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 OCT. 1 TO DEC. 31, 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
Julie Chon:									
Turkey	Lira		2,667.93						2,667.93
United States	Dollar				8,258.50				8,258.50
Daniel O'Brien:									
Spain	Euro		1,168.00						1,168.00
United States	Dollar				7,645.80				7,645.80
Total			3,835.93		15,904.30				19,740.23

SENATOR CHRISTOPHER DODD,
Chairman, Committee on Banking, Housing, and Urban Affairs, Jan. 15, 2010.

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 OCT. 1 TO DEC. 31, 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
Thomas Dower:									
United States	Dollar				8,337.00				8,337.00
Denmark	Kroner		5,265.12						5,265.12
Patrick Woodcock:									
United States	Dollar				6,889.30				6,889.30
Denmark	Kroner		5,098.00						5,098.00
Michael Johnson:									
United States	Dollar				6,794.20				6,794.20
Denmark	Kroner		8,147.00						8,147.00
Michael Conathan:									
United States	Dollar				7,658.70				7,658.70
Brazil	Real		3,239.00						3,239.00

Total			21,749.12		29,679.20				51,428.32

SENATOR JOHN ROCKEFELLER,
Chairman, Committee on Commerce, Science, and Transportation, Feb. 1, 2010.

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 OCT. 1 TO DEC. 31, 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
Jonathan Black:									
United States	Dollar				4,011.00				4,011.00
Denmark	Krone		9,341.00						9,341.00
Kevin Rennert:									
United States	Dollar				6,802.60				6,802.60
Denmark	Krone		8,729.00						8,729.00
Colin Hayes:									
United States	Dollar				8,987.00				8,987.00
Denmark	Krone		5,885.00						5,885.00
Brian Hughes:									
United States	Dollar				8,987.00				8,987.00
Denmark	Krone		5,328.52						5,328.52
Total			29,283.52		28,787.60				58,071.12

SENATOR JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, Jan. 26, 2010.

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 ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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 George Voinovich:									
Greece	Euro		247.00						247.00
Allyne Todd Johnston:									
Greece	Euro		606.00						606.00
United States	Dollar				7,290.90				7,290.00
Denmark	Kroner		5,662.00						5,662.00
Netherlands	Euro		560.00						560.00
Katherine Konschnik:									
United States	Dollar				7,771.60				7,771.60
Denmark	Kroner		5,132.00						5,132.00
Sarah Greenberger:									
United States	Dollar				6,734.10				6,734.10
Denmark	Kroner		5,052.00						5,052.00
Benjamin Dunham:									
United States	Dollar				4,682.60				4,682.60
Denmark	Kroner		9,755.00						9,755.00
George Sugiyama:									
United States	Dollar				6,729.30				6,729.30
Denmark	Kroner		5,534.00						5,534.00
James Warner:									
United States	Dollar				1,980.00				1,980.00
Denmark	Kroner		5,613.35						5,613.35
Laura Haynes:									
United States	Dollar				6,137.00				6,137.00
Denmark	Kroner		9,845.00						9,845.00
Andrew Wallace:									
United States	Dollar				8,361.30				8,361.30
Denmark	Kroner		5,298.00						5,298.00
Senator James M. Inhofe:									
United States	Dollar				8,849.20				8,849.20
Tristan Brown:									
United States	Dollar				8,337.00				8,337.00
Denmark	Kroner		5,439.00						5,439.00
Matthew Dempsey:									
United States	Dollar				8,315.20				8,315.20
Denmark	Kroner		5,075.00						5,075.00
Christopher Jason Albritton:									
United States	Dollar				6,940.60				6,940.60
Denmark	Kroner		5,216.00						5,216.00
Brian Clifford:									
United States	Dollar				6,720.00				6,720.00
Denmark	Kroner		5,662.00						5,662.00
Peter Rafle:									
United States	Dollar				7,854.70				7,854.70
Denmark	Kroner		4,993.00						4,993.00
Brad Crowell:									
United States	Dollar				6,755.00				6,755.00
Denmark	Kroner		10,112.00						10,112.00
Jeremiah Baumann:									
United States	Dollar				4,009.90				4,009.90
Denmark	Kroner		9,845.00						9,845.00
John Stoody:									
United States	Dollar				6,720.00				6,720.00
Denmark	Kroner		5,662.00						5,662.00
Thomas Hassenboehler:									
United States	Dollar				8,301.50				8,301.50
Denmark	Kroner		5,893.00						5,893.00
Total			111,201.35		122,489.90		0.00		233,691.25

SENATOR BARBARA BOXER,
Chairman, Committee on Environment and Public Works, Jan. 27, 2010.

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 OCT. 1 TO DEC. 31, 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
James A. Person:									
Kuwait	Dollar		84.00						84.00
United States	Dollar				7,103.60				7,103.60
Michael Smart:									
Switzerland	Swiss Franc		1,923.26						1,923.26
United States	Dollar				6,144.90				6,144.90
Darci Vetter:									
Switzerland	Dollar		1,709.66						1,709.66
United States	Dollar				7,788.90				7,788.90
Chelsea Thomas:									
Cuba	Peso		550.00						550.00
United States	Dollar				1,233.20				1,233.20
Michael Smart:									
Denmark	Krone		4,852.00						4,852.00
United States	Dollar				6,679.30				6,679.30
Pat Bousliman:									
Denmark	Krone		5,091.00						5,091.00
United States	Dollar				6,755.00				6,755.00
Darci Vetter:									
Denmark	Krone		5,216.00						5,216.00
United States	Dollar				6,679.30				6,679.30
Catharine Ransom:									
Denmark	Krone		5,175.00						5,175.00
United States	Dollar				6,755.00				6,755.00
Total			24,600.92		49,139.20				73,740.12

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, Jan. 29, 2010.

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 OCT. 1 TO DEC. 31, 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				8,906.60				8,906.60
Senator Ted Kaufman:									
Israel	Shekel		20.00						20.00
Senator John Kerry:									
Afghanistan	Dollar		89.65						89.65
United States	Dollar				8,184.10				8,184.10
Senator Robert Menendez:									
Spain	Dollar		382.00						382.00
United States	Dollar				6,007.90				6,007.90
Senator Jeanne Shaheen:									
Canada	Dollar		20.80						20.80
Trent Bauserman:									
Denmark	Krone		887.46						887.46
United States	Dollar				3,058.60				3,058.60
Daniel Benaim:									
Kuwait	Dinar		144.00						144.00
United States	Dollar				7,138.60				7,138.60
Jonah Blank:									
Afghanistan	Dollar		150.15						150.15
Pakistan	Dollar		30.00						30.00
United States	Dollar				8,149.10				8,149.10
Shellie Bressler:									
India	Rupee		1,902.00						1,902.00
United States	Dollar				7,921.60				7,921.60
Jason Bruder:									
Belgium	Euro		790.00						790.00
United States	Dollar				6,705.00				6,705.00
Perry Cammack:									
Israel	Shekel		880.00						880.00
United States	Dollar				4,966.40				4,966.40
Perry Cammack:									
Kuwait	Dinar		144.00						144.00
United States	Dollar				7,138.60				7,138.60
Hal Connolly:									
Denmark	Kroner		1,338.00						1,338.00
United States	Dollar				7,610.90				7,610.90
Heidi Crebo-Rediker:									
Turkey	Lira		815.42						815.42
United Kingdom	Pound		1,148.80						1,148.80
United States	Dollar				7,676.70				7,676.70
Steve Feldstein:									
Kuwait	Dinar		144.00						144.00
United States	Dollar				7,138.60				7,138.60
Kathleen Frangione:									
Denmark	Kroner		761.00						761.00
United States	Dollar				6,755.00				6,755.00
Mark Helmke:									
Denmark	Kroner		1,584.00						1,584.00
United States	Dollar				6,719.00				6,719.00
Frank Jannuzi:									
China	Renminbi		3,448.00						3,448.00
United States	Dollar				11,887.90				11,887.90
Andrew Keller:									
Denmark	Krone		841.00						841.00
United States	Dollar				1,238.90				1,238.90
John Kiriakou:									
United Arab Emirates	Dirham		203.66						203.66
Djibouti	Franc		443.41						443.41
Ethiopia	Birr		306.63						306.63
Yemen	Riyal		409.52						409.52
United States	Dollar				9,518.90				9,518.90
Chad Kriekemeier:									
Canada	Dollar		52.00						52.00

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 OCT. 1 TO DEC. 31, 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
Mark Lopes:									
Spain	Dollar		382.00						382.00
United States	Dollar				6,531.90				6,531.90
Frank Lowenstein									
Afghanistan	Dollar		266.65						266.65
Pakistan	Dollar		115.00						115.00
United States	Dollar				8,184.10				8,184.10
Micholas Ma:									
Denmark	Kroner		1,259.00						1,259.00
United States	Dollar				6,685.50				6,685.50
Carl Meacham:									
Brazil	Real		436.00						436.00
Chile	Peso		1,595.00						1,595.00
Argentina	Peso		290.00						290.00
United States	Dollar				7,041.20				7,041.20
Mike Mattler:									
Denmark	Kroner		976.00						976.00
United States	Dollar				6,755.00				6,755.00
Melanie Nakagawa:									
Denmark	Kroner		1,784.00						1,784.00
United Kingdom	Pound		260.00						260.00
United States	Dollar				6,789.90				6,789.90
William Niebling:									
Spain	Euro		1,042.08						1,042.08
United States	Dollar				6,044.30				6,044.30
William Niebling:									
Denmark	Kroner		1,169.75						1,169.75
United States	Dollar				8,371.60				8,371.60
Ashley Palmer:									
Denmark	Kroner		446.00						446.00
United States	Dollar				6,754.60				6,754.60
Nilmini Rubin:									
Sri Lanka	Ruppee		654.00						654.00
United States	Dollar				9,808.80				9,808.80
Michael Phelan:									
Afghanistan	Afghani		286.00						286.00
United States	Dollar				10,918.70				10,918.70
Jodi Seth:									
Denmark	Kroner		266.00						266.00
United States	Dollar				3,374.10				3,374.10
Dorothy Shea:									
Egypt	Dollar		102.67						102.67
Yemen	Riyal		57.69						57.69
Lebanon	Dollar		774.00						774.00
United States	Dollar				9,906.90				9,906.90
Hailie Soifer:									
Israel	Shekel		102.00						102.00
Shannon Smith:									
India	Rupee		1,902.00						1,902.00
United States	Dollar				7,921.60				7,921.60
Marik String:									
Georgia	Lari		2,028.00						2,028.00
United States	Dollar				8,968.90				8,968.90
Fatema Sumar:									
Sri Lanka	Rupee		440.00						440.00
United States	Dollar				9,843.80				9,843.80
Fatema Sumar:									
Afghanistan	Dollar		276.00						276.00
Pakistan	Dollar		87.00						87.00
United States	Dollar				8,184.10				8,184.10
Laura Winthrop:									
Switzerland	Franc		992.00						992.00
United States	Dollar				6,143.70				6,143.70
Debbie Yamada:									
Greece	Euro		606.00						606.00
Charles Ziegler:									
United States	Dollar				7,138.60				7,138.60
Total			35,530.34		272,089.70				307,620.04

SENATOR JOHN KERRY,
Chairman, Committee on Foreign Relations, Jan. 25, 2010.

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—AMENDED REPORT—THIRD QUARTER 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
Keith Luse:									
Indonesia	Dollar		1,563.98						1,563.98
Singapore	Dollar		360.89						360.89
United States	Dollar				3,246.59				3,246.59
Total			1,924.87		3,246.59				5,171.46

SENATOR JOHN KERRY,
Chairman, Committee on Foreign Relations, 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 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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
Danielle Rosengarten:									
United States	Dollar				2,587.80				2,587.80
Denmark	Kroner		5,521.00						5,521.00
Matthew Rimkunas:									
United States	Dollar				1,215.40				1,215.40
Denmark	Kroner		4,799.00						4,799.00
Total			10,320.00		3,803.20				14,123.20

SENATOR JOSEPH LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs, Jan. 29, 2010.

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 (ADDENDUM TO 2009 THIRD QUARTER REPORT) 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 Bill Nelson	Dollar				278.97		527.36		806.33
Andrew Kerr	Dollar						2,071.74		2,071.74
Total					278.97		2,599.10		2,878.07

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Dec. 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 OCT. 1 TO DEC. 31, 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
Jennifer Wagner			430.00						430.00
	Dollar				9,435.50				9,435.50
Senator Richard Burr			13.00						13.00
	Dollar				8,184.10				8,184.10
Senator Sheldon Whitehouse			13.00						13.00
	Dollar				8,184.10				8,184.10
James Smythers			256.00						256.00
	Dollar				8,184.10				8,184.10
Andrew Grotto			249.00						249.00
	Dollar				8,184.10				8,184.10
Senator Ron Wyden			115.00						115.00
	Dollar				7,103.60				7,103.60
Isaiah Akin			159.00						159.00
	Dollar				7,103.60				7,103.60
Total			1,235.00		56,379.10				57,614.10

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Dec. 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), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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 Benjamin Cardin:									
Greece	Euro		1,035.66						1,035.66
Congressman Alcee Hastings;									
Greece	Euro		994.74						994.74
United States	Dollar				5,486.70				5,486.70
Congressman Mike McIntyre:									
Greece	Euro		1,035.66						1,035.66
Fred Turner:									
Greece	Euro		994.74						994.74
Shelly Han:									
Greece	Euro		994.74						994.74
Neil Simon:									
Greece	Euro		994.74						994.74
Alex Johnson:									
Greece	Euro		1,326.32						1,326.32
Winsome Packer:									
Greece	Euro		1,326.32						1,326.32
Austria	Euro				1,341.71				1,341.71
Douglas Davidson:									
Netherlands	Euro		336.00						336.00
Bosnia Herzegovina	Mark		198.00						198.00
Poland	Zloty		887.13						887.13
United States	Dollar				8,932.10				8,932.10
Shelly Han:									
Azerbaijan	Manat		368.00						368.00
United States	Dollar				8,893.10				8,893.10
Douglas Davidson:									
Serbia	Danir		822.67						822.67
Austria	Euro		1,057.22						1,057.22
United States	Dollar				9,868.40				9,868.40

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), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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
Winsome Packer:									
Austria	Euro		34,408.01						34,408.01
United States	Dollar				2,734.90				2,734.90
Marlene Kaufmann:									
Egypt	Pound		1,068.00						1,068.00
United States	Dollar				9,119.80				9,119.80
Alex Johnson:									
Egypt	Pound		1,068.00						1,068.00
United States	Dollar				9,119.80				9,119.80
Fred Turner:									
Poland	Zloty		691.42						691.42
United States	Dollar				7,916.30				7,916.30
Erika Schlager:									
Poland	Zloty		4,092.94						4,092.94
United States	Dollar				7,047.90				7,047.90
Janice Helwig:									
Poland	Zloty		4,042.94						4,042.94
United States	Dollar				8,137.50				8,137.50
Ronald McNamara:									
Poland	Zloty		1,677.26						1,677.26
United States	Dollar				7,938.90				7,938.90
Alex Johnson:									
Poland	Zloty		979.39						979.39
United States	Dollar				2,475.30				2,475.30
Douglas Davidson:									
Greece	Euro		1,847.00						1,847.00
United States	Dollar				8,398.20				8,398.20
Winsome Packer:									
Greece	Euro		2,800.00						2,800.00
Austria	Euro				1,222.00				1,222.00
Total			65,046.90		98,632.61				163,679.51

SENATOR BENJAMIN CARDIN,
Chairman, Commission on Security and Cooperation in Europe, Jan. 26, 2010.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS AMENDED 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
Senator Benjamin Cardin:									
Lithuania	Lita		1,364.00						1,364.00
Bosnia & Herzegovina	Marka		313.99						313.99
Senator Roger Wicker:									
Lithuania	Lita		1,450.00						1,450.00
Bosnia & Herzegovina	Marka		313.99						313.99
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			42,358.71		41,539.45				83,898.16

SENATOR BENJAMIN 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 OCT. 1 TO DEC. 31, 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 Jim DeMint:									
Honduras	Dollar						69.00		69.00
Chris Socha:									
Honduras	Dollar						69.00		69.00
Total							138.00		138.00

SENATOR MITCH McCONNELL,
Republican Leader, Dec. 18, 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), U.S. SENATE NATIONAL SECURITY WORKING GROUP FOR TRAVEL FROM NOV. 10 TO NOV. 13, 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 Dianne Feinstein:									
Switzerland	Franc		1,303.00						1,303.00
Senator Jon Kyl:									
United States	Dollar				4,059.40				4,059.40
Switzerland	Franc		714.00						714.00
David Grannis:									
United States	Dollar				6,144.60				6,144.60
Switzerland	Franc		1,051.00						1,051.00
Timothy Morrison:									
United States	Dollar				6,144.60				6,144.60
Switzerland	Franc		1,173.00						1,173.00
Delegation Expenses:*									
Switzerland	Franc						1,905.00		1,905.00
Total			4,241.00		16,348.40		1,905.00		22,494.40

*Delegation expenses include payments and reimbursements to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR HARRY REID,
Jan. 26, 2010.
SENATOR MITCH McCONNELL,
Jan. 26, 2010.

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), OFFICE OF THE PRESIDENT PRO TEMPORE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 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
James J. Tuite III:									
United Arab Emirates	Dirham		1,047.78						1,047.78
Afghanistan	Dollar		20.00						20.00
United States	Dollar				8,571.00				8,571.00
Total			1,067.78		8,571.00				9,638.78

SENATOR ROBERT BYRD,
President pro tempore, Feb. 1, 2010.

SOCIAL SECURITY DISABILITY APPLICANTS' ACCESS TO PROFESSIONAL REPRESENTATION ACT OF 2010

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4532, received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4532) to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Madam President, I urge the Senate to pass by unanimous consent H.R. 4532, the Social Security Disability Applicants' Access to Professional Representation Act of 2010, which was recently passed by the House of Representatives by a vote of 412 to 6.

Claimants of Social Security disability benefits who want to appeal decisions on their cases face many complexities. Therefore, many wish to hire professionals to represent them in these appeals. These representatives can request to have their fees withheld by SSA from the retroactive benefits owed to the claimant. The withheld fees are forwarded directly to the representatives by SSA. This fee arrangement makes it much more attractive for these representatives to take on these cases, which will provide claimants with easier access to professionals willing to represent them before SSA. Prior to enactment of the Social Security Protection Act of 2004, this direct payment of fees was only available to attorneys, not to nonattorneys, and only applied to Social Security claims, not to supplemental security income, SSI, claims.

The Social Security Protection Act authorized two nationwide demonstration projects for a period of 5 years each. One project extended the attorney fee withholding and payment procedures that existed for Social Security claims to supplemental security income claims. A second project allowed nonattorney representatives the option of fee withholding for both Social Security and supplemental security income claims. This second project also required that nonattorney representatives who wish to apply for the direct fee payment program must have passed an examination written and administered by the Commissioner of Social Security, have met certain educational and professional liability insurance requirements, and have passed a criminal background check.

The demonstration projects have been successful, but both sunset on March 1, 2010. H.R. 4532 eliminates the sunsets of both of the demonstration projects. This bill unifies the attorney and nonattorney fee withholding process for both Social Security and supplemental security income. The bill is a commonsense reform to the Social Security Act and should be enacted.

I would like to thank my colleagues in the House of Representatives for the work they put into this bill. I urge my colleagues in the Senate to support H.R. 4532.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the bill be read three times, passed, and the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The bill (H.R. 4532) was ordered to a third reading, was read the third time, and passed.

DEPLORING THE RAPE AND ASSAULT OF WOMEN IN GUINEA AND THE KILLING OF POLITICAL PROTESTERS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 213, S. Res. 345.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 345) deploring the rape and assault of women in Guinea and the killing of political protesters.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Boxer amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the Boxer amendment to the preamble be agreed to; the preamble be agreed to; a title amendment which is at the desk be agreed to; and 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 amendment (No. 3321) was agreed to, as follows:

(Purpose: To amend the resolving clause)

In paragraph (1) of the resolving clause, strike ''Guinea, and calls for an immediate cessation of violence, including gender-based violence and targeted killings by security forces'' and insert ''Guinea''.

Strike paragraphs (2) through (5) of the resolving clause and insert the following:

(2) urges the prosecution, by the appropriate authorities, of those responsible for orchestrating or carrying out the violence in Guinea;

(3) urges the President, in coordination with leaders from the European Union and the African Union, to continue to consider punitive measures that could be taken against senior officials in Guinea found to be complicit in the violence, and in particular, the atrocities perpetrated against women and other gross human rights violations;

(4) encourages the President to remain actively engaged in the political situation in Guinea, and to continue to convey that the blatant abuse of women will not be tolerated;

(5) calls on President Blaise Compaoré of Burkina Faso to ensure that Captain Camara does not return to Guinea in order to allow a peaceful transition to civilian rule;

(6) notes that the first steps set forth in the Joint Declaration of Ouagadougou have been initiated with the naming of a prime minister and urges all parties to continue to adhere to the agreement to see the process through free, fair, and timely elections; and

(7) recognizes the importance of the multilateral observer mission to help ensure peace and security in Guinea during the period of transition.

The resolution (S. Res. 345), as amended, was agreed to.

The amendment (No. 3322) was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the 2nd whereas clause of the preamble and insert the following:

Whereas, on September 28, 2009, authorities of the Government of Guinea opened fire on a crowd of thousands of unarmed opposition protesters who were gathered in and around an outdoor stadium to protest statements made by Captain Camara that he may run for president, after he said that he would not;

Strike the 3rd whereas clause of the preamble and insert the following:

Whereas, on September 29, 2009, the United States Department of State condemned the brazen and inappropriate use of force by the military against civilians in Guinea, and demanded the immediate release of opposition leaders and a return to civilian rule as soon as possible;

Whereas, according to the United Nations Security Council Report of the International Commission of Inquiry Mandated to Establish the Facts and Circumstances of the Events of 28 September 2009 in Guinea, 156 people were killed or disappeared and at least 109 women and girls ''were subjected to rape and other sexual violence, including sexual mutilation and sexual slavery'';

Strike the 5th whereas clause of the preamble.

Strike the 6th whereas clause of the preamble.

Insert between the 7th and 8th whereas clauses of the preamble, the following:

Whereas, according to the humanitarian organization CARE, ''What happened in Guinea is an outrage—and a stark reminder of a larger epidemic of violence against women and girls around the world.'';

In the 8th whereas clause of the preamble, strike the ''and'' at the end.

Strike the 9th whereas clause of the preamble, and insert the following:

Whereas the International Commission of Inquiry of the United Nations concluded that ''the crimes perpetrated on 28 September 2009 and in the immediate aftermath can be described as crimes against humanity'' and that there is sufficient evidence that Captain Camara ''incurred individual criminal liability and command responsibility for the events that occurred during the attack and related events in their immediate aftermath'';

Whereas, on January 15, 2010, General Sékouba Konate and Captain Camara of the Republic of Guinea and President Blaise Compaoré of Burkina Faso signed the Joint Declaration of Ouagadougou pledging to form a transitional government of national unity in Guinea, to hold elections within six months without the participation of candidates from the military junta, and to permit the entry of an international observer mission from the Economic Community of West African States; and

Whereas, in accordance with the Joint Declaration of Ouagadougou, a prime minister from the coalition of opposition forces, Forces Vives, has been named to the transitional government: Now, therefore, be it

The preamble, as amended, was agreed to.

The amendment (No. 3323) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A resolution deploring the rape and assault of women in Guinea and the killing of political protesters on September 28, 2009.''.

The resolution, as amended, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

ORDERS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 23; 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 of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business the Senate resume consideration of the House message with respect to H.R. 2847, the legislative vehicle for the jobs bill; that time during any period of morning business, recess, or adjournment count postcloture; finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 to allow for the weekly caucus luncheons.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN of Ohio. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Tuesday, February 23, 2010, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

LARRY ROBINSON, OF FLORIDA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE WILLIAM J. BRENNAN, RESIGNED.

DEPARTMENT OF STATE

ROBERT STEPHEN FORD, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SYRIAN ARAB REPUBLIC.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JONATHAN ANDREW HATFIELD, OF VIRGINIA, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, VICE GERALD WALPIN, RESIGNED.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be lieutenant commander

SCOTT J. PRICE
AMELIA A. EBHARDT
RYAN C. KIDDER
MARK VAN WAES
RICHARD E. HESTER, JR.
JENNIFER E. PRALGO
SEAN D. CIMILLUCA
CHARLES J. YOOS III
KEITH A. GOLDEN
DOUGLAS E. MACINTYRE
SARAH L. DUNSFORD
SARAH K. MROZEK

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be lieutenant (junior grade)

HEATHER L. MOE
RUSSELL D. PATE
KYLE A. SANDERS
LINDSAY H. CLOVIS
JON D. ANDVICK
CHRISTOPHER J. BRIAND
MICHAEL D. ROBBIE
ERIK S. NORRIS
KURT S. KARPOV

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

HENRY C. BODDEN

DAVID M. SOUSA

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMES R. REUSSE
JEFFREY P. WOOLDRIDGE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ANTHONY REDMAN
GARY J. SPINELLI

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARK E. DUMAS
WALTER A. HARRIS, JR.
JAMES SMILEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STEVEN S. DEVOST
TRAVIS M. FULTON
WILLIAM E. LANHAM

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TONY C. ARMSTRONG
CHRISTOPHER W. BENSON
ANTHONY P. GREEN
THOMAS J. LIPPERT
SHELTON WILLIAMS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHARLES R. BAUGHN
KYLE B. HANNER
MICHAEL T. KUZNIAR
JOHN P. MULLERY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RANDALL E. DAVIS
JAMES E. GRIFFITH
WILLIAM C. TRAQUAIR
WADE E. WALLACE
BRIAN L. WHITE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRENT L. ENGLISH
WARREN A. GRAHAM, JR.
STEVEN P. HULSE
JAMES R. KELLER
ANTHONY C. LYONS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROBERT BOYERO
MORRIS A. DESIMONE III
JOHN DIGIOVANNI
JAMES S. DUCKER
KEITH E. GELSINGER
RONALD J. ROSTEK, JR.
ANDREW R. STRAUSS

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

CRAIG E. BUNDY

To be lieutenant commander

MICHAEL B. DENT
BRAD S. FEFFARI
HOWARD M. GUTHMANN II
RONAN J. LASSO II
YARON RABINOWITZ

WITHDRAWAL

Executive Message transmitted by the President to the Senate on February 22, 2010 withdrawing from further Senate consideration the following nomination:

LARRY ROBINSON, OF HAWAII, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE WILLIAM J. BRENNAN, RESIGNED, WHICH WAS SENT TO THE SENATE ON FEBRUARY 4, 2010.

EXTENSIONS OF REMARKS

ANNOUNCEMENT OF THE 2010 CONGRESS-BUNDESTAG/BUNDESRAT EXCHANGE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. PELOSI. Madam Speaker, since 1983, the U.S. Congress and the German Bundestag and Bundesrat have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and interact on issues of mutual interest.

A staff delegation from the U.S. Congress will be selected to visit Germany from July 3–11 of this year. During this 10 day exchange, the delegation will attend meetings with Bundestag/Bundesrat Members, Bundestag and Bundesrat party staff members, and representatives of numerous political, business, academic, and media agencies. Participants also will be hosted by a Bundestag Member during a district visit.

A comparable delegation of German staff members will visit the United States for 10 days April 24–May 2 of this year. They will attend similar meetings here in Washington and visit the districts of Members of Congress. The U.S. delegation is expected to facilitate these meetings.

The Congress-Bundestag/Bundesrat Exchange is highly regarded in Germany and the United States, and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries. This exchange is funded by the U.S. Department of States' Bureau of Educational and Cultural Affairs.

The U.S. delegation should consist of experienced and accomplished Hill staff who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag reciprocates by sending senior staff professionals to the United States.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite U.S. delegation should exhibit a range of expertise in issues of mutual concern to the United States and Germany such as, but not limited to, trade, security, the environment, economic development, health care, and other social policy issues. This year's delegation should be familiar with transatlantic relations within the context of recent world events.

In addition, U.S. participants are expected to help plan and implement the program for the Bundestag/Bundesrat staff members when they visit the United States. Participants are expected to assist in planning topical meetings in Washington, and are encouraged to host one or two staffers in their Member's district in July, or to arrange for such a visit to another Member's district.

Participants are selected by a committee composed of personnel from the Bureau of Educational and Cultural Affairs of the Department of State and past participants of the exchange.

Members of the House and Senate who would like a member of their staff to apply for participation in this year's program should direct them to submit a resume and cover letter in which they state their qualifications, the contributions they can make to a successful program and some assurances of their ability to participate during the time stated.

Applications may be sent to the Office of Interparliamentary Affairs, HB–28, the Capitol, by 5 p.m. on Tuesday, March 9, 2010.

HONORING THE TAWAS AREA HIGH SCHOOL BOYS VARSITY SOCCER TEAM

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. STUPAK. Madam Speaker, I rise to honor the 2009 Tawas Area High School Boys Varsity Soccer Team and coach Ken Cook on capturing the team's eighth straight district championship title and their first regional championship. Throughout the season these young men worked together as a team, displaying exemplary athletic skills along with determination and focus.

The team ended their season with an impressive 20–3–1 record, winning their first ever regional championship in a 3–0 victory over the Newaygo Lions. Despite playing in tough conditions, the Braves were able to dominate the offense while maintaining a strong defense, led by a shutout performance by goalkeeper Nick Hulea. The team also defeated the Roscommon Bucks, 3–2 in the district championship game. This was the 8th consecutive district championship for the Braves and the 11th district title in 13 seasons.

In addition to their talent on the field, I commend the entire team and coaching staff for their excellent display of teamwork throughout the season. Every one of the Braves saw playing time, and each individual was able to contribute to the team's championship season. This hard work and team spirit is a reflection not only on these young men and their coaches, but also the entire Tawas community.

In addition to the teams winning record, senior Cody Jordan set a Tawas record 45 goals in the 2009 season. With 12 seniors on the team it is especially fitting that they ended their high school soccer career achieving the long sought after goal of a regional championship.

Local sports play a key role in schools and communities throughout Northern Michigan. I congratulate each member of the 2009 Tawas Area High School Boys Varsity Soccer team: Seniors Kurds Branham, D.J. Decker, Aran Freel, Nicholas Hulea, Cody Jordan, Ryan Kaschner, Braden Kauffman, Derek Keim, Dylan Loga, Antoine Mauron, J.D. Putz and Travis Simmons; Juniors Talal Abdallah, Joseph Boensch, Andrew DiFilippo, Benjamin Enzenberger and Kyle Hewitt; Sophomores Dylan Gotcher and Tyler Jordan; and Managers Ali Jungquist and Audrey Thoryk.

I also applaud the leadership of head coach Ken Cook and assistant coaches Matt Friedemann and Dan DiFilippo. Their diligence on and off the field, and post-season vision and strategy guided the team through a successful season, culminating in an impressive series of post-season victories.

Madam Speaker, the 2009 Tawas Area High School Boys Varsity Soccer Team has won an impressive eight straight district titles and capped off another successful year with their first regional championship. These young men and their coaches set high goals for the season, played each game with power and passion, and delivered a memorable season for both the players and the Tawas community. Therefore I ask, Madam Speaker, that you and the entire U.S. House of Representatives join me in cheering on the players and coaches of this championship team. Go Braves.

CYBERSECURITY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2010

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H.R. 4061, the Cybersecurity Enhancement Act of 2009, and I would like to thank my colleagues, Rep. LIPINSKI for introducing this measure, and Rep. EHLERS, Rep. WU, Rep. SMITH AND REP. HALL for their contributions to gain bipartisan support on this very important legislation that we are considering today.

This bill will help ensure a strategic plan for Federal Cybersecurity Research & Development (R&D) activities, strengthen public-private partnerships in cybersecurity, help train the next generation of cybersecurity professionals, and improve cybersecurity technical standards.

Our Nation's cyber-infrastructure is an interconnected combination of private, public and government networks. It is critical that government and industry work closely to protect both the infrastructure and the future of innovation. Giving them the tools to ensure they can protect themselves—access to timely action-oriented information and availability of insurance for cyber incidents—as well as encouraging critical cybersecurity R&D here in the U.S., are the most important efforts our administration can take to secure our cyber-infrastructure.

We are all aware of the growing number of Internet security incidents, involving such

things as computer viruses, denial of service attacks, and defaced Web sites. These events have disrupted business and government activities, and have sometimes resulted in significant recovery costs.

While we have been fortunate so far in avoiding a catastrophic cyber attack, last year the Pentagon reported more than 360 million attempts to break into its networks. A 2009 Consumer Reports study found that over the past two years, one in five online consumers has been a victim of cyber crime.

In 2009 the Department of Homeland Security logged 5,499 such cyber attack incidents—a 40 percent increase over the previous year. A 2007 Government Accountability Office report estimates the total U.S. business losses due to cyber attacks exceeds $117.5 billion per year.

It is time for a broad-reaching, forward-thinking approach and the successful passage of H.R. 4061 is the beginning to an increased collaboration and coordination with the private sector to conquer this dilemma.

Almost a year ago President Obama called for a comprehensive 60 day review of U.S. cyberspace policy. This review and the recommendations contained in the report led to a series of hearings on various aspects of cybersecurity R&D, including the state of research programs, partnerships with the private sector, the IT workforce, and how both NIST and the NSF are responding to the review.

H.R. 4061 is built upon these hearings, and addresses the issues raised in the 60-day review. Specifically, it aims to build strong public-private partnerships, improve the transfer of cybersecurity technologies to the marketplace, train an IT workforce for both the public and private sectors, and coordinate and prioritize federal cybersecurity R&D. Of course cybersecurity research, standards setting, and education are only one piece of the recommendations of the 60-day report, and are only part of the solution. however, it is the beginning to a widespread need to improving the security of cyberspace is that is one of the utmost importance and it will take the collective effort of the federal government, the private sector, our scientists and engineers, and every American to succeed.

H.R. 4061 requires federal agencies participating in the NITRD program to develop, update, and implement a strategic plan guiding the overall direction of federal cybersecurity and information assurance R&D.

Requires the President to conduct an assessment of cybersecurity workforce needs across the federal government and formally authorizes the scholarship for service program.

Reauthorizes cybersecurity research and cybersecurity workforce and traineeship programs at NSF.

Requires the director of the Office of Science and Technology Policy to convene a university-industry task force to explore mechanisms for carrying out collaborative R&D.

Requires NIST to develop and implement a plan to coordinate U.S. representation in the development of international cybersecurity technical standards.

Requires NIST to develop and implement a cybersecurity awareness and education program for the dissemination of user-friendly cybersecurity best practices and technical standards.

As we work to improve our country's security, it is important that we take inventory of all systems that are vital to the functioning of the nation, and do all we can to protect them. This certainly includes our computer networks systems that can be attacked anonymously and from far away. These networks are the glue that holds our nation's infrastructure together. An attack from cyberspace could jeopardize electric power grids, railways, hospitals and financial services, to name a few.

Last fall, under the leadership of Congresswoman CLARKE, we passed a resolution recognizing National Cybersecurity Awareness Month. Among other things this resolution contributed to an important education and awareness campaign, a national effort to make people aware of the problem. However, federal leadership not only needed to increase public awareness, but also in research, education, and in demonstrating how to secure our own systems. Again, H.R. 4061 ensures an overall vision for the federal cybersecurity R&D portfolio, trains the next generation of cybersecurity professionals, and improves cybersecurity technical standards.

As a member of the Homeland Security, I am committed to working with my colleagues, businesses, and educational institutions to enhance the development and implementation of existing and future cybersecurity standards that enhance the nation's security. I support H.R. 4061.

RECOGNIZING THE 30TH ANNIVERSARY OF INTRADO

HON. BETSY MARKEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. MARKEY of Colorado. Madam Speaker, I rise today to congratulate Longmont, Colorado based Intrado on the occasion of the celebration of their 30-year anniversary.

Founded by two Boulder County Sheriffs, George Heinrichs and Stephen Meer, Intrado has played a key role in helping to define, build and maintain the country's complex emergency communications system. Today Intrado provides the core of the Nation's 9-1-1 infrastructure, supporting over 200 million calls to 9-1-1 each year. Intrado is responsible for the ultimate delivery of over 90% of all 9-1-1 calls in the country.

Intrado's history of emergency communications excellence is based on a strong foundation. Their extensive involvement in all aspects of the current 9-1-1 network has given them a unique perspective on how the system must evolve to support new technology, new system requirements and citizens' growing expectations.

9-1-1 is fundamental to telecommunications service. To meet this market requirement, Intrado helps telecommunications service providers ensure their subscribers' 9-1-1 calls are delivered to the correct public safety answering point (PSAP) over the dedicated 9-1-1 network along with the caller's accurate location information and call back number. As communications networks converge and 9-1-1 callers become more mobile, Intrado has a proven track record of both anticipating and pioneering the solutions needed to keep pace with subscribers' demands for ubiquitous access to 9-1-1.

Intrado's success has come in large part due to its leadership, dedication and perseverance in helping the public safety community. I want to thank them for all they have done to contribute to Colorado's economy and to the advancement of 9-1-1 communications around the country. Once again, congratulations on the anniversary of 30 years providing service to our community.

RECOGNIZING GARRETT METAL DETECTORS OF GARLAND, TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise to recognize Garrett Metal Detectors, a global leader in the security industry for over forty-five years, which calls my own Third Congressional District of Texas home.

Founded by Charles and Eleanor Garrett in 1964, the Garland, Texas-based company specializes in the production of walk-through, hand-held and ground search metal detection products and training for security and law enforcement applications.

The company's three main divisions, Hobby, Security and Countermine/Explosive Remnants of War (ERW), define its outreach. While Garrett hobby detectors are the treasure-hunter's tool of choice, the company also produces advanced models specifically designed to pinpoint the danger of buried landmines. In addition, the company's expertise has been called on to provide security checkpoint screening at countless events worldwide including eleven Olympic Games and numerous political conventions, concerts, and awards shows.

In fact, Charles and Eleanor Garrett, Bob Podhrasky and Vaughan Garrett recently had a turn at carrying the Olympic torch as it makes its way to the 2010 Winter Games in Vancouver, Canada.

All products produced by Garrett are proudly designed, assembled and tested for quality control here in the USA. Due to its extraordinary success and global impact, the company has even been profiled by John Ratzenberger for his hit TV series, Made in America, which airs on the Travel Channel.

I am pleased to recognize Garrett Metal Detectors for its invaluable contribution to the safety and security of people worldwide. It is an honor and a privilege to represent this fine American business.

CONGRATULATING THE TRANSPORTATION TRADES DEPARTMENT, AFL–CIO (TTD) ON ITS 20TH ANNIVERSARY

HON. STEVEN C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. LATOURETTE. Madam Speaker, I rise to congratulate the Transportation Trades Department, AFL–CIO (TTD), on its 20th anniversary. TTD is a leading advocacy organization for transportation workers and for a strong investment in our nation's infrastructure.

Throughout its 20-year history, TTD has consistently stood up for our nation's transportation workers. These outstanding men and

women, many of whom I have the privilege to represent, are a backbone of our nation's economy. They work each day in an industry that has been dramatically altered by the larger economic and security crises facing our nation. Yet through it all, these dedicated men and women remain focused on public service and doing their jobs to their utmost ability.

As I and my colleagues can attest, TTD has helped policymakers understand the needs and concerns of those on the front lines of this important part of our daily life and our economy. We sadly don't invest enough on our infrastructure, and I am heartened to hear TTD call for greater investment in transportation infrastructure. They understand how it can both rebuild our nation and put Americans back to work. In my travels through Northeast Ohio, I see firsthand how our infrastructure is crumbling and families are struggling to get by. Our quality of life and the strength and efficiency of our economy will not fully improve unless we make critical infrastructure investments.

I again commend TTD on their anniversary, and I look forward to continuing to work with them on these issues facing our nation.

HONORING HARRY L. BEGLE, HERNANDO COUNTY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor an American hero, Harry L. Begle of Brooksville, Florida. A decorated war veteran, Lieutenant Begle's service to our nation will forever be remembered by this Congress.

Born in Lexington, Virginia, Lt. Begle graduated from Fork Union Military Academy in 1943 and entered WW II soon thereafter.

He served as a 2nd Lieutenant in the 101st Airborne Division and an Assistant Platoon Leader with the H Company 3rd Battalion in the 506th Parachute Division. While deployed outside of Bastogne, Belgium, Lt. Begle's platoon came under attack by a German Infantry. To describe that moment, Lt. Begle said, it was then that ''all hell broke loose''. During the battle, Lt. Begle's hand was struck by a bullet, and his upper body was struck by shrapnel from an artillery shell explosion. The blast caused wounds in his neck and left him in a British Military hospital for several months. Lt. Begle received a Bronze Star and a Purple Heart for his courageous actions in battle.

Despite his wounds and time spent away from the front lines, Lt. Begle returned to serve his country abroad once again in 1945, This time in Austria. He was later transferred to the 82nd Airborne Division when the Pacific ended.

In 1946, he returned home. He marched in the WW II victory parade in New York where he was greeted with a heroes welcome. He served as a reservist until 1949 when he was honorably discharged.

Long after his military days had passed, he continued to protect his fellow Americans, serving as a Washington D.C. Police Officer for 23 years; he retired in 1972.

Madam Speaker, it is an honor to recognize Harry L. Begle; a beloved and decorated American hero. On behalf of a grateful nation, this Congress, his family and friends, I thank him for his service and sacrifice to our country.

HONORING MODESTO CHRISTIAN HIGH SCHOOL VARSITY FOOTBALL TEAM

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate the Modesto Christian High School Varsity Football Team upon winning the California Interscholastic Federation Small Schools State Football Championship on Friday, December 18, 2009. The team will be honored on Thursday, January 7, 2010.

The Modesto Christian High School Varsity Football Team consists of 31 players including: Isaiah Burse, Jose Oseguera, Keaton Engel, Kevin Roya, Damien Bell-White, Nate Sudfeld, Aaron Brown, Dominic Dami, Alec Pearson, David Sielin, Dustin Hayes, Ryn Megee, Raymond Nelson, Nathan Straubinger, Johnny Juvera, Nick Carson, Brandon Baker, Danie Hague, Tyke Andrew, Vince Rovedatti, Cody Daniel, Matt Heinrich, Michael Fahlgren, Steve Rubalcava, Evan Schwartz, Vinny Warda, Jacob Alameda, Josh Lane, Tyler Jamison, Thomas Deshields and Colin Lane. The team was led by Head Coach, Mike Parsons and the rest of the coaching staff: Ron Megee, Andy Strickland, P. Jay Thiriault, Darin Higgins, Steve Gleason, Adam Foster, Mark Dobbins and Noel Alfaro.

The hard work and dedication of the entire team led the Modesto Christian Crusaders to an undefeated season; winning eleven regular season games, three section playoff games and the final championship game with a final 15–0 record. The team not only won all of the games they played, but they dominated their opponents, averaging 45 points per game.

With Modesto Christian Principal Cynthia Jewel and Athletic Director Greg Pearce cheering the team on, the team made their way to the championship game. The game was held at the Home Depot Field in Carson, California against Parker High School of San Diego, California. Parker's football team entered the game with an 11–2 record, and a 45-point scoring average per game.

With Isaiah Burse as quarterback, the Crusaders were able to move the ball quickly throughout the game. However, Parker was able to move the ball equally as well, leading to a nail biter. In the final minutes of the game, the Crusaders were holding on to a 44–40 lead, but Parker was moving the ball quickly down the field. With fourth-and-goal at the two, and 1 minute 40 seconds to play, the Crusaders defense dug deep to hold the Parker offense. The Crusaders were able to pick up a first down, triggering a celebration on their sideline and a final score of 44–40, with Modesto Christian on top.

Madam Speaker, I rise today to commend and congratulate the 2009 Modesto Christian High School Football Team upon its achievements and upon becoming the California Interscholastic Federation Small Schools State Football Champions. I invite my colleagues to join me in wishing the entire team and coaching staff congratulations on its many accomplishments this season.

RECOGNITION OF MERLE J. PRATT

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. KILROY. Madam Speaker, I rise today to honor Merle J. Pratt, a great American who has worked for decades to protect our nation, advocate for our veterans, and strengthen the State of Ohio. Currently a resident of Powell, Ohio, Merle has loyally served our nation as a member of the United States Navy, an employee for the State of Ohio, and a leader in numerous community organizations.

Merle served in the U.S. Navy for 26 years, including five years of active duty and over two decades in the U.S. Naval Reserve until his retirement in 1994 as a chief petty officer. Merle also served the Buckeye State in the Ohio Secretary of State's office and the Ohio Attorney General's office. After 26 years of service, Merle retired from his position as the Director of Constituent Services and Veteran Liaison for the Ohio Attorney General's office in 2009. His devotion to helping Ohio citizens and veterans inspired Ohio Attorney General Jim Petro to award Merle with the Innovation and Excellence Award in 2003.

In addition to his career as a public servant in the State of Ohio, Merle has served as a trustee, chairman, or president for many organizations and chapters dedicated to helping our nation's veterans, including the Military/Veterans Educational Foundation, Vietnam Veterans of America, the Columbus Veterans Day Parade Committee, the American Legion, the Franklin County Veteran's Memorial Board of Trustees, the Ohio Governor's Veterans Advisory Committee, and the Ohio Attorney General's Veterans Advisory Council. He has also been a longtime member of the Ohio Veterans Hall of Fame Executive Committee, the Inter-Service Family Assistance Committee, the Ohio Veterans Employment and Training Council, and the Ohio Military Activation Task Force. Merle has been a Life Member of AMVETS Post 89 and served as the Chairman of the AMVETS State Legislative Committee from 1999 to 2009, during which he was awarded the prestigious AMVETS Silver Helmet Civil Servant of the Year award in 2004 for his passion and continued service to veterans in central Ohio. As a true public servant, Merle is continuing to actively participate in veterans services, and is currently serving as Commander for the AMVETS Department of Ohio.

Throughout his life, Merle has inspired those around him with his continued dedication to helping veterans and military families. On February 20, 2010, Merle will be recognized by the AMVETS Department of Ohio for his decades of invaluable service. I am proud to join this group in honoring Merle Pratt, whose leadership and commitment to our veterans, both in the Columbus community as well as around the nation, has been an inspiration and a blessing in the lives of countless Americans.

RECOGNIZING JANICE GOULD

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to recognize the extensive and distinguished career of Janice Gould. She has been a teacher and a vital part of the Chicago community for 35 years.

Ms. Gould teaches art at Lawrence Hall Youth Services, a school that treats, educates and provides a home to at-risk youth. Using the power of art, she shows her students that great accomplishments are possible. Her former students have participated in and won national art competitions and the Chicago City Clerk vehicle sticker contests.

Ms. Gould herself has a long list of special honors and awards. She received the Kohl International Teaching Award, the Golden Apple Teaching Award and the Exceptional Teachers Award, as well as being a member of the National Teachers Hall of Fame. She and her students also started the ''Permanent Children's Art Collection'' for the Illinois State Board of Education, an exhibit designed as a reminder of what special-needs children can accomplish and create when given the ability to blossom.

Under Ms. Gould's guidance, troubled youth can transform into self-confident, competent young men and women. When most aspects of their lives have shrouded them in darkness, her art classes provide them the environment to develop their artistic talents and shine.

Madam Speaker, I ask my colleagues to join me in recognizing Janice Gould and her extraordinary career, and thank her for her many outstanding contributions to the City of Chicago and its youth. Her passion and dedication serve as an example for us all.

HONORING THE LIFE AND LEGACY OF PHYLLIS WHITE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. DELAURO. Madam Speaker, it is with the heaviest of hearts that I rise today to pay tribute to the life of one of my dearest friends and an outstanding member of our community, Phyllis White. Phyllis lived her life in the best and most rewarding way possible—dedicated to the service of others and to her community.

I knew Phyllis for over forty years—a friendship that began when we were both organizers together for the Community Action Institute. She was always a vibrant presence back then, and she lived each and every day I knew her with compassion and humanity, grace and conviction. As an organizer, a counselor, and later as an academic advisor, Phyllis was always there to lend a hand, an ear, or a shoulder to those in need around her.

Phyllis was no stranger to the rough-and-tumble of life. She lived to see both her sister, Natalie, and her lovely daughter, Linda, lose their battles with breast cancer. Yet, she never let these tragedies crush her spirit or diminish her vitality, her optimism, and her caring for others. She—and later her granddaughter Dawn—took over the leadership of Sisters' Journey, a breast cancer survivors' advocacy organization her daughter Linda had founded, to keep up the fight against this deadly disease and help ensure that other families did not have to share in their grief. And to the end, and despite her long illness, Phyllis took comfort in the small things, and never stopped giving back to people when she could.

In short, Phyllis was a role model and an inspiration to me all those years ago, and will continue to serve as a source of inspiration to all of those fortunate enough to have been touched by her kind heart and compassion. I will keep her in my thoughts for the rest of my days. As we mourn the loss of Phyllis today, we can take solace that she is now with Natalie and Linda once more. And I know her legacy here in our world lives on—not only in her career and good works throughout Hamden and New Haven, but in the love of her children Ed Jr., Keith, Craig, Barry, and Anita, her fourteen grandchildren, and nine great grandchildren.

Mentor and friend, Phyllis was an extraordinary woman. The impact that she had on my life has much to do with the person I am today. I will always be grateful for her many years of special friendship and for the immeasurable good that she did for our community. Phyllis White is a reflection of all that we could hope to be and has left a legacy to which we should all strive. Though I mourn the friend I lost, I am proud to stand today to celebrate her life. She will be missed but never forgotten.

RECOGNITION OF MARINA DAVIS' LIFELONG DEDICATION AS AN EDUCATOR

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. KILROY. Madam Speaker, I rise today to honor Marina Davis for 40 years of dedicated service to the young adults of central Ohio. Marina Davis devoted her life to improving our education system and inspiring students to strive for excellence. She passed away in December 2009, but will be remembered by everyone who knew her as a dedicated educator and a role model.

Marina Davis began her career in 1970 as a teacher at St. Anthony Grade School in Columbus, Ohio. She went on to teach English at St. Francis DeSales before becoming an assistant principal. While there, she chaired the St. Francis DeSales High School Committee, which received a Blue Ribbon Award for Excellence in Education from the U.S. Department of Education. In 1995 she became the first principal of Dublin Scioto High School, where she worked until her death this past December.

As an advocate for her students, staff, and faculty, Marina continually worked to improve the quality of education at each school she served. As an innovative administrator she instituted the Professional Learning Community Model at Dublin Scioto, which in 2009 received a Silver Award of Accomplishment from U.S. News and World Report. Marina's passion and commitment to education allowed her to make a difference in the lives of thousands of Ohio students and families, and this tragic loss is being felt throughout the community.

In memory of this outstanding public servant, the Dublin City Schools Board of Education has adopted a resolution formally naming the Performing Arts Center at Scioto High School in her honor. The Marina Davis Performing Arts Center will be dedicated on May 18, 2010, and will honor Marina's lifelong commitment to advancing the performing arts among Dublin students. Her contributions to the central Ohio school system will never be forgotten, and I am proud to recognize and honor this accomplished and devoted educator for a lifetime of service.

A TRIBUTE TO MIKE WATERS

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CHILDERS. Madam Speaker, I rise today to congratulate and pay tribute to a fine American, Mike Waters, on an occasion when he and his business have received a prestigious honor: the International Circle of Excellence Award for 2009.

The Circle of Excellence, which is awarded by the International dealer organization of Navistar, Inc., honors International truck dealerships that achieve the highest level of dealer performance with respect to operating and financial standards, market representation, and most importantly, customer satisfaction. It is the highest honor a dealer principal can receive from the company.

Mike's business, Waters Truck & Tractor Co., is headquartered in Columbus, Mississippi, where it was founded 72 years ago by his grandfather. Since Mike joined the company full-time in 1975, it has grown into one of the preeminent truck dealerships in the Southeast and the entire nation. In addition to five full-service truck locations, the Waters Companies include an IC Bus school bus dealership, a wrecker service, and remote facility and equipment maintenance. The Waters Companies employ 275 people in all. In 2002, Waters Truck & Tractor was named the International Dealer of the Year, an honor awarded to the one International dealer who exhibits the highest commitment to best-in-class customer service. With this most recent award, Waters Truck & Tractor has now received the Circle of Excellence Award a total of 29 times.

Mike has achieved this level of accomplishment and recognition through many years of hard work and service to his industry and community. He is active in his church and many civic groups and is a board member for numerous organizations, including the Cadence Bank, the Baptist Memorial Health Care System and the Mississippi University for Women Foundation. Mike has now welcomed the fourth generation into the business, with Michael, Vaughan and Josh Waters having joined the company.

Through his commitment to hard work and outstanding customer service, he has built an economically vital business of which he can be justly proud. Madam Speaker, I ask you and my colleagues to join with me in congratulating Mike Waters for his record of accomplishment and for his many contributions to his community, state and nation.

A TRIBUTE TO MRS. JOHNNIE BAMPFIELD JAMES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of Mrs. Johnnie Bampfield James who turns 90 years old this month.

Born Johnnie Elizabeth Watts, on February 25, 1920, in Fairfax, S.C., to the Rev. John Quincy Watts and Estella English Watts, Mrs. James was one of thirteen children. She remembers walking with her brothers about 2 miles to attend the Huspah School, a two-room school located on the grounds of the local church. Her basketball uniform is currently displayed at the "Old Colored School", which has been formally certified as a historical landmark in South Carolina.

In 1937, she attended South Carolina State University for a semester, met and married James Howard Bampfield, from Yemassee, SC. She left school, began a family, and moved to Beaufort, S.C. Her daughter, Ethel was born in 1940. Joining her husband in New York City, she worked as a domestic until she returned home to Hampton, S.C. and gave birth to her daughter, Gwen, in 1951.

She began substitute teaching and was encouraged to return to school to complete her college education with a promise of a job when she graduated. She attended Claflin College graduating in 1957 and began a teaching career in Dale-Lobeca, S.C. (Beaufort area) where she taught 1st grade. When an opening became available at home, she joined the staff at the Hampton Colored School.

In 1958 Ms. Johnnie returned to New York and joined her husband in Brooklyn where she began a near twenty year dedicated career of working with at-risk children at the Spofford Juvenile Detention Center, Bronx, N.Y. As a "dorm mother" Ms. Johnnie gained the respect, admiration and love of hundreds of young girls as they passed through the juvenile justice system. On more than one occasion she requested special permission to take a young girl home with her, and in one such instance became a foster parent for a youth who had no family resources. Cutting across ethnic, racial and religious differences, Mrs. James, a skilled seamstress, was a mentor for the girls sharing her talent for arts and crafts and design and decorating. She was also a supportive and reliable employee always demonstrating awareness and consideration of others. In 1965 her adopted daughter Barbara J. Lee joined the family.

In 1976 she retired from service in New York and returned to her hometown of Hampton, South Carolina, the same year of her husband's death.

In 1978, she married the late Deacon Felder James. Ms. Johnnie joined the Huspah Missionary Baptist Church at an early age and has been a faithful member and a Deaconess for more than 30 years. Ms. Johnnie continues to enjoy her arts and crafts, volunteering at the Council on Aging Center in Hampton. Her cooking ministry provides infamous Sunday fellowship dinners for all who come.

She is a member of the Eastern Star-Glad Tidings Chapter, an active member of the Brother & Sister Benevolent Society. She is a mother of two daughters, one adopted daughter, one stepson, six grandchildren, ten great grandchildren, and three great-great grandchildren.

Madam Speaker, I rise today in recognition of Mrs. Johnnie Bampfield James who turns 90 this month and I encourage my colleagues to join me in this effort and celebration.

HONORING ALBRECHT-KEMPER MUSEUM OF ART

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize the Albrecht-Kemper Museum of Art in Saint Joseph, Missouri, which has been awarded accreditation by the American Association of Museums. Accreditation by the AAM is the highest recognition of a museum's commitment to public service, professional standards, and excellence in education.

The Albrecht-Kemper Museum of Art originated in 1913 with the foundation of the Saint Joseph Art League, a group made up of twelve women who had a clear vision of increasing public awareness and understanding of the arts. It has since grown into the cultural arts center for Northwest Missouri, and includes one of the finest collections of 18th-, 19th-, and 20th century American art in the Midwest region. The Museum has continually fulfilled the vision of its founders by focusing on the community and strengthening its relationship to the arts through classes, workshops, educational programs, special exhibitions, as well as support of local talent and events throughout the region. The Albrecht-Kemper Museum of Art joins an impressive group of 778 institutions currently accredited by AAM.

Madam Speaker, I proudly ask you to join me in honoring the Albrecht-Kemper Museum of Art, an icon of cultural exuberance and public appreciation of the arts. It is my privilege to represent this museum and all its efforts in the United States Congress.

HONORING GEORGE QUIER'S 100TH BIRTHDAY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. GERLACH. Madam Speaker, I rise today to honor George Quier, a Southeastern Pennsylvania resident and dedicated volunteer celebrating his 100th birthday.

George remains an extremely active member of the Independent Order of Odd Fellows Lodge #57 in Norristown, Pennsylvania. His roots in the Odd Fellows organization run deep, as George, and his 103-year-old brother, Calvin, were raised in the Odd Fellows Philadelphia orphanage.

And George, who bravely served our country in the Army for 22 years, has been a member of the Odd Fellows for more than 80 years. To this day, he faithfully fulfills the Odd Fellows pledge to visit the sick and relieve the distressed by volunteering seven hours per day, five days per week at Mercy Suburban Hospital.

Friends and members of the Odd Fellows Lodge #57 who cherish George's companionship and commitment to the organization will celebrate his remarkable personal milestone during a dinner at P.J. Whelihans in Whitpain Township, Montgomery County, Pennsylvania, on February 22, 2010.

Madam Speaker, I ask my colleagues to join me in honoring George Quier for his tremendous volunteer spirit and in wishing him a very happy 100th birthday. He is an inspiration to all.

HONORING MR. JEFF DIETRICH

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. Jeff Dietrich. Mr. Dietrich served his constituency faithfully and justly during his tenure as a member of the Arkwright Town Council.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. Dietrich served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Dietrich is one of those people and that is why Madam Speaker I rise to pay tribute to him today.

IN HONOR OF THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. FARR. Madam Speaker, I rise today to honor the Uni-Capitol Washington Internship Program. This annual program is a wonderful educational experience for both the Congressional office and especially for the visiting intern. The eight week program delivers some of Australia's best and brightest university students who have exhibited a passion for civic engagement and public service.

Eric Federing of KPMG is the inspiration behind the Uni-Capitol Washington Internship Program which he first organized in 2000. I thank him for his efforts in promoting U.S.-Australian understanding through this program and am proud to say that since its inception I have been a proud participant. This year, I welcomed an outstanding student-ambassador to my office, Erin Riley, who has shared with us the different perspective she offers as a newcomer to Washington, D.C. Ms. Riley joined my office from the United States Studies Centre at the University of Sydney, and has proven to be a shining example of the high caliber of students who are involved in

this program. Currently undertaking a Master of Letters degree in U.S. Studies, Erin has relished the opportunity to see the practical application of her studies in American politics and has had the chance to gain hands-on experience in working on domestic issues, especially health care policy.

Since welcoming Ms. Riley to my office on January 4, she has been an invaluable asset. In addition to attending committee hearings and briefings, assisting my staff with legislative research, and taking an active role in our mail program, Erin has demonstrated her commitment and enthusiasm for understanding our American government. Erin has particularly enjoyed the opportunity to meet constituents while giving Capitol tours, and to offer her perspective on the United States from the view of an outsider.

Erin is one of several outstanding Australian interns. This year, 12 students from across Australia were matched with Congressional offices. They were drawn from seven Australian universities in four different Australian states. The Uni-Capitol program gives its students practical experience and allows them to gain knowledge and understanding of the internal workings of the United States Government.

Including this current group, 105 Australian students from 10 universities have interned in Washington, D.C. since the program's inception 11 years ago. Due credit must go to the founder of the University-Capitol Washington Internship Program, Eric Federing. Mr. Federing is a former senior House and Senate congressional staffer who has worked to develop the exchange of ideas and knowledge between the U.S. and Australia through his efforts with the Uni-Capitol Washington Internship Program.

Madam Speaker, I strongly encourage my colleagues to help foster international connections by participating in this rewarding program. It is truly heartening to see how much this program has grown over the years, and I look forward to its continued success. I ask my colleagues to join with me in recognizing the contributions of the Uni-Capitol Washington Internship Program and, again, thank Erin Riley for her admirable participation and diligent work.

FOR THE ''FESTSCHRIFT'' OF MY FRIEND, DANIEL HAYS LOWENSTEIN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. BERMAN. Madam Speaker, I rise today to pay homage to the pioneering work of Daniel Hays Lowenstein, who is retiring from UCLA School of Law to begin service as the founding director for UCLA's Center for the Study of Liberal Arts and Free Institutions.

The field of election law has grown exponentially in recent decades, thanks in no small part to the pioneering work of Dan Lowenstein, who has been a professor of law at UCLA since 1979, teaching a variety of courses focusing on election law and legislation.

His textbook, Election Law, published in 1995, was the first major text on American election law since 1877. Since then, there has been an explosion of interest in the subject and Dan has written seminal work on virtually every important issue in election law including: initiatives and direct democracy; partisan and racial gerrymandering; political party associational rights and issues related to party primaries and caucuses; campaign finance and political bribery; election administration; and the role of competitiveness in election law jurisprudence, not to mention literary criticism of works including The Merchant of Venice. Since 2002, Dan has served as co-editor of the only peer-reviewed scholarly journal devoted to election law issues, the Election Law Journal.

He has, on several occasions, represented members of the House of Representatives in litigation and has counseled them for several decades on strategies regarding redistricting and other political issues.

Lowenstein began his career as a staff attorney at California Rural Legal Assistance, where he spent two and a half years. He served as Chief Deputy for California's Secretary of State, Jerry Brown, where he specialized in election law, and was the main drafter of the Political Reform Act, which was adopted as a statewide initiative (Proposition 9) by an overwhelming majority of California voters in 1974. The law requires detailed disclosure of the role of money in California politics. It created a new Fair Political Practices Commission. Jerry Brown, then Governor, appointed Dan as the first chairman of the Commission. In that position he earned a reputation for fair play and nonpartisanship.

Dan has served on the national governing board of Common Cause and has been a board member and a vice president of Americans for Nonsmokers' Rights. He is a member of the Board of Directors of the award-winning theatre troupe Interact and twice yearly brings the company to the School of Law to perform plays with legal themes, such as Sophocles' Antigone, Ibsen's Rosmerholm, and Wouk's The Caine Mutiny Court Martial.

He graduated from Yale University in 1964 and Magna Cum Laude from Harvard Law School in 1967. He is married to Sharon Yagi Lowenstein, who is originally from Watsonville, California. They have two sons, Aaron Lowenstein and Nathan Lowenstein, who are both attorneys working in Los Angeles.

Dan's work, careful, yet provocative, has been cited and debated in Supreme Court opinions and in law review and political science articles too numerous to count. His decision to take emeritus status at the law school and take up a new position as director of UCLA's new Center for the Liberal Arts and Free Institutions (CLAFI) represents a new turn in his career. Developments in America's great universities over the past several decades, while introducing important and often much-needed innovations, have also sometimes shouldered aside the study of the great achievements of western civilization and of the foundations of the free institutions on which our nation rests. From Magna Carta to the Declaration of Independence, from William Shakespeare to William Faulkner, from the Gothic cathedrals to the monuments that adorn our nation's capitol, we are all blessed by a heritage that guides us as we seek what is good, what is true, and what is beautiful. CLAFI and comparable efforts starting up at other great American universities will help assure that we pass our heritage down to future generations. Lowenstein's leadership in this movement reflects his own introduction to great works as an undergraduate in the Directed Studies program at Yale, followed by a lifetime of immersion in the study of free institutions, great ideas and great artistic achievements.

Daniel Hays Lowenstein has set an example for scholarly excellence, community service, and intellectual integrity. He is a true Renaissance Man. I am proud to call him a friend.

INTRODUCING A RESOLUTION AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL TO THE WOMEN AIRFORCE SERVICE PILOTS

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mrs. DAVIS of California. Madam Speaker, I rise today to introduce a resolution authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to the Women Airforce Service Pilots.

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 these women who, almost 70 years ago, became pioneers for women's equality in the Armed Forces.

And now, on March 10, 2010, we will honor their legacy as the first female aviators in American military history with the award of the Congressional Gold Medal.

The Women Airforce Service Pilots are referred to as the WASP.

Unlike many acronyms used in the military, this is an apt name!

Like wasps, their work demanded a unique combination of feistiness and strength, underlined by loyalty to their fellow WASP and their country.

I am astounded by their tenacity and their bravery.

And yet, despite that dedication, these women have encountered difficulties in being recognized for their service.

This ceremony will be an illustrative example of our indebtedness to their service, and I hope all of my colleagues will join me in thanking the WASP.

This group of unsung heroines demonstrates the courage of servicewomen in the past, the integrity with which women serve today, and the enthusiasm of the young women who dream of serving this great Nation in the future.

I am therefore honored to ask for authorization for the use of the Capitol Rotunda for the Congressional Gold Medal Ceremony.

Madam Speaker, thank you for the opportunity to introduce this resolution today.

IN HONOR OF MARTHA LOIS McGINNIS CAMERON NORTON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. FARR. Madam Speaker, I rise today to honor the memory of Martha Lois McGinnis Cameron Norton, or just simply Martha. It is with great sadness that I must share the news of her death last week at the young age of eighty-eight. Martha was one of those Americans who embodies the meaning of the word citizenship; who always worked to strengthen our democracy. Martha was born in 1922 in the little town of Washington, Iowa. She grew up on a farm and spent her childhood raising corn, tending hogs, and seeing to all the other chores of an Iowa farm girl. But being from a place called Washington, she had politics in her blood. As a child she saw both President Hoover and Governor Roosevelt speak during the 1932 presidential campaign. Four years later she worked her first of many campaigns when she helped re-elect President Roosevelt.

In 1945, following her graduation with a degree in chemistry from Monmouth College, Illinois, Martha became a research scientist for Shell Chemical Company in San Francisco. After several years, she returned to Iowa to take a position as the principal of Ainsworth High School. Following another stint as a research scientist, Martha settled on a career in teaching, which brought her to Monterey in 1962. And while Martha built a stellar career of teaching with the Monterey Peninsula Unified School District, she is remembered by the wider world for her relentless political activism.

That activism began in earnest in 1946 when Martha joined a local campaign to save San Francisco's landmark cable car system. In 1956, she worked to re-elect President Eisenhower. In 1959, she helped run her father's successful write-in campaign to become Mayor of her hometown. Soon after her move to Monterey, Martha began working on numerous local election races, including one of my father's California State Senate re-election campaigns. In the late 60s, she worked on the coastal protection campaign that culminated in the voters' 1972 adoption of the landmark Coastal Act. In 1976, Martha worked as a precinct walker in Leon Panetta's first successful run for Congress. She also worked on Jimmy Carter's presidential campaign, coordinating more than 100 volunteers from their teens into their 70s.

Martha became a bedrock fixture of elected politics in Monterey County. Campaign after campaign, she made the calls, distributed the signs, gathered the volunteers, registered voters, got out the vote, and all the other indispensible grassroots tasks that make participatory democracy work. I know all this because she helped me in every one of my own campaigns going back to my service as a County Supervisor in the 1970s. I often said that she was my political mother.

Martha was also a tireless volunteer for many community causes. She devoted countless hours to many different boards, commissions, and other community organizations, including the MPUSD school board, the Highway 68 committee, the Toxic Waste committee for Fort Ord, several League of Women Voters committees, and local Democratic committees and clubs.

Martha is survived by her husband, Joe Norton; sons, Jeff Norton and his wife Dana; Christopher Norton and his wife Julie; daughter, Cheryl Herzog and her husband, David; and daughter-in-law Linda Cameron; as well as ten grandchildren; one great-grandchild; and her brother, Bill McGinnis. She was predeceased by her son, Bill Cameron, in 2007.

Madam Speaker, Martha Norton touched countless people through her service and good works. Our Nation is poorer for her passing but enriched by the example she leaves behind.

HONORING WILLIAM ''BILL'' KAJIKAWA

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MITCHELL. Madam Speaker, I rise today to honor William ''Bill'' Kajikawa, a legendary former football, basketball and baseball coach at Arizona State University, who passed away Monday, February 15.

Kajikawa began coaching at Arizona State in 1937 and retired after close to 40 years of dedicated service. Kajikawa served as head basketball coach from 1948 to 1957 and was head coach of ASU's club baseball team from 1947 to 1957. Additionally, Kajikawa worked as the freshman football coach under nine ASU head football coaches.

Kajikawa took his only break from ASU during World War II, where he served with distinction in the Army's 442nd Regimental Combat Team. The 442nd was manned entirely by Japanese Americans and was the Army's most decorated combat unit.

Kajikawa has been recognized on numerous occasions for his tremendous accomplishments. In 1995, Arizona State University honored Kajikawa in a ceremony that named the Sun Devil football practice field The Bill Kajikawa Practice Facility. He was inducted into the Arizona Basketball Hall of Fame in 1968 and the ASU Hall of Distinction in 1982. Moreover, the American Legion selected him in 1976 for the Americanism Award to applaud his service to young people.

A true Sun Devil, Kajikawa possessed an enthusiastic personality that inspired student athletes to excel. He will long be remembered and honored for his strong leadership and passion for athletics. I am privileged to have known Coach Kajikawa and his wonderful family, and to have had the opportunity to represent such an incredible mentor. Please join me, Madam Speaker, in remembering his distinguished legacy.

TERRANCE ''TERRY'' THORNTON

HON. MICHAEL E. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. McMAHON. Madam Speaker, I rise today to acknowledge, congratulate, and honor the career and service of Chief Terrance ''Terry'' Thornton of the Fire Department of New York.

In a long and distinguished career spanning nearly three decades, Chief Thornton courageously and selflessly served the people of New York City. He has truly earned the right to count himself among New York's bravest. From his humble beginnings at Engine 201 in Brooklyn in 1981, Terry quickly gained the trust and respect of his co-workers and superiors. He was promoted to Lieutenant in 1991 and to Captain in 1998.

Perhaps the best example of Chief Thornton's leadership and bravery was his selection to join the Special Operations Command of the FDNY. This elite unit is responsible for all types of emergencies in New York City. With responsibilities ranging from search and rescue to HAZMAT responses, the Special Operations Command accepts only the best of the best. To be selected for this is an honor that is earned only by those who perform their duties at the highest level of professionalism and competence. In 2004, Terry was promoted to chief of 21 Battalion in Staten Island, a crowning achievement to a truly stellar career. After serving in this capacity for 5 years, Chief Thornton is retiring from the Fire Department to begin the next chapter in his life.

Madam Speaker, on a personal note, I have known Chief Thornton since we were both 14 years old. A better and truer friend neither I nor anyone in this chamber could ever wish to have. He is without question one of the most cheerful, friendly, kind, punctual, talkative, effervescent, convivial, and fastidious people I know. He has taught so many of us at home in Staten Island, NY the true meaning of bravery and courage. Not only has he dealt with the daily life-threatening situations he and his brothers faced while wearing the uniform of the New York City Fire Department, but also as a civilian he has brought his incredibly strong will of character to overcome the daily challenges that life presents. He has overcome great losses by learning to cherish and appreciate all of his gains.

We join his family; his children Patrick, Kyla, John, and Tara; his best friend and love, Lisa and her children, his sisters and brother, and all of his friends in wishing him well.

TRIBUTE TO WATSON WILLIAMS

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. ARCURI. Madam Speaker, it is with great pleasure that I rise today in honor of Watson Williams Elementary School, which is located in my Congressional District in upstate New York.

Historically, the overwhelming majority of students enter kindergarten at Watson Williams Elementary School with a delay for cognitive development as measured by standardized screening tools. Watson Williams Elementary School also experiences a 96 percent poverty rating for its students.

In recent years, during the tenure of Principal Henry Frasca, which lasted from September 2002 through June 2008, Watson Williams Elementary School has received national recognition for student achievement, despite facing these difficult obstacles.

Due to Principal Frasca's extraordinary leadership, and the commitment and dedication of his staff, Watson Williams Elementary School

was named a No Child Left Behind Blue Ribbon School of Excellence in 2006 and a Magnet School of Excellence in 2008. Most recently, Watson Williams Elementary School was a recipient of the Title I School of Distinction for 2009 which was based on student achievement during the school years of 2006–2007 and 2007–2008.

Principal Frasca attributes the high level of student achievement during his tenure at Watson Williams Elementary School to the concerted efforts of parents, students, teachers, staff and administration.

Madam Speaker, I call on my colleagues to join me in recognizing Watson Williams Elementary School for defying the odds, and establishing itself as a model of hope and success for all struggling schools throughout our country.

COMMEMORATING THE FIFTH ANNUAL DIALYSIS AWARENESS WALK

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MITCHELL. Madam Speaker, I rise today to commemorate the fifth annual Dialysis Awareness Walk taking place Sunday, March 7, 2010. The Sunset Kiwanis Club of Fountain Hills and DaVita Patient Citizen's Group has organized this wonderful and exciting event.

I would particularly like to honor Edward Stizza for his efforts coordinating this annual event, and for his tremendous commitment to educating the community about Chronic Kidney Disease and End Stage renal disease. The proceeds from the walk will benefit the Dialysis Patient Citizens Group, a non-profit organization that provides education for dialysis patients and their families. Additionally, the walk provides an invaluable forum for organizations to answer questions and provide pertinent information regarding diabetes, kidney dialysis, nutrition and organ transplants.

More than 20 million Americans have chronic kidney disease, which if left untreated can lead to End Stage Renal Disease. However, with the help of individuals like Mr. Stizza, and particularly his work organizing the Dialysis Awareness Walk, we can raise the public awareness of this debilitating disease and the plight of the more than 400,000 Americans who rely on kidney dialysis today.

Madam Speaker, please join me in applauding the fifth annual Dialysis Awareness Walk. I am confident that this event will do much to increase support and funding for those whose lives are intimately affected by chronic kidney disease.

HONORING MR. ROGER L. GALATAS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. BRADY of Texas. Madam Speaker, I rise today to honor Mr. Roger L. Galatas as the "King of the Court" of the Montgomery County Performing Arts Society for 2010.

Mr. Galatas is an icon in Montgomery County, Texas. For almost 20 years he worked alongside George Mitchell, the founder of the Woodlands, on Mr. Mitchell's innovative and internationally recognized development team.

Roger has held many leadership roles throughout his years in The Woodlands, including former CEO and president of The Woodlands Corporation and the founding director of The Woodlands Hospital.

Mr. Galatas has been instrumental in making education in Montgomery County stronger by serving as a founding director of The John Cooper School and past president of the Conroe Independent School District Board of Trustees. Galatas Elementary in the Conroe Independent School District today proudly bears his name.

He is a past board of directors for Stewart Title Company of Montgomery County and the United Way of Montgomery County, a former board member of the Memorial Hermann Hospital System, former trustee and officer of the Urban Land Institute, and he has served on the Real Estate Advisory Committee of the Trust for Public Land.

Mr. Galatas continues his regional leadership role as a current board member of the Center for Houston's Future and the current chair of the Strategic Planning Committee.

In 2004, Mr. Galatas co-wrote a book with Jim Barlow titled "The Woodlands, The Inside Story of Creating a Better Hometown". The book gives the inside-scoop of how The Woodlands has grown into what it is today—a fast growing, environmentally sustainable community with a vibrant economy that he played an immeasurable role in shaping.

Without question Mr. Galatas, with the support of his beautiful wife Ann, has served his community above and beyond and continues to make Montgomery County and the Houston region a better place in which to live, work and play.

Madam Speaker, I am proud to call him my friend and to recognize Mr. Roger L. Galatas and his countless contributions to the people of The Woodlands and Montgomery County.

I urge you to join me in recognizing Roger Galatas as the Royal "King of the Court" at the Second Annual Montgomery County Performing Arts Society Mardi Gras Ball that took place on February 13, 2010.

COMMEMORATING THE 100TH ANNIVERSARY OF SCOTTSDALE'S LITTLE RED SCHOOLHOUSE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MITCHELL. Madam Speaker, I rise today to commemorate the 100th anniversary of Scottsdale's Little Red Schoolhouse. The schoolhouse has been a prominent pillar within the Scottsdale community since its beginnings and an important historic marker of how far the city has developed.

Since its construction in 1910, the schoolhouse has continuously evolved to match the needs of a flourishing community. Originally designed as a school for eight students, the schoolhouse now serves as a historical museum under the leadership of the Scottsdale Historical Society. Over its many years, it has also served as a polling place, a Sunday school, a county court office and as Scottsdale's Town Hall.

The schoolhouse fostered the growth of the community and symbolizes Scottsdale's continued prosperity. I am confident that the schoolhouse will continue to thrive and serve Scottsdale for the next 100 years.

Madam Speaker, please join me in commemorating Scottsdale's Little Red Schoolhouse, and expressing gratitude to all of the volunteers and advocates of historical preservation who have made this special celebration possible.

CONGRATULATING PORTLAND DEVELOPMENT COMMISSION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. BLUMENAUER. Madam Speaker, I rise today to congratulate the Portland Development Commission and the City of Portland, Oregon.

The Portland Development Commission, the city's urban renewal and economic development agency, has been able to exceed their established diversity goals in construction contracting for each of the last two years.

The PDC results are promising. In tough economic times and in a city with a small minority population PDC has exceeded goals for utilization of minority, women-owned and emerging small businesses by at least 15 percent annually, committing more than 35 percent of the dollars committed to state-certified firms.

Three years ago the PDC executive leadership and Board took bold steps by revising the decade-old policies governing business and workforce equity and adopting significant policy changes, which included: The adoption of the PDC Construction Wage Policy; revision of the PDC Business and Workforce Equity Policies; convening a community-based Workforce Diversity Advisory Committee, whose work resulted in PDC's new workforce diversity goals for all PDC construction projects and upcoming new contractor requirements; closer working relationships with the National Association of Minority Contractors-Oregon, the minority chambers of commerce and the Metropolitan Contracting Improvement Partnership, which focuses on building contractor capacity; a renewed partnership with organized labor that changed the state prevailing wage statutes on public-private partnerships; support for pre-apprenticeship programs such as Oregon Tradeswomen, Inc., the Evening Trades Apprenticeship Program, WorkSystems Inc., Irvington Covenant, Portland Youthbuilders and Construction Apprenticeship and Workforce Solutions; and providing technical assistance at no cost to all minority, women-owned and emerging small businesses bidding on or receiving PDC constructs.

Additionally, I'm pleased to report that the PDC has achieved these results in part due to close collaboration with organized labor. These jobs are family wage jobs that provide health insurance benefits.

The PDC is committed to making further progress. They've established a Workforce Diversity Strategy Committee that will function

as an oversight group and constantly evaluate results and set aggressive goals for diversity in PDC construction projects.

They've worked with minority business associations to put in place technical assistance agreements to focus on building capacity among historically underutilized businesses. PDC will implement a prompt payment requirement making sure that small contractors get paid quickly for their work, and just last month, PDC implemented a Small Contractor Loan Insurance program that gives small contractors access to working capital through a revolving loan. This will be a huge help to small firms that are struggling to attain credit with banks.

I commend PDC for what they've done, and what they have planned to make sure that public construction projects benefit the entire community and not just a select few.

RECOGNIZING STAFF SERGEANT TIM COPELAND—SCOTTSDALE HEALTHCARE'S ''SALUTE TO MILITARY'' HONOREE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MITCHELL. Madam Speaker, I rise today to honor a member of the Armed Forces from my home state of Arizona. Every month, Scottsdale Healthcare honors military personnel who perform diligent service to this country. Scottsdale Healthcare has recognized U.S. Army Staff Sergeant Tim Copeland for the month of February.

I commend Scottsdale Healthcare for paying tribute to such an outstanding service member for his bravery and service to our country.

Copeland has served as an Information Systems Operator and Analyst for the Army since 1992. He has been deployed twice to Kuwait and is currently deployed for a two-year tour at Camp Arifjan, Kuwait.

During his service Copeland has received numerous awards, all of which serve as a tribute to his honorable character. He has received the Presidential Service Badge, two Joint Meritorious Unit Awards, a Joint Service Commendation medal, two Army Commendation medals and seven Army Achievement medals.

Staff Sergeant Copeland is the brother of Clare Copeland, who works in the Emergency Department Admitting Office at Scottsdale Healthcare. Clare is an avid supporter of the military partnership training program.

Madam Speaker, please join me in recognizing the inspiring efforts of this courageous citizen who is serving our country and protecting the lives of his fellow service men and women in combat.

CONGRATULATING MR. IRA LEESFIELD FOR HIS ACCOMPLISHMENTS IN THE LEGAL COMMUNITY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to congratulate Mr. Ira Leesfield on being a recipient of the American Jewish Committee's Judge Learned Hand Award. This prestigious award honors leaders in the legal profession for both their overall excellence in the workplace and their contributions to the community. Mr. Leesfield has always welcomed the challenge to serve the underserved, and it is this devotion that has earned him one of the American Jewish Committee's highest honors.

Mr. Leesfield carries himself with great integrity, respect, and dedication in everything he does for his profession and for his community. A look into his background shows just how successful he has been on both of these fronts. In 1976, Ira Leesfield founded Leesfield & Partners, dedicating his professional life to protecting the courtroom rights of the firm's clients throughout Florida and the United States. He currently holds record personal injury verdicts and settlements in a plethora of jurisdictions, earning him recognition as one of America's top ten trial lawyers.

However, Mr. Leesfield's interest reaches far beyond monetary figures as he has been recognized for prosecuting cases that benefit the public interest. He has received the American Occupational Rehabilitation Training (ORT) Jurisprudence Award for his dedication to his profession, as well as the prestigious Jurisprudence Award from the Anti-Defamation League for his success in gaining access to the courts for the less privileged. Ira was elected President of both the Melvin M. Belli Society and the Academy of Florida Trial Lawyers after receiving each organization's respective awards: the Belli Award and the Al J. Cone Lifetime Achievement Award.

A resident of Florida since 1956, Ira is an American Bar Foundation Fellow, life member of the American Association for Justice as well as the Roscoe Pound Foundation, and a past adjunct professor at the University of Miami School of Law. Mr. Leesfield's success hits close to home as his many accomplishments have greatly benefited myself as well as the great people of Florida's 23rd Congressional District.

Madam Speaker, I am truly honored to recognize Mr. Ira Leesfield for his dedication to the legal profession and to the South Florida community as a whole.

TRIBUTE TO LAWRENCE ''LARRY'' KING

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mrs. CAPPS. Madam Speaker, I rise today to honor the life of my constituent, Lawrence ''Larry'' King.

Two years ago this week, Larry was shot by a fellow student while at school in Oxnard, CA.

He died 2 days later. The police classified his murder as a hate crime.

He was 15 years old.

In addition to our local community, almost 200 vigils in all 50 States were held to honor Larry's life.

Two years later, Larry's death continues to remind us of the violence and harassment directed at lesbian, gay, bisexual and transgender people every day.

This violence is unacceptable anywhere and particularly painful in our schools.

I think every American believes all our children deserve an education free from bullying, harassment, discrimination and violence.

In honor of Larry and all LGBT students, I would like to encourage my colleagues to support the Student Non-Discrimination Act.

This important bill establishes a comprehensive Federal prohibition of discrimination in public schools based on actual or perceived sexual orientation or gender identity.

We know that bullying deprives students of equal educational opportunities.

It also causes high rates of absenteeism, dropout, adverse health consequences, and academic underachievement among LGBT youth.

Without interference, bullying and discrimination leads to life-threatening violence and suicide.

Also, when school officials engage in discriminatory treatment, or are indifferent to harassing behavior, LGBT students' constitutional rights are infringed.

This is deplorable.

In Larry's memory, we owe our children nothing less than a safe environment and the support they need to learn most effectively.

VETERANS OF FOREIGN WARS OF THE UNITED STATES

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. JOHNSON of Georgia. Madam Speaker, Whereas, DeKalb County serves as home for many of our Veterans that have served in the United States Military; and

Whereas, forty-nine years ago servicemen who fought in wartime joined forces to form the ''VFW Belvedere Post 4706''; and

Whereas, our beloved country, has and continues to benefit from the service of the members of the VFW Post 4706 in the areas of leadership, service and scholarship to our community; and

Whereas, this unique group has given of themselves tirelessly and unconditionally to preserve integrity, advocate for our enlisted service personnel and veterans; and

Whereas, the VFW Post 4706 continues to serve our country by being involved in the planning, organizing and conducting of ceremonies that commemorate and recognize those who served our country in the United States military, our children who desire scholarships to gain higher education and veterans who have fallen to homelessness; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor, recognize and congratulate the VFW Post 4706 on their 49th Anniversary for their outstanding service to our District;

Now therefore, I, Henry C. ''Hank'' Johnson, Jr., do hereby proclaim February 21, 2010, as Veterans of Foreign Wars of the United States Post 4706 Day in the 4th Congressional District.

Proclaimed, this 21st day of February, 2010.

HONORING DR. DON T. NAKANISHI

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. CHU. Madam Speaker, I rise today to recognize a pioneer in the field of Asian American political and educational research, and one of my dearest mentors, Dr. Don T. Nakanishi, on his retirement as director and professor of the UCLA Asian American Studies Center.

Dr. Nakanishi's 20-year tenure at the UCLA Asian American Studies Center, the largest and most renowned research and teaching institute of its kind in the Nation, has provided key leadership and vision for the development of the field of Asian American Studies and Race and Ethnic Relations Scholarship. His contributions to this invaluable field of study date back nearly 4 decades.

Born and raised in the multiethnic, working class community of East Los Angeles, California, Professor Nakanishi attended Theodore Roosevelt High School, where he served as student body president. He was also selected as boy mayor of the City of Los Angeles when he was a senior.

A political scientist, Dr. Nakanishi received his B.A. in political science from Yale University in 1971, and his Ph.D., also in political science, from Harvard University in 1978.

A professor at UCLA for 35 years, Dr. Nakanishi is a prolific writer and highly influential teacher and scholar who has written over 100 books, articles, and reports on the political participation of Asian Pacific Americans and other ethnic and racial groups in American politics; educational research on issues of access and representation; and the international political dimensions of minority experiences.

Dr. Nakanishi is widely recognized for developing the fields of Asian American political and educational research. He has received numerous awards for his scholarly achievements and public service, including the National Community Leadership Award from the Asian Pacific Institute for Congressional Studies, the prestigious Yale Medal from Yale University, and the inaugural Engaged Scholar Award from the Association of Asian American Studies.

Because of his accomplishments, President Bill Clinton appointed Dr. Nakanishi to the Civil Liberties Public Education Fund board of directors, which administered the program established under the 1988 Civil Liberties Act that provided a national apology and reparations for the 120,000 Japanese Americans who were incarcerated in concentration camps during World War II.

I urge all my House colleagues to join me in honoring Dr. Don Nakanishi for his remarkable service and contribution to our community.

COMMEMORATING THE 25TH ANNIVERSARY OF TEMPE LEADERSHIP

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MITCHELL. Madam Speaker, I rise today to commemorate the 25th anniversary of Tempe Leadership. Tempe Leadership has continuously identified bright and exceptional community members and nurtured their leadership skills through education, experience, exposure and service.

In its 25 years, Tempe Leadership has played an essential role in fostering tomorrow's community leaders. To date, Tempe Leadership boasts more than 400 graduates, including highly accomplished elected officials, board members, and numerous business and non-profit executives. Each year, participants of the program tackle a class project, which utilizes their skilled and unskilled physical labor to give back to Tempe.

I would like to congratulate Tempe Leadership on 25 years of success, and express my gratitude for the profound contributions its graduates have made to our community's quality of life. Because of Tempe Leadership, their positive impact on our community will be felt for decades to come.

Madam Speaker, please join me in recognizing Tempe Leadership's impressive 25 years of service. The program's dedication to enhancing Tempe leaders should serve as an inspiration to us all.

RECOGNIZING EDWARD PATE AS THE SANTA ROSA COUNTY TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mr. Edward Pate upon receiving the Santa Rosa County, Florida Teacher of the Year Award. Edward is a dedicated teacher and public servant, and I am honored to recognize his Teacher of the Year achievement.

Edward joined Gulf Breeze High School in 2005 following a career as an attorney and ceramics gallery owner in New York City. He currently teaches English III and Pensacola Junior College Dual Enrollment classes. These core classes have achieved a passing rate of 94 percent or better during his tenure. Edward also coaches the Boys Golf Team, this year's District 2A Champion and a state Academic Team Champion. The team had the highest cumulative GPA of the 251 schools in District 2A.

Edward serves on the PTSO Board, the SAC Committee, and the Rtl Committee. He received his National Board Certification in 2008 and serves as the English Department Chair. As Department Chair, he is developing a new department-wide program to assess and improve student writing. He always imparts a positive attitude to his students and other teachers, and his high level of energy inspires the entire school.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize Edward Pate as the Santa Rosa Teacher of the Year. He is a true public servant and a dedicated teacher. My wife Vicki and I wish Edward and his family all the best for the future.

HONORING THE 100TH ANNIVERSARY OF GWINN UNITED METHODIST CHURCH

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. STUPAK. Madam Speaker, I rise to honor Gwinn United Methodist Church, UMC, during its centennial celebration. For 100 years, the Gwinn UMC has been a gathering site for worship, teaching and fellowship in the Gwinn community. Its rich history can be traced through families who have been members of the church for generations, while its welcoming atmosphere continues to attract new members.

Just a short drive south of Lake Superior, Gwinn United Methodist Church is bound tightly to the history of the Upper Peninsula. The community of Gwinn was built to support the iron mines of Cleveland-Cliffs Iron Mining Company, which still operates in the Marquette County today. As Cleveland-Cliffs president William G. Mather began to build his "model town," a group of settlers in nearby Princeton organized a church group and began plans for a Methodist church.

Land for the Gwinn United Methodist Church was deeded to the congregation by William Mather in 1909, and on October 15, 1909, the cornerstone of the church was laid by Mather himself. The church was formally dedicated on February 20, 1910, by its first pastor, Reverend Simon Hocking.

As the community of Gwinn grew and prospered, so did Gwinn UMC. Over the years, modifications have been made to the building, including the addition of an education wing, a remodeled chancel area in the sanctuary, and the construction of a parsonage on property adjoining the church. Gwinn UMC also welcomed its first full-time minister in 1984, having previously shared pastors with several nearby communities. Even as the church has grown, it has also stayed connected with its roots; today's congregation still worships in the original 1909 pews.

While its history is impressive, Gwinn UMC's most inspiring attribute is the outpouring of support and assistance it provides to the Gwinn community. The church has opened its doors to be used by groups including Head Start, Boy Scouts, Girl Scouts, 4–H, and Alcoholics Anonymous. On the second Wednesday of each month, members of the congregation prepare a free evening meal for the community, serving 707 people in 2009, fostering a sense of fellowship and camaraderie between neighbors and friends. The church also provided 344 bags of groceries to 235 families last year through its weekly food pantry.

Through its Children's Love Fund, Gwinn UMC provides assistance to families of area children needing extensive medical treatment; and through its Endowment Fund, the church provides gifts and grants to individuals, organizations and missions locally, regionally and globally. Since 2002, $11,300 has been provided to missions through the Endowment Fund.

Madam Speaker, from its earliest days Gwinn United Methodist Church has been connected to the Gwinn community through history and tradition. The spirit and principles

that are intrinsic to the Upper Peninsula can be found throughout the history of the church and the actions of its congregation. Over the past 100 years, Gwinn United Methodist Church has shared the joy of the Lord with the community of Gwinn and with open arms has reached out to those in need. For these many blessings, Madam Speaker, I ask that you, and the entire U.S. House of Representatives, join me in recognizing Pastor Geri Hamlen and the members of the Gwinn United Methodist Church on the church's centennial anniversary.

IN TRIBUTE TO JOSEPH HANREDDY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to recognize an artistic leader, theater director, producer, actor, and consummate professional from the Fourth Congressional District. Mr. Joseph Hanreddy is recognized at the international, national, regional and local level for his work and achievements during his seventeen seasons as the Artistic Director for the Milwaukee Repertory Theatre Company in Milwaukee, Wisconsin.

The influence of the Repertory Artistic Director goes beyond the company; the person in the job affects the tone and style of the entire theater community. Because of his commitment to the theater, Mr. Hanreddy gave nearly two years advance notice of his retirement so his successor could choose his or her inaugural season.

During his tenure, the theater has presented 252 productions, 55 world premieres, as well as having established one of the country's finest resident acting ensembles. The total attendance while Mr. Hanreddy has been in residence is 3,247,045. International connections continued under Mr. Hanreddy's leadership with the recruitment of acclaimed directors Ben Barnes, former Artistic Director of Ireland's Abeey Theater, and Paolo Landi, Ganshi Mureta, Lev Stukalov and Mark-Wing Davey from Italy, Japan, Russia and Great Britain respectively, to create productions for the theater.

The Milwaukee Repertory Theater, affectionately known as The Rep, presents critically-acclaimed dramas, contemporary plays, and cabaret shows. The Company continues its strong history of premiering new American plays. Mr. Hanreddy commissioned and directed the premieres of several original plays by Steven Dietz, directed 40 productions at The Rep, with recent premieres going on to be produced in Los Angeles and Chicago, and a successful Off-Broadway run.

The Rep has one of the oldest artistic internship programs in regional theater to foster valuable experience in professional theater. Each season welcomes acting and directing fulltime internships, as well as, internships throughout the production, marketing and development departments. The Rep maintains community service programs including education programs serving over 20,000 students annually, student matinees, facility tours and in-school workshops. The Rep contributes hundreds of complimentary tickets to Milwaukee area non-profit fundraisers, conducts adult acting classes, and access services including audio-described performances, American Sign Language-interpreted performances and Captioned Theater performances.

Madam Speaker, for these reasons, I am honored to pay tribute to Joseph Hanreddy. Mr. Hanreddy's dedication to the Milwaukee Repertory Theatre has brought the arts and enriched the lives of all of us in the Greater Milwaukee area and beyond.

RECOGNIZING THE RETIREMENT OF REVEREND HERB SADLER

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Reverend Herb Sadler, a northwest Florida leader who is retiring after fifty years of service to his church and to his community. Revered Sadler spent his life serving others, and I am proud to honor his dedication, faith, and service.

After completing his sophomore year at Huntingdon College, Herb was called to pastoral service by the United Methodist Church at the age of 20. In 1962, then-superintendent Marshall Ford asked Herb to pastor six small churches in West Alabama. Herb became senior pastor of Gulf Breeze United Methodist in 1975, where he served until 2003. Over the course of his tenure, church attendance grew from a little over 100 to more than 2,000. In 1999, he oversaw the opening of the church's second campus—the Community Life Center—which provides support groups, recreational ministries, and workshops to thousands of local community members.

Reverend Sadler was appointed as the Superintendent of the Dothan District of the UMC in 2003, ministering to 99 churches in Southeast Alabama. He returned to Gulf Breeze in 2008 as the interim senior pastor for a year as the church searched for a permanent senior pastor. The church honored his dedication by renaming the Community Life Center after Reverend Sadler.

Madam Speaker, on behalf of the United States Congress, I am honored to recognize Reverend Herb Sadler for his fifty years of pastoral service to the United Methodist Church. He has been a dedicated pastor and a community leader for northwest Florida. My wife Vicki and I wish all the best for Herb and his wife Barbara as they embark on this next journey in their lives.

HONORING THE LIFE AND ACCOMPLISHMENTS OF NINA SIMONE

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. SHULER. Madam Speaker, I rise today to remember the life of legendary American jazz musician and civil rights activist Nina Simone. A native of Tryon, North Carolina, Nina Simone was born Eunice Kathleen Waymon on February 21, 1933. In the United States House of Representatives, it is an honor to represent Ms. Simone's birthplace and the town where she began her legacy of musical innovation and civil rights activism.

Ms. Simone began playing the piano at age three and made her first classical piano debut at age twelve. During this first recital she witnessed her parents being escorted from the front row to make room for a Caucasian family. Ms. Simone refused to play until her parents were seated in the front row. This event marked the beginning of a lifetime of civil rights activism.

As the sixth of seven children in a poor family, Ms. Simone began her musical career singing as an accompanist to earn extra income for her family. As the civil rights struggle developed in the United States, so did her music. After the bombing of a church in Birmingham, Alabama in 1963, Ms. Simone wrote an emotional response to the situation of African Americans in the United States. By 1974, Ms. Simone was traveling the world.

In 1987, while in Paris, her song ''My Baby Just Cares for Me,'' was featured on a major television network. Her music, both in French and English, has been an inspiration for artists around the world.

The Eunice Waymon-Nina Simone Project honors the legacy of Nina Simone in Tryon, her hometown in Western North Carolina. The Project honors her remarkable life and musical contributions. The Project also seeks to inspire and support talented youth to reach their full potential through a variety of scholarship programs. On the 21st of February they unveiled a life-size bronze statue of Ms. Simone. The Eunice Waymon-Nina Simone Project keeps her legacy alive in Western North Carolina.

Ms. Simone passed away on April 21, 2003 at the age of 70 in the French countryside. Her daughter, Lisa Celeste Stroud, is also an actress and singer. Born in New York, Ms. Stroud spent much time traveling the world with her mother before enlisting in the United States Air Force. Today, she is a successful singer with a resume that includes starring in the Tim Rice musical ''Aida.''

Madam Speaker, I ask my colleagues to join me in celebrating Ms. Simone's 77th birthday, and celebrating her extraordinary accomplishments as both an extraordinary jazz musician and strong civil rights activist.

RECOGNIZING DAWN PACK AS THE OKALOOSA COUNTY TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Dawn Pack upon receiving the Okaloosa County, Florida Teacher of the Year Award. Dawn is a dedicated public servant, and I am honored to recognize her on this achievement.

Dawn's career as an educator spans over nineteen years. Since 2003, she has taught 5th grade students at Destin Elementary School in Okaloosa County. Dawn motivates her students, but goes above and beyond to inspire other teachers and the local community. From day one, she has advocated to integrate science into all of the curricula at Destin Elementary, conducting training to show other

teachers how to use the scientific method. Additionally, she has reached out to the parents and the community to work with her students on science-related projects. Dawn is the kind of teacher who loves her students and loves what she does. She is truly an inspiration to all of those around her.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize Dawn Pack as the Okaloosa Teacher of the Year. She is a great educator to students and teachers alike, as well as a passionate community leader. My wife Vicki and I wish Dawn and her family all the best for the future.

HONORING WILLIAM ALLAN WOOD FOR A LIFE WELL-LIVED IN SOUTH JERSEY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. ANDREWS. Madam Speaker, I rise today to honor William Allan Wood for his many years in New Jersey's First district. Mr. Wood, at 105 years old, sets an excellent example of how to live fully and completely.

Mr. Wood was born the second of seven children in June of 1904 in Camden, New Jersey. He grew up in Haddonfield, NJ. He started attending Drexel night school in the fall of 1923 studying mechanical engineering and received his certificate in 1928. While attending Drexel, he worked in a shop rebuilding machine tools and then at the Southwark Foundry in Philadelphia and later at the Baldwin Locomotive Works as a draftsman and then an engineer. In 1936, he started working for Florence Pipe Foundry, part of the R. D. Wood Company. He started as an engineer/draftsman. In 1940, he became a plant engineer and oversaw the expansion of the foundry's capacity during WWII. He remained plant engineer until he retired in 1961.

Allan married his wife Virginia in 1937 and moved to Delanco, NJ where they raised a daughter and a son. His wife passed away in 1999. He has three grandchildren and five great grandchildren. Allan has always stressed the importance of family, friends and has served on many local and state boards and commissions.

Allan has been a lifelong sailor, first in small racing sailboats and then in cruising sailboats. For 25 years, Allan and his wife sailed their beloved 27-foot sailboat on the Delaware River and the Chesapeake Bay, often in company with family and friends. It was through a sailor friend that he started his second career at C–Lec Plastics in 1962 as an engineer designing tools and equipment for casting, curing and machining large high tech plastic components. When his wife became ill he cut back to a 3-day workweek and for the past 5 years he has been working 3 half-days per week. Even at 105 years of age, Allan is one of the most reliable employees at C–Lec and is appreciated by everyone there.

Madam Speaker, I would like to congratulate Mr. Wood on a life filled with achievements and service. It is an honor to pay tribute to Mr. Wood, and I wish him the best of luck in his future endeavors.

IN HONOR OF FIRE CHIEF BERNARD M. BENEDICT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of Fire Chief Bernard M. Benedict, upon his retirement from the Middleburg Heights Fire Department, following nearly forty years of leadership, service and dedication to the citizens of Middleburg Heights.

Chief Benedict joined the Middleburg Heights Fire Department on June 16, 1973. In November of that year, he completed the State of Ohio's 160 Hour Fire Training course, finishing fourth in his class. On June 29th, 1977, he graduated from the Paramedic Program at Cuyahoga County Community College. One year later, Chief Benedict became one of the first paramedic-firefighters with the Middleburg Heights Fire Department. From the beginning, Chief Benedict set a tone of camaraderie and professionalism within the Department, and he easily gained the respect and admiration of his colleagues and superiors.

Equipped with expertise in the safety field, an unwavering dedication to his vocation, and an affable nature, he quickly rose through the ranks, and was appointed as Acting Lieutenant in March, 1987. Committed to continuing his education, Chief Benedict completed his Associate's Degree in Emergency Medical Technology in 1990. In 2000, he was appointed as the Technical Rescue Director for the Southwest Emergency Response. One year later, in May of 2001, he was appointed Chief of the Middleburg Heights Fire Department.

Madam Speaker and colleagues, please join me in honoring Fire Chief Bernard M. Benedict for his commitment and his leadership in creating a safe community for everyone who lives and works in Middleburg Heights. His superior work as Chief, firefighter, paramedic and instructor has set the bar high for safety, response and protection within Middleburg Heights, Ohio. His service will forever be a true example for others to follow.

H.R. 4495—DESIGNATING THE FACILITY OF THE UNITED STATES POSTAL SERVICE LOCATED AT 100 NORTH TAYLOR LANE IN PATAGONIA, ARIZONA, AS THE ''JIM KOLBE POST OFFICE''

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. McCOLLUM. Madam Speaker, I rise today in support of H.R. 4495, which designates the United States Postal Service facility located at 100 North Taylor Lane in Patagonia, Arizona, as the ''Jim Kolbe Post Office.''

Jim Kolbe served the people of Arizona in Congress for 22 years, including 2 decades on the House Appropriations Committee. He chaired the Subcommittee on Foreign Operations, Export Financing and Related Agencies during his final 6 years in Congress, which is when I came to know him.

I traveled with Jim in 2005 as part of a Congressional Delegation to Africa and worked with him to promote human rights and economic growth in the developing world. Jim is now the Senior Transatlantic Fellow for the German Marshall Fund, where he continues to contribute his expertise to the Caucus for Congressional-World Bank Dialogue.

H.R. 4495 is a well-deserved honor. Today I have the privilege of joining my colleagues in paying tribute to this distinguished public servant by designating the ''Jim Kolbe Post Office'' in Patagonia, Arizona.

IN HONOR OF THE VIETNAMESE NEW YEAR: TET, 2010 YEAR OF THE TIGER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the Vietnamese New Year: Tet, 2010, Year of the Tiger. As the Vietnamese community in Greater Cleveland gathers at St. Helena Catholic Church to celebrate, I join them in celebration of their rich history and culture.

Tet is the time of the year to pay homage to ancestors, reconnect with friends and family and celebrate every hope and possibility rising with the new year. This year's gathering will once again honor community volunteers and leaders, showcasing many Vietnamese cultural treasures including Vietnamese culinary cuisine, music and dance.

2010 also marks thirty-five years of service to the community by the Vietnamese Community in Greater Cleveland, Inc. This organization has been an invaluable resource for hundreds of Clevelanders of Vietnamese descent, linking them to needed resources and preserving the rich heritage of the Vietnamese people.

I would also like to recognize Le Nguyen, President of the Vietnamese Community in Greater Cleveland, Inc., and every member, past and present, for their dedication to Vietnamese-Americans of Northeast Ohio.

Madam Speaker and colleagues, please join me in celebration of the Vietnamese New Year, Tet 2010: Year of the Tiger. May every American of Vietnamese heritage hold memories of their past forever in their hearts, and find peace and happiness within every new day of the rising new year.

COMMEMORATING THE LIFE OF JEAN HANDLEY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. DELAURO. Madam Speaker, I rise to commemorate the life and work of Jean Handley, an inspiring leader in our New Haven community and a long time friend to the arts and to the dispossessed, who passed away at the age of 83 last month.

A path-breaking career woman who spent three decades working for AT&T and Southern New England Telephone, SNET, Jean

knocked down barriers for working women across Connecticut. After serving 10 years as the Executive Director of the Connecticut League of Women Voters, she joined SNET in 1960 and later AT&T in 1972. Six years later, she was the highest ranking female employee in the Bell system, eventually retiring as Vice-President of Public and Corporate Relations in 1989. And she was the first female member of the Quinnipiack Club, a New Haven business institution since 1871. As it turns out, she was elected to the Club because she refused to enter through the kitchen there, as was the questionable custom for women before Handley gently and firmly put a stop to it.

This was the type of leadership Jean showed throughout her life—She led by example, with grace, elegance, good humor, and enormous competence.

Her career aside, Jean was a passionate admirer of the arts and a dedicated supporter of non-profits and community service efforts in our state. She was a longtime board member of Learning, Education, and Athletics in Partnership, LEAP, the Long Wharf Theatre, and the New Haven Symphony. In addition, she served as an Emeritus Trustee of her alma mater, Connecticut College, as well as the University of New Hampshire. And, in 1996, she was a co-founder of the International Festival of Arts and Ideas, an 18-day arts festival in New Haven that now attracts over 100,000 people each June. True to her enthusiasm, her passion for the arts, and her diligence, Jean not only commissioned a market study to ascertain the appeal of the festival first, she researched the weather to figure out the best two-week window to hold it.

Last December, in her last public appearance before succumbing to the cancer she had so bravely and silently fought, Jean was awarded with the Connecticut Arts Council's C. Newton Schenk III Award for Lifetime Achievement, which deemed her a "life-long champion of the region's arts organizations and an individual of exceedingly high standards." That she was. Our city of New Haven, and our world, is a smaller place with her passing.

HONORING THE 100TH ANNIVERSARY OF THE HOWARD THEATRE AND ITS CONTRIBUTION OF ENTERTAINMENT ON HISTORIC U STREET

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. NORTON. Madam Speaker, I rise to ask the House of Representatives to join me in honoring the 100th anniversary of the Howard Theatre and its contribution to music and entertainment on historic U Street in Washington, DC.

The Howard Theatre was the only theater in the Nation's capital where African Americans could enjoy live music, dance, drama and comedy during the era of racial segregation in Washington, DC.

The Howard Theatre provided a gateway to the historic U Street corridor and currently is being preserved for historic renovation. We commend Howard Theatre Restoration Inc. for spearheading the preservation of the Howard Theatre.

Known as "the largest colored theatre in the world," the Howard Theatre welcomed talent regardless of color. Many legendary music greats appeared at "The Howard," among them, Ella Fitzgerald, Billy Taylor, The Supremes, Chuck Brown, Petey Greene, Dick Gregory, and Redd Foxx.

Madam Speaker, I ask the House of Representatives to join me in applauding Howard Theatre Restoration Inc. for its work to preserve the Howard Theatre legacy, and in commemorating the 100th anniversary of the Howard Theatre for its contribution as a premiere entertainment venue for people of all races and backgrounds and as a showcase of national and international importance for African American entertainers of the day.

IN HONOR AND REMEMBRANCE OF DON SCOTT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of Don Scott, a beloved husband, father, grandfather, brother and friend. Mr. Scott's life was centered around family, community and service to others. His keen business sense, positive attitude, and unstoppable energy were key elements of his success.

Throughout Cleveland, Mr. Scott was known for his gathering place called "Vel's"—the premier party center for the African-American community named after his beloved wife, Velma Rose. African-American city leaders, politicians and candidates met regularly at Vel's, where Mr. Scott always greeted guests with kind and encouraging words. He hosted major political events, giving many candidates the exposure and support they needed to rally voters and win elections, including former United States Congressman Louis Stokes.

In 1963, Don and Velma purchased the Alhambra Bowling Lanes near Euclid and East 102nd Street, and changed the name to University Lanes. They opened Vel's Red Carpet Lounge in the basement, and it soon became a popular venue that drew nationally known performers. Mr. Scott became the first African-American contestant on the popular national TV series "Championship Bowling." He won his first match in 1961 by bowling five strikes in a row and went on to tour with the Professional Bowling Association. In 1962, Mr. Scott won the first round of the PBA Open and ended the tournament by placing ninth in the nation.

Mr. Scott was first and foremost dedicated to his wife and children. Together, Don and Velma Scott raised their children, Gregory, Avis and Don D. In later years, Don and Velma travelled the world but remained committed to the betterment of their eastside community. They founded Vel's Purple Oasis Garden, a community garden and greenhouse near University Circle. They also opened "New Life Skills Academy," a training center for future entrepreneurs.

Madam Speaker and colleagues, please join me in honor of Don Scott, a man who will be greatly missed by all who knew and loved him. I also honor the memory of his beloved wife, the late Velma Rose. I offer my deepest condolences to his children, Gregory, Avis and Don D., to his six grandchildren, his six siblings, and to his extended family and friends. Mr. Scott lived his life with a generous heart and an unwavering love for his family and his community. He will never be forgotten.

IN RECOGNITION OF RUSSELL E. KING ON HIS 90TH BIRTHDAY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MILLER of Florida. Madam Speaker, I rise to honor Mr. Russell "Tony" E. King upon the occasion of his 90th birthday. Mr. King has spent a lifetime serving his community and his family, and it is a privilege to recognize him on his accomplishments today.

Known as Papa King to his family, Tony has lived in Florida for almost 70 years. He was married to Jonnie King for 62 years before she passed away in 2008, and the two are the proud parents of five children, ten grandchildren, and 22 great-grandchildren. Tony served his country in the U.S. Navy for two years before starting a career at the St. Regis Paper Company, now International Paper, where he retired after 33 years. He was a very active member of the community, serving as Assistant Chief of the Brent Volunteer Fire Department and spending fifteen years in the Florida Highway Patrol Auxiliary. Tony also volunteers much of his time at the Gonzalez United Methodist Church, where he is still a member.

Madam Speaker, Tony King is a Northwest Florida community leader who has spent a lifetime serving his country and his community. My wife Vicki and I wish him a happy birthday and his entire family all the best for the future.

HONORING THE 100TH ANNIVERSARY OF ST. MARY'S SCHOOL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. SHIMKUS. Madam Speaker, I rise today to honor the 100th anniversary of the St. Mary's School in Taylorville, Illinois.

St. Mary's opened its doors in 1909 in a one room structure on Franklin Street in Taylorville. At that time, the school consisted of one teacher and 77 students. The school moved into its current building in 1921, which is home to kindergarten through third grade, two libraries and the school office. By the 1990s, St. Mary's enrollment had expanded so much that a second building was necessary. The new building was dedicated in 2000.

Over the last century, St. Mary's has remained dedicated to providing its students with a high quality education which will last a lifetime. Last fall, the school held its annual fall festival, where former students and educators returned to St. Mary's to celebrate a century of progress. To help students and alumni see how classes were conducted a century ago, the school re-created the orginal one room schoolhouse, with kindgarten through sixth grade in the same room.

Today, the students, families and staff at St. Mary's are recognized throughout the area for their exemplary record of service to their community. St. Mary's has been recognized for its work on behalf of the American Lung Association, the local Crisis Pregnancy Center and Catholic Charities.

I would like to congratulate Principal Cathy Robertson, Father Alan Hunter, and the students, teachers and staff of St. Mary's School, past and present, as they celebrate this important birthday and wish them another 100 years of success.

CYBERSECURITY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2010

Ms. RICHARDSON. Madam Speaker, I rise today in support of H.R. 4061, the Cybersecurity Enhancement Act, which addresses the recommendations of the Cyberspace Policy Review to improve cybersecurity in the Federal, private, and public sectors.

I would like to acknowledge Speaker PELOSI and Chairman GORDON for their leadership in bringing this important resolution to the floor. I would also like to thank my colleague Congressman LIPINSKI, who authored this legislation that will result in the development and implementation of a strategic plan guiding the overall direction of Federal cybersecurity and information assurance research and development.

As a former member of the House Homeland Security Subcommittee on Emergency Threats, Cybersecurity and Science and Technology, I have been concerned about these issues. The rapid development of information technology has led to increased connectivity and productivity that has greatly benefited the U.S. economy. However, with these great advances comes the disadvantage of increased vulnerability of our information technology infrastructure. Reports of cyber crime, hacking, and viruses has steadily risen, heightening concerns over the adequacy of our cybersecurity measures and the need for further research and development.

My district, the 37th district of California, is heavily dependent on technology and computing networks, so I am pleased that H.R. 4061 is a bill that will improve cybersecurity in the Federal, private, and public sectors. This legislation achieves this goal by developing a skilled cybersecurity workforce, coordinating and prioritizing the Federal R&D portfolio, improving the transfer of cybersecurity technologies to the marketplace, promoting cybersecurity education and awareness for the general public, and coordinating U.S. representation in the development of international cybersecurity technical standards. My district, the 37th district of California, is heavily dependent on technology and computing networks, so I am pleased that . . .

In conclusion, Madam Speaker, I support this legislation because with our increasing reliance on the internet, we need to make sure our cyber systems are secure. I am pleased that Congress is taking action to promote these improvements and adequately fund the areas of government responsible for our cybersecurity.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 4061.

HONORING THE ZEPHYRHILLS HIGH SCHOOL JROTC

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor the Zephyrhills High School JROTC for their dedication to service on behalf of our nation's heroes and veterans.

On February 11th, a signing ceremony will take place by the National Armed Forces Community covenant in honor of the Zephyrhills High School JROTC.

Although this presentation has taken place in over 700 communities across our great country, this presentation is significant because it is the first presentation being made to a High School JROTC. As such, this historic ceremony represents an unprecedented commitment to improving the quality of life for our soldiers and their families by the Zephyrhills High School JROTC.

Madam Speaker, it is an honor to recognize the Zephyrhills High School JROTC. On behalf of a grateful nation, this Congress, and the local community of veterans and active service members, I thank the members of Zephyrhills JROTC for their dedication to this country.

RECOGNIZING NORTHSIDE COLLEGE PREPARATORY HIGH SCHOOL

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to recognize the success of Northside College Preparatory Academy, recently named number one high school in Illinois based upon its students scoring in the highest average percentile on the Prairie State Achievement Examination.

Led by principal Barry P. Rodgers and assistant principal Dr. Margaret E. Murphy, Northside Prep has worked tirelessly since 1999 to help foster student values. The school teaches students that vital leadership skills, critical problem solving skills, a passion to learn, and the ability to balance all these attributes are tantamount to a successful adult life.

In addition, Northside Prep helps its students further explore their individual interests and heritages by offering an array of extracurricular clubs that cater to various hobbies, nationalities, and human rights issues. Northside Prep has shown that focusing on developing a well rounded student, can and does improve the education they receive, something evidenced by their recent success on the Reading, Science and Math achievement tests.

Madam Speaker, for these reasons, I ask my colleagues to join me in recognizing the important contributions that Northside College Preparatory has made in shaping and educating Chicago's youth, and in enriching the communities surrounding it.

HONORING STELL MANFREDI

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Stell Manfredi upon his retirement as the Madera County Administrative Officer. Mr. Manfredi was honored by the Madera County Board of Supervisors on Saturday, January 30, 2010.

Mr. Stell Manfredi was born in 1945 in Madera, California. He attended St. Joachim's Catholic Grammar School and graduated from Madera High School in 1963. Upon his high school graduation, he attended Fresno City College and California State University, Fresno, where he earned his Bachelor's Degree in Business Administration with a minor in Economics. In 1969, Mr. Manfredi joined the United States Naval Reserve and served in DaNang, Vietnam.

After returning to Madera in 1971, Mr. Manfredi began working for the Madera County Administrative Office. The first three years he served as an Administrative Analyst I and was promoted to Administrative Analyst II. In 1980, he became the Assistant County Administrative Officer, and in 1991 he was named the County Administrative Officer.

In the thirty-eight years of working for the County Administrative Office, Mr. Manfredi has worked on many county projects; including the jail construction, juvenile boot camp, Madera Ranchos water system, juvenile hall, Oakhurst sewer system, the Madera County Government Center and parking facility, the Oakhurst fire and sheriff facility and the central garage facility. The county has grown in population, employees and budget. In 1971, when Mr. Manfredi began with the county, there were 42,600 residents, 375 employees and a sixteen million dollar budget. Today, there are over 151,000 residents, 1,700 employees and a two hundred million dollar budget. Mr. Manfredi has participated in almost two thousand Board of Supervisor meetings, worked under the direction of twenty-one members of the Board of Supervisors and has worked with over one hundred and thirty appointed and elected county department heads. He is currently the second longest serving County Administrative Officer in the State of California, he is the third County Administrative Officer for Madera county. Mr. Manfredi also acted as the Executive Officer of the Local Agency Formation Commission from 1971 until 2000.

Madam Speaker, I rise today to commend and congratulate Stell Manfredi upon his retirement from Madera County. I invite my colleagues to join me in wishing Mr. Manfredi many years of continued success.

HONORING THE UNIVERSITY OF IOWA HAWKEYE FOOTBALL TEAM

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. LOEBSACK. Madam Speaker, today, I am introducing a Resolution to honor the University of Iowa Hawkeye football team for the great success they had on the football field during the 2009 season. The team began the season by winning its first nine football games, which set a new team record for consecutive wins to start a football season. The Hawkeyes finished the regular season with 10 wins and two losses, leaving them ranked seventh in both the final Associated Press and USA Today rankings, tied for second in the Big Ten Conference, and were invited to play in the 2010 FedEx Orange Bowl against the Georgia Tech Yellow Jackets. The game was very well competed by both schools, but with stellar defense and an exciting offensive performance, the University of Iowa Hawkeye football team won the game 24–14.

Through hard work and great success on the football field, the University of Iowa Hawkeye football team received numerous awards and won over many new fans. Through this Resolution, I hope to congratulate the 2009 University of Iowa Hawkeye football program for bringing honor to the team, the University of Iowa, the city of Iowa City, and the State of Iowa.

HONORING THE COLLINSVILLE HIGH SCHOOL GIRLS BOWLING TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. SHIMKUS. Madam Speaker, I rise today to honor the Collinsville High School girls bowling team.

This outstanding and competitive group captured the Illinois High School Association's state championship in February by bowling a team total of 12,450 points, or an average of 207.5 per bowler. This is the first Collinsville High School championship since 1992 and the first girls state championship in the school's history. Special recognition went to Collinsville High School senior Frannie Steiner who bowled the top individual score at the state finals, finishing with a 229.7 average.

I join with the Members of this House in commending coach Sean Hay on his outstanding work with this team and congratulating the members of the Illinois state championship bowling team: Frannie Steiner, Katie Beauchamp, Lisa Graham, Brittany Warner, Sara Bell, Liz Huffman, Amber Burns and Elizabeth Beauchamp. I wish them all the best in their future endeavors.

EARMARK DECLARATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. SULLIVAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure and certification information for one additional project funding request that I made and was included within the text of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Project: Ground Warfare Acoustical Combat Systems of Netted Sensors

Project Amount: $5,000,000

Account: RDTE—Navy

Legal Name of Requesting Entity: GWACS Defense, Inc.

Address of Requesting Entity: Suite 191, 4500 South, 129th East Ave., Tulsa, OK 74134

Description of Request: Combat systems are required that can detect, locate, discriminate and give precision targeting data of hostile fire to blue forces in a netcentric environment. Additionally, multi sensor systems are required that can help IFF, create total battlespace situational awareness both in open and urban terrain, and provide precision targeting data for combined and integrated fire support. Funds will be used to accelerate the completion of a new technology that is critical and urgently needed for small arms detection and location for future procurement for force protection and situational awareness at all command levels in open and urban terrain operations in Iraq and Afghanistan.

INTRODUCING A RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT ''DON'T ASK, DON'T TELL'' BE REPEALED IN 2010

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution that recognizes the Senate Armed Services Committee's hearing on Don't Ask, Don't Tell, and the testimony of Defense Secretary Robert M. Gates and Admiral Michael G. Mullen, Chairman of the Joint Chiefs of Staff, at the hearing, as an important first step towards equality in the Armed Forces. Furthermore, my resolution expresses the sense of the House of Representatives that this discriminatory law should be repealed in 2010.

There are an estimated 66,000 gay and lesbian service members currently on active-duty, serving in all capacities around the world to protect our nation and advance our interests. The misguided policy known as Don't Ask, Don't Tell is yet another enemy to fight at a time when we are strained in two wars. In 2009 alone, we lost 428 service members to Don't Ask, Don't Tell at the estimated cost of over $12 million. We cannot allow the strength and unity of our military to suffer from a destructive force within. Don't Ask, Don't Tell is irreconcilable with the values that our great nation was built on and the values that our Armed Forces embody.

The Senate Armed Services Committee's recent hearing on Don't Ask, Don't Tell was indeed historic, being the first Senate hearing on the issue in 17 years. My resolution recognizes the great significance of Defense Secretary Gates and Admiral Mullen's testimonies, which sent a clear signal across the nation and through the military ranks that discrimination is not a value of our Armed Forces. Furthermore, it urges the Pentagon working group to deliver an implementation plan to Congress as soon as possible while ensuring that the needs and concerns of all service members are taken into consideration, and strongly recommends that the Senate Armed Services Committee and House Armed Services Committee's Subcommittee on Military Personnel include active-duty service members in their upcoming hearings regarding Don't Ask, Don't Tell.

While a majority of the American people support open service by gay and lesbian members of the Armed Forces, there are those who would like to see the policy kept in place. Don't Ask, Don't Tell should be repealed swiftly and replaced with a policy of non-discrimination and inclusion once and for all.

Madam Speaker, the repeal of Don't Ask, Don't Tell is long overdue. It is my sincere hope that President Obama, the Department of Defense, the U.S. military, and Congress will do everything in their power to allow gay and lesbian Americans to serve openly as soon as possible. I urge my colleagues to support this important resolution and to join me in working to bring about the full and final repeal of Don't Ask, Don't Tell this year.

HONORING THE CHICAGO CHAPTER OF THE AMERICAN VETERANS FOR EQUAL RIGHTS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to congratulate the Chicago Chapter of the American Veterans for Equal Rights, AVER, an organization of gay, lesbian, bisexual and transgender veterans of the U.S. Armed Forces, on the occasion of the City of Chicago's annual Salute to LGBT veterans.

Founded in 1992, the Chicago Chapter of AVER provides support to LGBT veterans in the Chicago metropolitan area. Members of AVER have served in every war from World War II to Iraq and Afghanistan.

Each year, AVER members march in Chicago's Memorial Day Parade and in Chicago's Gay Pride Parade. By doing so, AVER members bear witness to the fact that gay and lesbian Americans have served throughout our history to defend the United States in time of war and to preserve our freedoms and democracy.

AVER fights not only for LGBT veterans but also for gay and lesbian soldiers currently serving in our Armed Forces, especially those who are in harms way in Iraq and Afghanistan. AVER members travel to Washington every year to lobby members of Congress for an end to the ''Don't Ask, Don't Tell'' policy.

For 15 years, AVER has fought against this detrimental policy that requires gay and lesbian service members to deny who they are and to lie about their lives. Our democratic allies—from the United Kingdom to Israel—allow gay and lesbian soldiers to serve openly without any adverse effects on military preparedness or morale. This is the basic fairness and justice that AVER seeks for gay and lesbian American soldiers.

Madam Speaker, I also want to recognize Jim Darby, the founder of the Chicago Chapter of AVER and a Korean War veteran. Jim served in the Navy as a Russian-language specialist. Along with all the other AVER members, Jim has fought tirelessly to educate the general public and the Congress about the plight of LGBT veterans and active service members. What AVER seeks is what we should all seek: respect and honor for all those who have served and who are serving the United States of American through our Armed Forces.

STATEMENT ON H. RES. 1044 COMMEMORATING THE 65TH ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ, A NAZI CONCENTRATION AND EXTERMINATION CAMP, HONORING THE VICTIMS OF THE HOLOCAUST, AND EXPRESSING COMMITMENT TO STRENGTHEN THE FIGHT AGAINST BIGOTRY AND INTOLERANCE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. JACKSON LEE of Texas. Madam Speaker, I stand before you today in support of H. Res. 1044 "Commemorating the 65th anniversary of the liberation of Auschwitz, a Nazi concentration and extermination camp, honoring the victims of the Holocaust, and expressing commitment to strengthen the fight against bigotry and intolerance."

I would like to begin by thanking my colleague Representative ILEANA ROS-LEHTINEN for introducing this resolution in the House, as it is important that we never forget the horrible atrocities of the Holocaust and that we continue to fight against acts of genocide around the world as well as fight against bigotry and intolerance here at home in the U.S.

The Auschwitz concentration camp in present-day Poland was one of the most horrific Nazi extermination camps during World War II. The camp was initially established by the Nazis in 1940 as an army barracks but soon took on a new role as the Nazis began targeting specific groups of people including Jews, ethnic Poles, Romani, Soviet civilians, Soviet prisoners of war, people with disabilities, homosexuals, Jehovah's Witnesses, and other political and religious groups.

Between 1940 and 1945 Auschwitz grew into the largest of the Nazi concentration camps in Europe, and consisted of three main camps in addition to 45 other satellite camps around the area.

During the Holocaust, more than 6 million Jews and other targeted groups were exterminated by the Nazis, and over 1 million of those killed in the Holocaust were murdered at Auschwitz.

As prisoners were taken into Auschwitz, they would pass through an infamous gate that read "Arbeit macht frei" or "Work makes free." This statement could not have been further from the truth however. The victims of Auschwitz were systematically exterminated in gas chambers while others were starved to death, tortured, and subjected to forced labor and horrific medical experiments.

On January 27, 1945, Soviet troops entered the Auschwitz concentration camp and liberated over 7,000 prisoners from the Nazis. Prior to the arrival of the allied Soviet troops however, many of the Nazis who were responsible for the horrible acts at Auschwitz escaped back into Germany, killing as many prisoners as they could in their escape.

Today we honor the victims of the Holocaust who were oppressed and killed by the Nazis at Auschwitz as well as those who were killed at the hands of the Nazis during World War II. Today we also stand with the other victims of genocide across the world and condemn the violent dictators and regimes that carry out these horrible and despicable actions.

I would also like to express my appreciation for the soldiers, sailors and airmen who fought against the Nazi tyranny during the Second World War and helped to liberate millions of prisoners from concentration camps across Europe. Because of the actions of these brave men and women, Europe is now a free and democratic society and the world is a much better place.

It is important that we never forget the horrible actions that took place during the Holocaust. Furthermore, I would also like to urge countries and leaders across the world to reassess their efforts in fighting racism, intolerance and anti-Semitism.

Through providing education and instruction to adults and children alike, we can help to ensure that what happened in Auschwitz and other Nazi concentration and extermination camps is never allowed to happen again.

I ask my colleagues for their support of this legislation as well as their support for victims of genocide across the world. I strongly urge you to support this resolution.

HONORING THE GLEN CARBON CENTENNIAL LIBRARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. SHIMKUS. Madam Speaker, I rise today to honor the Glen Carbon Centennial Library in Glen Carbon, Illinois, as it is recognized as the "Best Small Library in America."

The library's motto, "More than you expect," is more than just a saying for the 15 librarians serving the community of Glen Carbon. For them, it is a commitment to stop at nothing to ensure that library patrons get the service they need. As a testament to the community's appreciation of the Centennial Library staff's dedication, the number of visitors to the library has increased 33 percent since 2007.

Because of this dedication to service, Library Journal named Glen Carbon Centennial Library its "Best Small Library in America." The library staff has taken innovative approaches to addressing the needs of their patrons. One example is the "No to Yes log," where the staff logs requests to which they had to say "No." Then, at staff meetings they determine how to turn a "No" into a "Yes" so that they can better serve the community. In the words of one of the "Best Small Library in America" judges, "Glen Carbon seems to be doing everything right."

It is because of their hard work and dedication, that the Glen Carbon Centennial Library earned this honor. I would like to congratulate director Anne Hughes, the management team, librarians and volunteers who have made the library into the award-winning institution that it is today and wish them continued success in the future.

EARMARK DECLARATION

HON. DENNY REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. REHBERG. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010:

Requesting Member: Rep. DENNY REHBERG

Bill Number: H.R. 3326

Name and Address: FLIR Systems, Inc./Scientific Materials Corporation of 31948 East Frontage Road, Bozeman, MT 59715.

Description: $4,000,000 in funding will be used to develop SOF Visual Augmentation System Hand Held Imager/Long Range, a thermal camera that allows special operations forces to conduct critical reconnaissance, surveillance, detection and recognition at safe and maximum ranges from positions of relative safety.

Requesting Member: Rep. DENNY REHBERG

Bill Number: H.R. 3326

Name and Address: Blackfeet Nation of P.O. Box 850, Browning, Montana 59417

Description: $3,200,000 in funding will be used to develop adaptive, lightweight materials associated with enhanced fabrication, production and manufacturing technologies that can respond to meet the unique needs for lighter weight and stronger components for its missiles, ground, air and space platforms and sensors.

Requesting Member: Rep. DENNY REHBERG

Bill Number: H.R. 3326

Name and Address: MSE Technology Applications, Inc. of 200 Technology Way, Butte, MT 59701

Description: $6,408,000 in funding will be used to develop a mobile cryoplasma demilitarization system that will freeze, crush and destroy obsolete and hazardous munitions in a safe, cost-effective, and environmentally acceptable process.

Requesting Member: Rep. DENNY REHBERG

Bill Number: H.R. 3326

Name and Address: Federal Technology Group of 203 S. Enterprise Boulevard, Suite 4, Bozeman, MT 59718–6062

Description: $2,400,000 in funding will be used to produce a superior thermal interface adhesive to enhance heat removal from LEDs.

Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: UTRS, Inc. of 116 South Parkmont, Butte, MT 59701
Description: $4,800,000 in funding will be used to support Titanium Extraction, Mining and Process Engineering Research (TEMPER) and the development of lightweight weapons at an affordable cost for the Army, enhancing lethality and performance while dramatically reducing life cycle cost.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: International Heart Institute Foundation at St. Patrick Hospital of 500 Broadway, Missoula, MT 59802.
Description: $1,600,000 in funding will be used to develop a readily-available, sterile, freeze-dried vascular graft made from animal tissue for the management of traumatic vascular injuries.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: National Center for Health Care Informatics of 1300 West Park, Butte, MT 59701
Description: $1,600,000 in funding will be used to develop "next generation" simulation training for the USAF Pararescuemen (PJs) which would realistically depict environments and challenges.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: Montana State University-Bozeman of 207 Montana Hall, Bozeman, MT 59717.
Description: $1,600,000 in funding will be used to transition new technology to the U.S. warfighter in order to help save lives and improve effectiveness.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: Bridger Photonics Inc. of 2310 University Way Bldg. 4-4.
Description: $800,000 in funding will be used to develop advanced helicopter landing aid—an advanced 3D active imaging sensor that can provide rapid and accurate imagery to a helicopter pilot operating in brownouts.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: American Chemet of 701 N Last Chance Gulch, Helena, Montana 59601.
Description: $800,000 in funding will be used to give the military anti-fouling tools for paint in fresh water areas.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: Montana Tech of The University of Montana/Center for Advanced Mineral and Metallurgical Processing (CAMP) of 1300 West Park Street, Butte, MT 59701.
Description: $3,200,000 in funding will be used to support research, development, and construction of a reliable, durable, low acoustic, and low thermal signature battlefield power source.
Requesting Member: Rep. DENNY REHBERG
Bill Number: H.R. 3326
Name and Address: Western Computer Services, Inc. (WESCO) of 631 N. Last Chance Gulch, Helena, MT 59601.
Description: $2,400,000 in funding will be used to ensure a continued focus on the integration needs of Marine Expeditionary Rifle Squad (MERS), as the mission of the squad expands and the mode and means of transport change to meet the threat and the environment.

RECOGNIZING THE CONTRIBUTIONS OF OUR DAILY BREAD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize Our Daily Bread, and to congratulate them on their 25 years of service to the community.

Our Daily Bread is a volunteer-based organization dedicated to providing critical services to families and individuals suffering from financial hardship. Through robust community support from local faith-based groups, community organizations, local businesses, schools and universities, Our Daily Bread has grown to provide food, financial literacy education and assistance, school supplies, and holiday cheer to thousands of people in our area.

Our Daily Bread's mission is to identify and address the unmet fundamental needs of Fairfax area residents, and to empower the community to help our neighbors maintain self-sufficiency. This mission of sustainability and self-sufficiency evolved from humble beginnings. Our Daily Bread was founded in 1984 as a temporary homeless shelter that rotated among several area churches. When Fairfax County opened a county-run shelter in the Reston area, Our Daily Bread refocused its energies on feeding the homeless and opened a soup kitchen to serve those most in need. Recognizing the difficulties faced by those patrons unable to benefit from this service, Our Daily Bread again reinvented itself first by delivering sandwiches made by volunteers and later to delivering supplemental groceries directly to homeless families who were living in motels along Route 50 in Fairfax.

Our Daily Bread has a history of being dynamic in the face of changing demographics. Beginning in the 1990's and largely fueled by the high cost of rental housing, a new urgent need emerged. Families who were not homeless, families in which one or both parents were often juggling multiple jobs, were finding themselves unable to meet their basic needs and were just one crisis away from homelessness. Our Daily Bread rose to meet this challenge and began a program offering emergency financial assistance in the form of a modest one-time grant of up to $350.00. More recently, Our Daily Bread expanded their services to provide financial mentoring, a back to school program and holiday meals and gifts. It is a testament to talent and commitment of the volunteers, staff, and supporters who make Our Daily Bread what it is today; an organization with the foresight and readiness to take on new problems, while continuing to deliver on core initiatives.

Today, Our Daily Bread provides critical services to the elderly, the working poor, the disabled and the homeless in the Fairfax area. In 2009, Our Daily Bread provided food assistance to 345 families, a 73% increase from the previous year. In addition, 279 families benefited from financial assistance and over 100 families took part in financial literacy training and mentoring. Nearly 3,800 families were served by the holiday program, and 350 children received supplies for school. Over half of those assisted by our Daily Bread's program were children.

Madam Speaker, I ask that my colleagues join me in paying tribute to Our Daily Bread for their commitment to the community. I would also to express my sincere gratitude to the volunteers and staff who contribute their time and energy and also to the Fairfax area business community for the support they provide to this worthwhile cause.

HONORING THE ACCOMPLISHMENTS OF FLORIDA STATE REPRESENTATIVE GERALDINE F. THOMPSON

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. GRAYSON. Madam Speaker, I rise today to recognize the community activism of Florida House Representative Geraldine Thompson. State Representative Thompson grew up in the South Dade town of Perrine, Florida. She attended Miami Dade Community College and received a John F. Kennedy/Martin Luther King, Jr., Scholarship to attend the University of Miami in Coral Gables, Florida, where she enrolled shortly after that school ended racial segregation. In 1970, she received a bachelor's degree with honors in journalism and business education. She moved with her husband, Emerson, to Tallahassee where he attended law school and she worked in State government and higher education. Her first position in Tallahassee was as executive secretary to Representative Gwendolyn Sawyer Cherry, the first African-American woman to serve in the Florida House of Representatives. After working for several years, she sought a master of science degree in communication from Florida State University, which she received in 1973. She then joined her husband in Orlando and immediately became active in the central Florida community.

She began work in Orlando as a teacher in the Orange County Public School System. After 6 years, she left the classroom to accept a position as director of the Equal Opportunity Office at Valencia Community College where she served for 24 years as assistant to the president. Among her many accomplishments at Valencia Community College, she initiated the establishment of the "College Reach Out Program" which enabled thousands of low income and disadvantaged students to fulfill their dream of going to college. She also served on the boards of the Orange County Community Action Advisory, the Metropolitan Orlando Urban League, WMFE Public Broadcasting Station, the YMCA, the Mayor's Martin Luther King, Jr., Holiday Commission, the Holocaust Memorial and Resource Center, and the West Orange Healthcare District. In 1987, she was appointed by Governor Bob Graham to the Florida Commission on Human Relations. She received confirmation from the Florida Senate and remained on the Commission during the terms of Governor Lawton Chiles, where she was elected by her fellow commissioners to serve as chair.

Also considered a local historian, her passion for history led her to conducting research

and compiling documents which resulted in authoring a book entitled, ''Black America Series: Orlando, Florida,'' in 2003. She is also credited with preserving one of Orlando's unique landmarks, The Wells' Built Hotel, which housed some of America's most prominent citizens, including Justice Thurgood Marshall, Ray Charles, Ella Fitzgerald, Jackie Robinson and many more. She helped to secure funds to convert the hotel into a museum which is known today as The Wells' Built Museum of African American History.

In November of 2006, she was elected by the constituents of District 39 in Orlando to serve as the first African-American female to represent Orange County in the Florida House of Representatives. During her tenure in the House she has filed legislation to outlaw the mutilation of young women, increase penalties for hate crime perpetrators, provide $1.8 million in trust fund monies for a student who was injured in a local public school, and increase access to healthcare for women diagnosed with breast cancer. On November 18, 2008, she was unanimously selected by her legislative colleagues to serve as the Democratic Leader Pro Tempore, the second highest ranking Democrat in the Florida House of Representatives.

Madam Speaker, as Black History Month comes to a close, it is with great honor that I highlight my friend and fellow champion for human and civil rights Geraldine ''Geri'' Thompson. State Representative Thompson has been a crucial advocate for women's rights and the African-American community. She is a true role model and example of what a public servant should be. Her numerous contributions will leave a lasting legacy in our central Florida community, in the state of Florida, and for her family. I know her husband, the Honorable Emerson R. Thompson, Jr., and her three children, Laurise, Emerson III, and Elizabeth, and her four grandchildren are proud of what she has accomplished. We all benefit from her service and dedication.

ON THE OCCASION OF THE 78TH BIRTHDAY OF SENATOR EDWARD M. KENNEDY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. ESHOO. Madam Speaker, I offer these few words in observation and in celebration of the birthday of a man who remains very much with us as we go about the people's business—Senator Ted Kennedy.

No one fought harder for the causes in which he believed, but he also believed in working across the aisle and in reaching out to find common ground.

No one believed more deeply in providing universal health care to all Americans and I know that if he were still in the United States Senate, he would have been working overtime to help us find a way to make health care a reality for everyone.

Those of us who are blessed to have known him and to be wrapped in his special embrace of friendship miss him deeply.

But we can feel him at our shoulder, urging us on, helping us find joy in battle, satisfaction in doing our best, and taking inspiration from the people who need us most and who cannot speak for themselves. And we can still be touched by his example, his belief in a common respect that each of us is here to do our best to make our nation better.

On this day when Senator Kennedy would be 78, let us give ourselves a gift—let us be worthy of his unfailing optimism—let us work together a little harder, get along a little better, and spend the few precious moments we are allotted bringing all Americans freedom to live a healthy life.

Happy birthday, my friend, and God bless you.

HONORING ANN LAM WONG AND SHARON DRAVVORN, RECIPIENTS OF THE MILKEN NATIONAL EDUCATOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize Ann Lam Wong and Sharon Dravvorn, recipients of 2009 Milken Family Foundation National Educator Awards. The Milken Foundation honors teachers, principals, and specialists throughout America with $25,000 individual awards. Criteria for individual awards include exceptional education talent based on student results in the classroom, educational accomplishments outside of the classroom, and professional leadership. All of the recipients of the awards will attend the Milken Educator Forum in Los Angeles, Calif., in May.

Ann Lam Wong is a biology teacher at West Springfield High School in Springfield, Va. She teaches several sections of biology, and 100 percent of her students passed the Virginia Standards of Learning tests in biology with 68 percent passing at an advanced level. Wong also teaches AP biology, where 75 percent of her students passed the AP examination with a score of 3 or higher.

In addition to teaching biology, Wong mentors students who are having a hard time transitioning to high school. She started an AP summer academy, which increased AP enrollment requests at West Springfield High School by 27 percent. Wong also is the advisor for her students' Asian American Student Association.

Sharon Dravvorn teaches 9th and 10th grade mathematics at Woodbridge High School in Woodbridge, Va. Dravvorn incorporates a broad range of tools in her classroom, including the use of classical music, logic games, and visual aids. She focuses on teaching students that failed their 8th grade Standards of Learning exams. Ninety-five percent of those students who have received additional instruction from Dravvorn went on to pass their exams.

Along with teaching mathematics, Dravvorn is a role model for other teachers in the area. She mentors fellow teachers, leads a book club for teachers, and teaches training courses for her peers.

Madam Speaker, I ask my colleagues to join me in honoring Ann Lam Wong and Sharon Dravvorn as examples of outstanding educators through their exceptional work in and outside of the classroom. They are role models for both their students and other teachers.

170TH ANNIVERSARY OF THE AVENUE L MISSIONARY BAPTIST CHURCH IN GALVESTON, TEXAS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. PAUL. Madam Speaker, February 28th marks the 170th anniversary of the Avenue L Missionary Baptist Church in Galveston, Texas. The Avenue L Missionary Baptist Church will commemorate this anniversary with a series of events through this month, including a grand parade and old fashioned picnic on February 20th.

One of the oldest black churches in Texas, Avenue L Baptist is the mother church of African-American worship in the entire state of Texas. Texas Avenue L Baptist began as the Colored Baptist Church, a congregation organized by Reverend James Hutchinson to serve Galveston's slave population. In 1855, First Baptist trustees Gail Borden, Jr., John S. Sydnor, and Reverend Huckins purchased land from the Galveston City Company for use by the congregation of Colored Baptist's successor, the African Baptist Church. After the Civil War, the property was formally deeded to the African Baptist Church, who where reorganized under Reverend Israel S. Campbell as the First Regular Missionary Baptist Church in 1867. The church adopted the name Avenue L Missionary Baptist in 1903.

In 1916, construction of the present brick church building commenced. Many fund-raising activities where undertaken by the people of Galveston to raise the funds for the church. The new structure included art glass windowpanes, a furnace to supply steam heat, and a baptizing pool. A pipe organ was installed in 1921. Reverend H.M. Williams spoke for all of his congregants when he said ''Our Church is a most beautiful one.'' Today, almost ninety years later, Avenue L Missionary Baptist remains a most beautiful church.

In 1973 work began on renovations, including the additions of air-conditioning, and central heating. In 1977, the Church's stained glass windows where refurbished and covered with a protective shield. Reverend R.E. McKeen, who served as pastor of Avenue L Missionary Baptist, during the renovation also began broadcasting sermons on local radio.

Among the prominent pastors who have served at Avenue L Missionary Baptist Church are Reverend H.M. Williams, who served as moderator of the Lincoln District Baptist Association and led the rebuilding of the church after the hurricane of 1900 and the Reverend G.L. Price who served as President of the National Baptist Convention of American and the Mary Allen College. Reverend Andrew Walker Berry, who served as Pastor from 1985 to 1990 was a noted composer and prolific writer of prospectuses and pamphlets. Reverend Berry also has over 100 gospel songs published through his company ''Musico.''

The Avenue L Missionary Baptists Church remains a pillar of the Galveston Community. Every Sunday hundreds gather in the church for services. In addition, Avenue L Missionary serves the Galveston community with a variety of missionaries including the Young Adult Christian League, the Logos Bible Class, Midweek prayer and Bible study, the General Mission, Jr. Melodic Messengers, and the Young

Adult Ushers. I am pleased to congratulate the Avenue L Missionary Baptist on its 140th anniversary, and wish for its continued success in serving the people of Galveston.

HONORING THE LUNAR NEW YEAR—THE YEAR OF THE TIGER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. DAVIS of Illinois. Madam Speaker, I rise today to join with the millions of Asian-Americans who are celebrating the Lunar New Year and welcoming year 4708, the Year of the Tiger. The origin of Lunar New Year is centuries old and is the most important celebration in the Lunar Calendar. It is also recognized as the Spring Festival. The celebrations traditionally last for 15 days and provide an opportunity to give thanks for one's blessings, celebrate family, resolve arguments, and prepare the community to embark on a new year with hope and charity.

In Chicago, the Lunar New Year was celebrated on February 14, 2010 with the 27th annual Chinese Lunar New Year celebration in Chicago's Chinatown, which I am proud to say resides in my Congressional District. Approximately 40,000 Chicagoans enjoy a Chinese heritage. Restaurants celebrated the holiday by serving special dishes, and thousands of people attend multiple events to commemorate and cherish the traditions of the New Year.

Every year, thousands of Asian-Americans will gather with their families and friends to enjoy the New Year festivities and the company of loved ones. The New Year offers a time for sweeping away misfortune and welcoming the New Year with hopes of prosperity and good luck. We should all take advantage of the opportunity to explore and share in this treasured tradition with family and friends. Embracing this tradition honors the richness of our diversity as Americans.

I congratulate the Asian-American community for their successes and thank them for their contributions to our country this past year. And I wish you all a very happy, healthy, and prosperous New Year. I wish all a Gong Hay Fat Choy.

RECOGNIZING THE 2010 CHINESE LUNAR NEW YEAR CELEBRATION SPONSORED BY THE ASIAN COMMUNITY SERVICE CENTER IN VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the celebration of Chinese New Year. This year marks the 4,708th year in the Chinese Lunar calendar.

In Virginia's 11th District, constituents of different backgrounds—including Chinese, Indonesian, Indian, Japanese, Korean, Filipino, and Malaysian—gathered on February 13th and 14th to ring in the New Year.

The celebration that many of my constituents attended was sponsored by the Asian Community Service Center and hosted by Luther Jackson Middle School in Falls Church, Virginia. This celebration was a testament to the rich cultural traditions that are often practiced by the residents of Northern Virginia.

To my constituents and all those who celebrate Chinese New Year, I wish you a prosperous Year of the Tiger.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $12,402,054,835,588.68.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $1,763,629,089,294.88 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. MILLER of Florida. Madam Speaker, I missed rollcall Vote Nos. 17–19 on January 26, 2010. Had I been present, I would have voted:

Rollcall Vote No. 17, Expressing support for designation of January 2010 as ''National Mentoring Month'', ''aye.''

Rollcall Vote No. 18, Recognizing the importance of cervical health and of detecting cervical cancer during its earliest stages and supporting the goals and ideals of Cervical Health Awareness Month, ''aye.''

Rollcall Vote No. 19, Expressing support for the designation of January 10, 2010, through January 16, 2010, as National Influenza Vaccination Week, ''aye.''

RECOGNIZING THE 2010 CHINESE LUNAR NEW YEAR CELEBRATION SPONSORED BY THE HAI HUA COMMUNITY CENTER IN VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the celebration of Chinese New Year. This year marks the 4,708th year in the Chinese Lunar calendar.

In Virginia's 11th District, constituents of different backgrounds—including Chinese, Indonesian, Indian, Japanese, Korean, Filipino, and Malaysian—gathered on February 13th and 14th to ring in the New Year.

The celebration that many of my constituents attended was presented by the Fair Oaks Mall and sponsored by the Hai Hua Community Center in Virginia. This celebration was a testament to the rich cultural traditions that are often practiced by the residents of Northern Virginia.

This year, the Lunar New Year celebration also included a Lantern Festival celebration. The festivities consisted of cultural performances, demonstrations, and arts and crafts activities. To my constituents and all those who celebrated Chinese New Year, I wish you a prosperous Year of the Tiger.

THE PUBLIC TRANSPORTATION SAFETY PROGRAM ACT OF 2010

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. OBERSTAR. Madam Speaker, together with Highways and Transit Subcommittee Chairman PETER A. DEFAZIO and the gentlewoman from Maryland (Ms. EDWARDS), I rise today to introduce the ''Public Transportation Safety Program Act of 2010'', by request of Secretary of Transportation Raymond H. LaHood. I commend the Department of Transportation (DOT) for focusing its first legislative proposal on improving transit safety, and I am pleased to work together with Secretary LaHood and Federal Transit Administrator Peter M. Rogoff on this important initiative.

Currently, public transportation remains one of the safest modes of passenger travel. In recent years, the fatality rate for rail transit systems—such as subways and light rail—has decreased to just .002 fatalities per 100 million passenger miles. This is one of the lowest fatality rates of all surface transportation modes. At the same time, Americans are riding transit at record levels. The growth in transit ridership is almost triple the growth rate of the population, and substantially more than the growth rate for vehicle miles traveled on our nation's highways. This public transportation renaissance taking place in cities large and small across America further elevates the importance of transit safety, while also spotlighting an issue that is inextricably linked to safety—the state of good repair of public transit systems.

Unfortunately, the state of good repair of many transit systems has not kept up with the influx of new riders. Maintenance levels at many public transit agencies have decreased to a point where older, less safe rail cars, tracks, electrical equipment, and other assets are left in service long after their useful life. According to the Federal Transit Administration (FTA), more than one-third of the total assets of the largest rail systems in the country are in either marginal or poor condition, and the estimated maintenance backlog for the nation's rail transit systems exceeds $80 billion. According to DOT's 2008 Status of the Nation's Highways, Bridges, and Transit: Conditions and Performance, an average of $21.1 billion in annual capital investment is needed to bring all transit assets to a good condition by 2026. This level of investment represents an annual increase of $8.3 billion—an increase of 64.8 percent—above current capital investment levels.

In addition to addressing this maintenance backlog, the Federal Transit Administration

should strengthen its role in rail transit safety oversight. Currently, there are no nationwide mandatory minimum standards for rail transit safety. Unlike the Federal Aviation Administration and the Federal Railroad Administration, the Federal Transit Administration does not have the authority to directly regulate public transit systems. Instead, FTA oversees a State Safety Oversight (SSO) program which puts the safety oversight and enforcement responsibility for rail transit systems on States rather than the Federal Government. However, the legal authorities of the various state oversight agencies are limited and vary widely from State to State. According to a Government Accountability Office (GAO) report in 2006, some States employ as few as 0.1 or 0.2 full-time equivalent positions dedicated to the safety of rail transit systems they are required to oversee. GAO also found that many SSOs lack sufficient financial resources and independence from the transit systems under their purview. The relationship between the Federal Government and States is a partnership, and a culture of safety must permeate this relationship, including at the Federal level. As in all partnerships, when one partner does not do his or her job well, the other must step in to help achieve their shared goals.

I commend the Obama administration for acknowledging the shortfalls of the current state-based safety system and I believe that the Department's proposal represents much needed improvements. It will assure that each State has an adequate number of fully-trained staff, that it has sufficient authority granted by the state legislature and governor, that it can compel compliance by the transit agencies, and that the state oversight entity has financial independence from the transit systems it oversees. I think those are reasonable propositions. Safety is our number one responsibility in transportation.

I would also like to applaud Secretary Ray LaHood for his leadership on this critical safety issue, and for directing DOT to take intermodal initiatives to enhance transit safety. This is a nonpartisan issue—protecting human life from injury or death. I appreciate the Secretary's decision to create a new, internal safety council designed to enhance the culture of safety at the Department. At a very basic level, we need to ensure that passengers feel completely safe as they board rail transit systems, as ensuring safety is a key component of creating livable communities, which is a goal that both Secretary LaHood and I share.

I look forward to working with the Department of Transportation on this proposal during consideration of the comprehensive, long-term surface transportation authorization bill. Improving transportation safety across all modes is a core principle of the ''Surface Transportation Authorization Act'', and I look forward to working with the Administration to further strengthen its transit safety provisions.

HONORING DR. RUTH SIMMONS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to recognize Dr. Ruth Simmons who is President of Brown University and is the first African American to head an Ivy League institution.

Dr. Simmons began her life as the youngest of 12 children to a sharecropper in Grapeland, Texas. She spent her formative years in segregated Houston, and went on to complete a bachelor's degree on a scholarship from Dillard University in New Orleans. She completed her education with a master's degree and a doctorate in Romance literature from Harvard University.

Today, Dr. Simmons is regarded as one of the most notable people in academia and academic administration. Through the years, she has served as Dean at Princeton University and President of Smith College where she was responsible for starting the institution's engineering program. In 2001, she became President of Brown University, and there she has completed a $1.4 billion initiative to enhance Brown's academic program entitled Boldly Brown: The Campaign for Academic Enrichment.

Dr. Simmons recently visited Dallas where the city's Brown University Club hosted her at a reception. Additionally, she attended a luncheon at St. Phillips School and Community Center, an institution dedicated to enhancing the lives of children and families with low and moderate income. We were very privileged to have Dr. Simmons visit our city, and I know that her personality and character will be an inspiration to the countless people that were privileged to meet her.

Madam Speaker, I encourage my fellow colleagues to join me in recognizing and honoring Dr. Ruth Simmons for her countless achievements and dedication to higher education. Additionally, I would like to personally thank her for visiting Dallas and inspiring people across our community to achieve their goals.

SHAKEN BABY SYNDROME VICTIMS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mrs. LOWEY. Madam Speaker, I would like to insert the following list of Shaken Baby Syndrome victims:

Cynthia Gibbs from New York,
Tanner Jurisch from South Dakota,
Cheyanne Huffines from Georgia,
Macie McCarty from Minnesota,
Jake Belisle from Maine,
Benjamin Zentz from Michigan,
Chole Salazar from New Mexico,
Madison Musser from Oklahoma,
Daniel Carbajal from Texas,
Nykkole Becker from Minnesota,
Gianna D'Alessio from Rhode Island,
Brynn Ackley from Washington,
Rachael Kang from Texas,
John Sprague from Maryland,
Ryan Sanders from Virginia,
Reagan Johnson from Virginia,
Brittney Sheets from New York,
Dalton Fish from Indiana,
Nicolette Klinker from Colorado,
Brianna Moore from West Virginia,
Shania Maria from Massachusetts,
Dayton Jones from Pennsylvania,
Breanna Sherer from California,
Evelyn Biondo from New York,
Kenneth Hardy from Pennsylvania,
Alexis Vazquez from Florida,
Joshua True from Washington,
Stephen David from California,
Michael Blair from Arkansas,
Olivia Thomas from Ohio,
Kaleb Schwade from Florida,
Aiden Jenkins from Pennsylvania,
Isabella Clark from Pennsylvania,
Aaron Cherry from Texas,
Skipper Lithco from New York,
Madilyne Wentz from Missouri,
Chelsea Forant from Massachusetts,
David Sedlet from California,
Joshua Cross from Ohio,
Taylor Rogers from Illinois,
Kaden Isings from Washington,
Hannah Juceam from California,
Sarah Donohue from New York,
Gavin Calloway from Maryland,
Kierra Harrison from Nevada,
Christopher Daughtrey from North Carolina,
Miranda Raymond from Pennsylvania,
Dominic Morelock from Ohio,
Emmy Cole from Maine,
McKynzee Goin from Oregon,
Bryce McCormick from Florida,
Dawson Rath from Pennsylvania,
Joseph Wells from Texas,
Stephen Siegfried from Texas,
Margaret Dittman from Texas,
Jamison Carmichael from Florida,
Bennett Sandwell from Missouri,
Amber Stone from New York,
Cassandra Castens from Arizona,
Gabriela Poole from Florida.

On behalf of these victims and many other innocent lives lost or damaged, I look forward to working with my colleagues to see that legislation becomes law so that we can expand efforts to eradicate Shaken Baby Syndrome.

HONORING MOLLY SABOLSKY, RECIPIENT OF THE HARRY F. BYRD, JR. LEADERSHIP AWARD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize Molly Sabolsky, a senior from W.T. Woodson High School in Fairfax, Va., for receiving a 2010 Harry F. Byrd Jr. Leadership Award. Senator Byrd developed the award to recognize and reward students that are strong academically and demonstrate leadership qualities. A $10,000 scholarship is awarded to one student from each congressional district in Virginia.

Each high school in Virginia is able to nominate one student to compete for the award. Students are nominated based upon their excellence in academics, leadership, good citizenship, and character. Molly Sabolsky embodies the reward through her academic achievement in the classroom and her leadership on the volleyball team.

Madam Speaker, I ask that my colleagues join me in honoring Molly Sabolsky for being recognized by the Harry F. Byrd, Jr. Leadership for her academic success and leadership qualities.

HOUSTON LEADS NATION IN ENERGY STAR QUALIFIED HOMES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. POE of Texas. Madam Speaker, recently our Environmental Protection Agency

announced a major milestone in saving electricity and avoiding greenhouse gases. One million Energy Star qualified homes have been built since the start of the program in 1992. $1.2 billion has been saved on energy bills and we have been able to reduce our greenhouse gas emissions by 22 billion pounds. In 2009, Americans have saved more than $270 million on utility bills.

I am proud to say that Houston, a portion of the second district of Texas, leads the nation, with 144,000 Energy Star qualified homes since 1995, Altogether, Texas cities hold 4 spots in the top 20 geographical areas.

Thousands of Texans are saving millions of dollars by being aware of their energy consumption, making smart energy choices, and getting the most bang for their energy buck. The guidelines to getting a house Energy Star labeled are strict, but using common sense when trying to save energy can prevent greenhouse gases. Homes must have effective insulation systems, high-performance windows, tight construction and ductwork, efficient heating and cooling, and high-efficiency lighting. Houston has the most of these homes, in a state where one-third of all electricity is used for air conditioning. That is almost three times the national average.

Studies have shown that if Texas embraces conservation and comprehensive sets of energy technology, our state could avoid building any new electric generating plants for at least 15 years. Right now in 2009, Texans have the highest average spending on residential electricity in the South. That is changing, and rapidly.

The Energy Star program has paved the way for a new, energy efficient America. Houston, Texas is at the helm and our nation's advances in efficiency and awareness show no signs of slowing.

And that's just the way it is.

TRIBUTE TO GERALD WAYNE SMITH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. KILDEE. Madam Speaker, I rise today and ask the House of Representatives to join me in congratulating Gerald Wayne Smith as he is awarded the rank of Eagle Scout by the Boy Scouts of America. At the age of 71, Gerald is one of the oldest individuals in our country to receive this distinction.

Over the years the Tall Pine Council of the Boy Scouts of America has worked to provide the Scouting opportunity for every youngster. The focus of their program is to accommodate all abilities. The Council holds a ''Handicapable Camporee'' on a regular basis to allow all scouts regardless of their abilities to learn how to function in an outdoors setting. The Tall Pine Council ranks near the top of Boy Scout Councils across the Nation that have awarded the Eagle Scout rank to youngsters with disabilities.

Gerald Wayne Smith is a charter member of Boy Scout Troop 117, a Tall Pine Council Boy Scout Troop founded on October 16, 1961 as a troop devoted to Scouts with differing abilities. He has served as Junior Assistant Scoutmaster since 1974, and was promoted to Life Scout in 1989.

Gerald was elected to the Order of the Arrow, an honor given to those Scouts that best exemplify the Scout Oath and Law in their daily lives. He completed his Ordeal requirements in 1985, the Brotherhood requirements in 1986 and completed the Vigil level requirements in 1998. The Order of the Arrow is considered to be scouting's national service organization and Gerald is recognized as an honored camper. The purpose of the Order is to promote the Scout habit of helpfulness into a life purpose of cheerful service to others.

After overseeing a landscaping and canopy renovation project at Asbury United Methodist Church in Flint, Michigan, Gerald fulfilled the requirements to receive the Eagle Scout Award. Only about five percent of Boy Scouts earn the rank of Eagle Scout and it is the highest level a Boy Scout can achieve. He is the ninth Scout in Troop 117 to achieve the rank of Eagle Scout.

Madam Speaker, Gerald Wayne Smith has exhibited leadership, service, and outdoor skills, throughout his Boy Scout career. These are the three essential elements to earning the Eagle Scout Award and he is to be commended for his commitment to Scouting and his perseverance in achieving his goal. I ask the House of Representatives to join me in applauding this tremendous achievement and congratulating him for his accomplishment.

EARMARK DECLARATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CRENSHAW. Madam Speaker, I rise today to submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, A

Legal Name of Receiving Entity: Florida State University (FSU)

Address of Receiving Entity: 109 Westcott Building Tallahassee, FL 32306

Description of Request: I have secured $3,200,000 in funding in H.R. 3326 in the RDTE, A Account for the Nanotubes Optimized for Lightweight Exceptional Strength (NOLES) Composite Materials.

It is my understanding that the funding would be used to develop effective personnel protection and a lighter, stronger fleet of fighting vehicles through diminutive nanotubes.

This is a valuable use of taxpayer funds because the U.S. Army's objective of developing effective personnel protection and a lighter, stronger fleet of fighting vehicles may be achieved through the diminutive nanotubes that (1) are the strongest fiber known, (2) have a thermal conductivity two times higher than pure diamond, and (3) have unique electrical conductivity properties and an ultrahigh current carrying capacity.

There are no matching funds required for this project.

IN MEMORY OF MARY RUTHSDOTTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. WOOLSEY. Madam Speaker, I rise with sadness today to honor my dear friend, Mary Ruthsdotter, who passed away January 8, 2010, at the age of 65. Mary was a sparkling personality and a community leader, friend to many, devoted family woman, and a prominent activist for women's issues. As one of four women who founded the National Women's History Project, NWHP, in 1980 in Santa Rosa, California, she profoundly influenced the Nation's understanding of women's roles in our lives.

Born in Iowa in 1944 to a military family, Mary traveled widely while growing up. She attended UCLA and, while living in Los Angeles, married Dave Crawford. The couple moved to Sonoma County in 1977. Later, as the spirit of feminism informed her life, Mary changed her last name from Crawford to Ruthsdotter in honor of her mother Ruth.

With a strong mother and grandmother as role models, Mary was always a feminist. The move to Sonoma County turned her into an activist. She learned about women's history from Molly MacGregor, Bette Morgan, and Paula Hammett, future co-founders with her of the NWHP. She also heeded the call from the Sonoma County Commission on the Status of Women for volunteers and eventually became its Chair.

The founding of the NWHP, a national clearinghouse and curriculum development center, was the realization of a dream to promote and celebrate the diverse accomplishments of women. As Mary explained it, ''Not knowing women's history and trying to understand the world is like not knowing odd numbers and trying to figure out math.''

She served as a researcher and writer and traveled around the country making presentations, training teachers, and lobbying for the inclusion of women's accomplishments in the nation's history. She established a nationwide network to provide resource materials to schools; co-produced a video series, Women in American Life, as well as the first video documenting the role of Latino women, Adelante, Mujeres; and coordinated reviews for thousands of books on women in history submitted by publishers across the Nation. She donated these selections to Sonoma State University.

Thanks to the NWHP, March is now recognized as National Women's History Month. Mary, of course, was on the front lines spearheading the movement for National Women's History Week which became the full month of recognition in 1987. That is one reason I nominated her for the Women's History Month 2007 list of prominent women, a fitting tribute. She received the award at a ceremony in the Capitol Rotunda in Washington, DC.

Mary's community involvement included a stint as a field representative for former State Assemblymember Patricia Wiggins. Ten years ago, she and Dave were leaders in organizing a co-housing community, the Two Acre Wood, in Sebastopol, California, where they lived with people from varied backgrounds, ages, and perspectives. Mary enjoyed this extended family and working in the garden on the property.

A portrayal Alice wrote of her mother a few years ago truly sums up Mary's remarkable personality. While visiting at Alice's home in Australia, Mary was entranced by the description of a woman as a ''truly remarkable rare bird.'' This phrase fits Mary well, Alice says, because ''there is so much about my mother that is remarkable and rare. In my mind, the mixture of exuberance and STICK TO-IT-iveness that she brings to her work in the garden has become a kind of shorthand for what I so admire in her approach to life. My mother is always cultivating something—in fact, she is constantly cultivating many things at once. With an abundance of creative energy, she starts more projects in a day than many of us do in a month, and—even more impressively—she has the patience and the persistence to see the majority of them through.''

Alice describes how Mary brought the imaginative vision, inspiration, and verve of her gardening to everything she did, from the Women's History Project, to nurturing her relationship with Dave, throwing pots, cooking feasts, filling a neighborhood with trees, and ''raising a happy and appreciative daughter who turned out to be a real, live feminist herself.''

In addition to Dave and Alice, Mary is survived by her mother Ruth Moyer, son-in-law Geoff, and two grandchildren, Marcus and Ian.

Madam Speaker, Mary Ruthsdotter also looked forward to what women can accomplish. In her life she exemplified her own description of the path women's lives will take: ''Holding prominent public offices and winning Olympic downhill ski medals may be new to women, but not because those possibilities had held no interest for them in the past. As social conventions change and women are allowed to do even more with our lives, we will.'' Here's to Mary—a truly remarkable rare bird.

HONORING NYASHA SPROW, RECIPIENT OF THE 15TH ANNUAL PRUDENTIAL SPIRIT OF COMMUNITY AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize Nyasha Sprow, 12, of Dale City, Va., for receiving a Prudential Spirit of Community Award, a nationwide program that honors youth for outstanding acts of volunteerism. The Prudential Spirit of the Community Award was created by Prudential Financial in partnership with the National Association of Secondary School Principals in order to impress upon our young people that their contributions are important and to inspire young people to become involved in their communities. As a recipient of the award, Nyasha will receive a $1,000 award and an engraved silver medallion.

Nyasha was nominated by the Prince William Chapter of the American Red Cross in Manassas. She is a seventh grader at Herbert Saunders Middle School in Manassas and is an advocate for organ and tissue donation. Her two sisters were tragically killed, and her mother made the hard decision to donate their organs and tissues. Following this tragic event, Nyasha has made advocating organ donation her personal mission.

Nyasha is a spokesperson for the National Kidney Foundation, where she conducts presentations for elementary school children, distributes literature at health fairs and speaks with the media. She also helps with fundraising events sponsored by the National Kidney Foundation and the Washington Regional Transplant Center. In addition to her work with the National Kidney Foundation, she discussed the issue of organ donation as a contestant in the National American Miss pageant.

Madam Speaker, I ask that my colleagues join me in honoring Nyasha Sprow for her outstanding volunteerism. She should be applauded for her initiative in making her community a better place to live. She has demonstrated a level of commitment and accomplishment that is truly extraordinary for someone of her age, and she deserves our sincere admiration. Her actions demonstrate the impact the youth can play in our communities.

CONGRATULATING NATIVE CENTRAL FLORIDIAN ZACK GREINKE ON BEING NAMED THE AMERICAN LEAGUE CY YOUNG AWARD WINNER FOR THE 2009 MAJOR LEAGUE BASEBALL SEASON

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. GRAYSON. Madam Speaker, I rise today to congratulate Zack Greinke on being named the American League Cy Young Award winner for the 2009 Major League Baseball season. Mr. Greinke has performed at the highest level in every division of baseball, from the Conway Little League All-Stars to the Kansas City Royals of Major League Baseball.

His passion and dedication to the sport of baseball is evident from his many achievements and recognitions throughout his baseball career. The Baseball Writers' Association of America lauded Zack Greinke's Major League-leading 2.16 earned run average. He won his first six starts with a 0.40 earned run average, the third best start in Major League Baseball history. Mr. Greinke did not give up a home run through the first 83⅓ innings he pitched, struck out 15 batters and threw a one-hitter in back-to-back outings in August 2009. Mr. Greinke won six games and lost only one, with a 1.75 earned run average during his final 11 starts, and pitched a perfect inning in the American League's 4–3 Major League Baseball All-Star Game victory.

Madam Speaker, I truly admire Mr. Greinke's accomplishments and recognize the hard work and dedication it took to achieve such a distinguished honor. I congratulate Mr. Greinke and his family on this exceptional award.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 23, 2010 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 24

9 a.m.

Budget

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Transportation.

SD–608

9:30 a.m.

Armed Services

To hold hearings to examine contracting in a counterinsurgency, focusing on an examination of Blackwater-Paravant contract and the need for oversight.

SH–216

Environment and Public Works

Water and Wildlife Subcommittee

To hold hearings to examine legislative approaches to protecting, preserving and restoring great water bodies.

SD–406

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Forest Service.

SD–366

Finance

To hold hearings to examine certain nominations.

SD–215

Health, Education, Labor, and Pensions

To hold hearings to examine a stronger workforce investment system for a stronger economy.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine the proposed budget request for fiscal year 2011 for the Department of Homeland Security.

SD–342

10:30 a.m.

Judiciary

Human Rights and the Law Subcommittee

To hold hearings to examine child prostitution and sex trafficking in the United States.

SD–226

Appropriations

State, Foreign Operations, and Related Programs Subcommittee

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of State and Foreign Operations.

SD–192

2 p.m.

Appropriations

Homeland Security Subcommittee

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Homeland Security.

SD–192

Judiciary

To hold hearings to examine the nominations of Brian Anthony Jackson, to be United States District Judge for the Middle District of Louisiana, Elizabeth Erny Foote, to be United States District Judge for the Western District of Louisiana, Marc T. Treadwell, to be United States District Judge for the Middle District of Georgia, and Josephine Staton Tucker, to be United States District Judge for the Central District of California.

SD–226

2:30 p.m.

Armed Services

Business meeting to consider any pending nominations.

SR–222

Foreign Relations

Business meeting to consider S. 2961, to provide debt relief to Haiti, S. Res. 400, urging the implementation of a comprehensive strategy to address instability in Yemen, S. Res. 404, supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and the nominations of Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency, Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank, and Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund, and Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Bisa Williams, of New Jersey, to be Ambassador to the Republic of Niger, Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago, Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal, Harry K. Thomas, Jr., of New York, to be Ambassador to the Republic of the Philippines, David Adelman, of Georgia, to be Ambassador to the Republic of Singapore, Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations, and to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Deputy Representative of the United States of America in the Security Council of the United Nations, Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, and to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, Allan J. Katz, of Florida, to be Ambassador to the Portuguese Republic, Ian C. Kelly, of Maryland, to be U. S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, and Judith Ann Stewart Stock, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs, all of the Department of State, and a promotion list in the Foreign Service; to be immediately followed by a hearing to examine foreign policy priorities in the fiscal year 2011 International Affairs budget.

SD–419

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine the challenges and opportunities in the National Aeronautics and Space Administration (NASA) fiscal year 2011 budget proposal.

SR–253

FEBRUARY 25

9 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the semiannual Monetary Policy Report to the Congress.

SD–538

9:30 a.m.

Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SD–G50

Commerce, Science, and Transportation

Aviation Operations, Safety, and Security Subcommittee

To hold hearings to examine aviation safety, focusing on one year after the crash of flight 3407.

SR–253

10 a.m.

Judiciary

Business meeting to consider S. 1789, to restore fairness to Federal cocaine sentencing, S. 1132, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 2772, to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety, H.R. 1741, to require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs, 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. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 1554, to amend the Juvenile Justice and Delinquency Prevention Act of 1974

to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and the nominations of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General, William Joseph Hochul, Jr., to be United States Attorney for the Western District of New York, and Sally Quillian Yates, to be United States Attorney for the Northern District of Georgia, all of the Department of Justice, and Gloria M. Navarro, to be United States District Judge for the District of Nevada, Audrey Goldstein Fleissig, to be United States District Judge for the Eastern District of Missouri, Lucy Haeran Koh, to be United States District Judge for the Northern District of California, Jon E. DeGuilio, to be United States District Judge for the Northern District of Indiana, and Jane E. Magnus-Stinson and Tanya Walton Pratt, both to be United States District Judge for the Southern District of Indiana.

SD–226

Small Business and Entrepreneurship

Business meeting to consider S. 2989, to improve the Small Business Act.

SR–485

10:30 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold an oversight hearing to examine the science and policy behind the Federal framework and non-Federal efforts to prevent introduction of the aquatic invasive Asian carp into the Great Lakes.

SD–366

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine the President's proposed budget request for fiscal year 2011 for tribal programs and initiatives.

SD–628

2:30 p.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine interagency contracts (part I), focusing on an overview and recommendations for reform.

SD–342

Intelligence

To hold closed hearings to consider certain intelligence matters.

SH–219

FEBRUARY 26

9:30 a.m.

Veterans' Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Veterans Affairs.

SR–418

10 a.m.

Judiciary

To hold hearings to examine the Office of Professional Responsibility Investigation into the Office of Legal Counsel Memoranda.

SD–226

10:30 a.m.

Joint Economic Committee

To hold hearings to examine the road to economic recovery, focusing on prospects for jobs and growth.

2325, Rayburn Building

MARCH 2

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine Toyota's recalls and the government's response.

SR–253

2 p.m.

Veterans' Affairs

To hold hearings to examine a legislative presentation from Disabled Veterans of America.

345, Cannon Building

MARCH 3

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine mental health care and suicide prevention for veterans.

SR–418

10 a.m.

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the National Oceanic and Atmospheric Administration and Fisheries Enforcement Programs and Operations.

SR–253

MARCH 4

9:30 a.m.

Armed Services

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Air Force in review of the Defense Authorization and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

Veterans' Affairs

To hold hearings to examine legislative presentations from the Paralyzed Veterans of America, Jewish War Veterans, Military Order of the Purple Heart, Ex-Prisoners of War, Blinded Veterans Association, Military Officers Association of America, Air Force Sergeants Association, and the Wounded Warrior Project.

345, Cannon Building

MARCH 9

9:30 a.m.

Armed Services

To hold hearings to examine U.S. European Command, U.S. Africa Command, and U.S. Joint Forces Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SR–222 following the open session.

SH–216

Veterans' Affairs

To hold hearings to examine a legislative presentation from Veterans of Foreign Wars.

SDG–50

MARCH 10

2:30 p.m.

Foreign Relations

International Operations and Organizations, Human Rights, Democracy and Global Women's Issues Subcommittee

To hold hearings to examine the future of U.S. public diplomacy.

SD–419

MARCH 11

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Northern Command and U.S. Southern Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SR–222 following the open session.

SD–G50

10 a.m.

Energy and Natural Resources

To hold hearings to examine S. 1696, to require the Secretary of Energy to conduct a study of video game console energy efficiency, and S. 2908, to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters.

SD–366

MARCH 16

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Special Operations Command and U.S. Central Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

2 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine assessing foster care and family services in the District of Columbia, focusing on challenges and solutions.

SD–342

MARCH 18

9:30 a.m.

Veterans' Affairs

To hold hearings to examine legislative presentations from AMVETS, National Association of State Directors of Veterans Affairs, Non Commissioned Officers Association, Gold Star Wives, The Retired Enlisted Association, Fleet Reserve Association, Vietnam Veterans of America, and Iraq and Afghanistan Veterans of America.

SDG–50

MARCH 23

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Pacific Command, U.S. Strategic Command, and U.S. Forces Korea in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

MARCH 24

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine Veterans' Affairs plan for ending homelessness among veterans.

SR–418

POSTPONEMENTS

FEBRUARY 25

9:30 a.m.

Appropriations

Transportation, Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Housing and Urban Development.

SD–124

2:30 p.m.

Environment and Public Works

Water and Wildlife Subcommittee

To hold hearings to examine efforts to prevent introduction of Asian Carp into the Great Lakes.

SD–406

Daily Digest

HIGHLIGHTS

Senator Burris read Washington's Farewell Address.

Senate

Chamber Action

Routine Proceedings, pages S595–S675

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 3012–3016, and S. Res. 418. **Page S620**

Measures Passed:

Social Security Disability Applicant's Access to Professional Representation Act: Senate passed H.R. 4532, to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives, clearing the measure for the President. **Page S673**

Assault of Women and the Killing of Political Protesters in Guinea: Senate agreed to S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters on September 28, 2009, after agreeing to the following amendments proposed thereto: **Pages S673–74**

Brown (OH) (for Boxer/Feingold) Amendment No. 3321, to amend the resolving clause. **Page S674**

Brown (OH) (for Boxer/Feingold) Amendment No. 3322, to amend the preamble. **Page S674**

Brown (OH) (for Boxer/Feingold) Amendment No. 3323, to amend the title. **Page S674**

Measures Considered:

Commerce, Justice, Science, and Related Agencies Appropriations Act: Senate resumed consideration of the amendment of the House of Representatives to the amendment of the Senate to 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, taking action on the following motions and amendments proposed thereto: **Pages S600–13**

Pending:

Senator Reid entered a motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment), in the nature of a substitute. **Page S600**

Reid Amendment No. 3311 (to Amendment No. 3310), to change the enactment date. **Page S600**

During consideration of this measure today, Senate also took the following action:

By 62 yeas to 30 nays (Vote No. 23), 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 motion to concur in the amendment of the House to the amendment of the Senate with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment), in the nature of a substitute, to the bill. **Page S610**

Motion to refer in the amendment of the House to the amendment of the Senate to the Committee on Appropriations, with instructions, Reid Amendment No. 3312, to provide for a study, fell when cloture was invoked on the motion to concur in the amendment of the House to the amendment of the Senate with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment), in the nature of a substitute, to the bill. **Pages S600, S610**

Reid Amendment No. 3313 (to Amendment No. 3312), of a perfecting nature, fell when Reid Amendment No. 3312 fell. **Page S600**

Reid Amendment No. 3314 (to Amendment No. 3313), of a perfecting nature, fell when Reid Amendment No. 3313 fell. **Page S600**

A unanimous-consent agreement was reached providing for further consideration of the amendment of the House of Representatives to the amendment of the Senate to the bill at approximately 11 a.m., on Tuesday, February 23, 2010, and that time during any period of morning business, recess, or adjournment count post-cloture. **Page S674**

Washington's Farewell Address: Senator Burris performed the traditional reading of Washington's Farewell Address. **Pages S595–99**

Nominations Received: Senate received the following nominations:

Larry Robinson, of Florida, to be Assistant Secretary of Commerce for Oceans and Atmosphere.

Robert Stephen Ford, of Maryland, to be Ambassador to the Syrian Arab Republic.

Jonathan Andrew Hatfield, of Virginia, to be Inspector General, Corporation for National and Community Service.

Routine lists in the Marine Corps, National Oceanic and Atmospheric Administration, and Navy. **Pages S674–75**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Larry Robinson, of Hawaii, to be Assistant Secretary of Commerce for Oceans and Atmosphere, which was sent to the Senate on February 4, 2010. **Page S675**

Messages from the House: **Page S616**

Enrolled Bills Presented: **Page S616**

Executive Communications: **Pages S616–20**

Additional Cosponsors: **Pages S620–22**

Statements on Introduced Bills/Resolutions: **Pages S622–26**

Additional Statements: **Pages S614–16**

Amendments Submitted: **Pages S626–64**

Notices of Hearings/Meetings: **Pages S664–65**

Authorities for Committees to Meet: **Page S665**

Record Votes: One record vote was taken today. (Total—23) **Page S610**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:48 p.m., until 10 a.m. on Tuesday, February 23, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S674.)

Committee Meetings

(Committees not listed did not meet)

AFGHANISTAN

Committee on Armed Services: Committee received open and closed briefings to examine Operation Moshtarak in Helmand Province, Afghanistan, after receiving testimony from Michele A. Flournoy, Under Secretary for Policy, and Lieutenant General John M. Paxton, Jr., USMC, Director for Operations, J–3, the Joint Staff, both of the Department of Defense.

FINANCIAL REGULATORS

Committee on Banking, Housing, and Urban Affairs: on Friday, February 12, 2010, Subcommittee on Security and International Trade and Finance concluded a hearing to examine equipping financial regulators with the tools necessary to monitor systemic risk, after receiving testimony from Daniel K. Tarullo, Member, Board of Governors of the Federal Reserve System; Allan I. Mendelowitz, Washington, D.C., and John Liechty, State College, Pennsylvania, both of the Committee to Establish the National Institute of Finance; Robert Engle, New York University Stern School of Business, New York; and Stephen C. Horne, Dow Jones and Co., Edgewater, New Jersey.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4626–4644; and 15 resolutions, H. Con. Res. 236–237; and H. Res. 1081–1082, 1084–1094 were introduced. **Pages H646–47**

Additional Cosponsors: **Pages H647–49**

Reports Filed: Reports were filed today as follows:

H.R. 2314, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (H. Rept. 111–412);

H. Res. 1083, providing for consideration of the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (H. Rept. 111–413);

H.R. 3562, to designate the Federal building under construction at 1220 Echelon Parkway in Jackson, Mississippi, as the "Chaney, Goodman, Schwerner Federal Building", with amendments (H. Rept. 111–414);

H. Res. 917, recognizing the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of

Transportation, with an amendment (H. Rept. 111–415); and

H.R. 3695, to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, and to provide incentive grants to help facilitate reporting to such systems, with an amendment (H. Rept. 111–416). **Page H646**

Speaker: Read a letter from the Speaker wherein she appointed Representative Speier to act as Speaker pro tempore for today. **Page H611**

Member Resignation: Read a letter from Representative Abercrombie, where he resigned as Representative for the First Congressional District of Hawaii, effective February 28, 2010. **Pages H611–12**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Martin G. "Marty" Mahar Post Office Designation Act: H.R. 4425, to designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office" by a ⅔ yea-and-nay vote of 330 yeas with none voting "nay", Roll No. 49; **Pages H612–14, H623–24**

W.D. Farr Post Office Building Designation Act: H.R. 4238, to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building" by a ⅔ yea-and-nay vote of 331 yeas with none voting "nay", Roll No. 50; and **Pages H614–15, H624–25**

Recognizing the 70th anniversary of John Mercer Langston Golf Course: H. Res. 526, amended, to recognize the 70th anniversary of John Mercer Langston Golf Course. **Pages H615–17**

Agreed to amend the title so as to read: "Recognizing the historical and cultural significance of the Langston Golf Course and its contributions to racial equality.". **Page H617**

Recess: The House recessed at 3:07 p.m. and reconvened at 6:30 p.m. **Page H623**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Supporting the goals and ideals of American Heart Month and National Wear Red Day: H. Res. 1039, to support the goals and ideals of American Heart Month and National Wear Red Day. **Pages H617–18**

Recognizing the significance of Black History Month: H. Res. 1046, to recognize the significance of Black History Month. **Pages H618–21**

Moment of Silence: The House observed a moment of silence in memory of the late Honorable John P. Murtha. **Page H624**

In Memory of the late Honorable John P. Murtha of Pennsylvania: The House agreed to H. Res. 1084, expressing the condolences of the House on the death of the Honorable John P. Murtha, a Representative from the Commonwealth of Pennsylvania. **Pages H625–26**

Whole Number of the House: The Chair announced to the House that, in light of the passing of Representative Murtha of Pennsylvania, the whole number of the House is adjusted to 433. **Page H626**

Committee to attend the funeral of the late Honorable John P. Murtha—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the committee to attend the funeral of the late Honorable John P. Murtha: Representatives Kanjorski and Pelosi; The members of the Pennsylvania delegation: Representatives Holden, Doyle, Fattah, Pitts, Brady, Platts, Shuster, Gerlach, Tim Murphy, Dent, Schwartz, Altmire, Carney, Patrick Murphy, Sestak, Dahlkemper; and Thompson; and Representatives Larson (CT), Becerra, Crowley, Wasserman Schultz, Rangel, Dicks, Kaptur, Levin, Mollohan, Slaughter, Taylor, Andrews, Moran (VA), Bishop (GA), Corrine Brown (FL), Eshoo, Kennedy, Berry, Kilpatrick (MI), Kucinich, McCarthy (NY), Pascrell, Reyes, Rothman, Capuano, Holt, Weiner, Ryan (OH), Matsui, Cohen, and Courtney. **Page H626**

Presidential Message: Read a message from the President wherein he transmitted to Congress the 2010 Economic Report of the President—referred to the Joint Economic Committee and ordered printed (H. Doc. 111–81). **Pages H621–23**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H611, H621.

Senate Referrals: S. 2917 was held at the desk. **Page H611**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H623–24, H624-25. There were no quorum calls.

Adjournment: The House met at 2 p.m. and at 10:12 p.m., pursuant to the provisions of H. Res. 1084, it stands adjourned in memory of the late Honorable John P. Murtha.

Committee Meetings

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT

The Committee on Rules: granted, by a non-record vote, a structured rule providing for consideration of H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009. The rule provides one hour of general debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions of the bill. The rule makes in order the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules, if offered by Representative Abercrombie or his designee, which shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute in part A except for clauses 9 and 10 of rule XXI. The rule makes in order the amendments printed in part B of the report to the amendment in the nature of a substitute printed in part A of the report. The amendments may be offered only by a Member designated in the report, shall be in order without intervention of any point of order except those arising under clause 10 of rule XXI, shall be considered as read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendments in part B of the report except for clause 10 of rule XXI. The rule provides that during consideration of an amendment printed in part B of the report, the Chair may postpone the question of adoption as though under clause 8 of rule XX. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Rahall and Representatives Abercrombie and Hirono.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D94)*

H.J. Res. 45, increasing the statutory limit on the public debt. Signed on February 12, 2010. (Public Law 111–139)

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, and for other purposes. Signed on February 16, 2010. (Public Law 111–140)

COMMITTEE MEETINGS FOR TUESDAY, FEBRUARY 23, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine the opportunities and challenges presented in increasing the number of electric vehicles in the light duty automotive sector, 10:15 a.m., SD–192.

Committee on Armed Services: to hold hearings to examine proposed defense authorization request for fiscal year 2011 for the Future Years Defense Program, 9:30 a.m., SDG–50.

Committee on the Budget: to hold hearings to examine the defense budget and war costs, focusing on an independent look, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Communications and Technology, to hold hearings to examine improving energy efficiency through technology and communications innovation, 10 a.m., SR–253.

Full Committee, to hold hearings to examine cybersecurity, focusing on the next steps to protect our critical infrastructure, 2:30 p.m., SR–253.

Committee on Environment and Public Works: to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Environmental Protection Agency, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine trade and tax issues relating to small business job creation, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine the U.S.-Nigeria relationship in a time of transition, 10:15 a.m., SD–419.

Subcommittee on Near Eastern and South and Central Asian Affairs, with the Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, to hold joint hearings to examine Afghan women and girls, focusing on building the future of Afghanistan, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine census day, focusing on the progress report on the Census Bureau's preparedness for the enumeration, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine foreign libel lawsuits, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the road to economic recovery, focusing on policies to foster job creation and continued growth, 11:30 a.m., 2325 Rayburn Building.

CONGRESSIONAL PROGRAM AHEAD

Week of February 23 through February 27, 2010

Senate Chamber

Senate will continue consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: February 23, Subcommittee on Energy and Water Development, to hold hearings to examine the opportunities and challenges presented in increasing the number of electric vehicles in the light duty automotive sector, 10:15 a.m., SD–192.

February 24, Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of State and Foreign Operations, 10:30 a.m., SD–192.

February 24, Subcommittee on Homeland Security, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Homeland Security, 2 p.m., SD–192.

Committee on Armed Services: February 23, to hold hearings to examine proposed defense authorization request for fiscal year 2011 for the Future Years Defense Program, 9:30 a.m., SDG–50.

February 24, Full Committee, to hold hearings to examine contracting in a counterinsurgency, focusing on an examination of Blackwater-Paravant contract and the need for oversight, 9:30 a.m., SH–216.

February 24, Full Committee, business meeting to consider any pending nominations, 2:30 p.m., SR–222.

February 25, Full Committee, to hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: February 25, to hold hearings to examine the semiannual Monetary Policy Report to the Congress, 9 a.m., SD–538.

Committee on the Budget: February 23, to hold hearings to examine the defense budget and war costs, focusing on an independent look, 10 a.m., SD–608.

February 24, Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Transportation, 9 a.m., SD–608.

Committee on Commerce, Science, and Transportation: February 23, Subcommittee on Communications and Technology, to hold hearings to examine improving energy efficiency through technology and communications innovation, 10 a.m., SR–253.

February 23, Full Committee, to hold hearings to examine cybersecurity, focusing on the next steps to protect our critical infrastructure, 2:30 p.m., SR–253.

February 24, Subcommittee on Science and Space, to hold hearings to examine the challenges and opportunities in the National Aeronautics and Space Administration (NASA) fiscal year 2011 budget proposal, 2:30 p.m., SR–253.

February 25, Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine aviation safety, focusing on one year after the crash of flight 3407, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: February 24, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Forest Service, 10 a.m., SD–366.

February 25, Subcommittee on Water and Power, to hold an oversight hearing to examine the science and policy behind the Federal framework and non-Federal efforts to prevent introduction of the aquatic invasive Asian carp into the Great Lakes, 10:30 a.m., SD–366.

Committee on Environment and Public Works: February 23, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Environmental Protection Agency, 10 a.m., SD–406.

February 24, Subcommittee on Water and Wildlife, to hold hearings to examine legislative approaches to protecting, preserving and restoring great water bodies, 9:30 a.m., SD–406.

Committee on Finance: February 23, to hold hearings to examine trade and tax issues relating to small business job creation, 10 a.m., SD–215.

February 24, Full Committee, to hold hearings to examine certain nominations, 10 a.m., SD–215.

Committee on Foreign Relations: February 23, Subcommittee on African Affairs, to hold hearings to examine the U.S.-Nigeria relationship in a time of transition, 10:15 a.m., SD–419.

February 23, Subcommittee on Near Eastern and South and Central Asian Affairs, with the Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, to hold joint hearings to examine Afghan women and girls, focusing on building the future of Afghanistan, 3 p.m., SD–419.

February 24, Full Committee, business meeting to consider S. 2961, to provide debt relief to Haiti, S. Res. 400, urging the implementation of a comprehensive strategy to address instability in Yemen, S. Res. 404, supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and the nominations of Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency, Walter Crawford Jones, of Maryland, to be

United States Director of the African Development Bank, and Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund, and Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Bisa Williams, of New Jersey, to be Ambassador to the Republic of Niger, Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago, Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal, Harry K. Thomas, Jr., of New York, to be Ambassador to the Republic of the Philippines, David Adelman, of Georgia, to be Ambassador to the Republic of Singapore, Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations, and to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Deputy Representative of the United States of America in the Security Council of the United Nations, Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, and to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, Allan J. Katz, of Florida, to be Ambassador to the Portuguese Republic, Ian C. Kelly, of Maryland, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, and Judith Ann Stewart Stock, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs, all of the Department of State, and a promotion list in the Foreign Service; to be immediately followed by a hearing to examine foreign policy priorities in the fiscal year 2011 International Affairs budget, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: February 24, to hold hearings to examine a stronger workforce investment system for a stronger economy, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: February 23, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine census day, focusing on the progress report on the Census Bureau's preparedness for the enumeration, 2:30 p.m., SD–342.

February 24, Full Committee, to hold hearings to examine the proposed budget request for fiscal year 2011 for the Department of Homeland Security, 10 a.m., SD–342.

February 25, Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine interagency contracts (part I), focusing on an overview and recommendations for reform, 2:30 p.m., SD–342.

Committee on Indian Affairs: February 25, to hold an oversight hearing to examine the President's proposed budget request for fiscal year 2011 for tribal programs and initiatives, 2:15 p.m., SD–628.

Committee on the Judiciary: February 23, to hold hearings to examine foreign libel lawsuits, 10 a.m., SD–226.

February 24, Subcommittee on Human Rights and the Law, to hold hearings to examine child prostitution and sex trafficking in the United States, 10:30 a.m., SD–226.

February 24, Full Committee, to hold hearings to examine the nominations of Brian Anthony Jackson, to be United States District Judge for the Middle District of Louisiana, Elizabeth Erny Foote, to be United States District Judge for the Western District of Louisiana, Marc T. Treadwell, to be United States District Judge for the Middle District of Georgia, and Josephine Staton Tucker, to be United States District Judge for the Central District of California, 2 p.m., SD–226.

February 25, Full Committee, business meeting to consider S. 1789, to restore fairness to Federal cocaine sentencing, S. 1132, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 2772, to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety, H.R. 1741, to require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs, 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. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 1554, to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and the nominations of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General, William Joseph Hochul, Jr., to be United States Attorney for the Western District of New York, and Sally Quillian Yates, to be United States Attorney for the Northern District of Georgia, all of the Department of Justice, and Gloria M. Navarro, to be United States District Judge for the District of Nevada, Audrey Goldstein Fleissig, to be United States District Judge for the Eastern District of Missouri, Lucy Haeran Koh, to be United States District Judge for the Northern District of California, Jon E. DeGuilio, to be United States District Judge for the Northern District of Indiana, and Jane E. Magnus-Stinson and Tanya Walton Pratt,

both to be United States District Judge for the Southern District of Indiana, 10 a.m., SD–226.

February 26, Full Committee, to hold hearings to examine the Office of Professional Responsibility Investigation into the Office of Legal Counsel Memoranda, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: February 25, business meeting to consider S. 2989, to improve the Small Business Act, 10 a.m., SR–485.

Committee on Veterans' Affairs: February 26, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Veterans Affairs, 9:30 a.m., SR–418.

Select Committee on Intelligence: February 23, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

February 25, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Appropriations, February 23, Subcommittee on Commerce, Justice, Science and Related Agencies, on Fiscal Year 2011 Budget for the National Institute of Standards and Technology, 2 p.m., H–310 Capitol.

February 23, Subcommittee on Transportation Housing and Urban Development, and Related Agencies, on The Need to Invest in Housing and Economic Development: Fiscal Year 2011 Budget Request for HUD, 1 p.m., 2359 Rayburn.

February 24, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Fiscal Year 2011 Budget for the Department of Agriculture, 10 a.m., 2359 Rayburn.

February 24, Subcommittee on Commerce, Justice, Science and Related Agencies, on Fiscal Year 2011 Budget for the Legal Services Corporation, 10 a.m., and on Fiscal Year 2011 Budget for Science and Technology, 2:30 p.m., H–310 Capitol.

February 24, Subcommittee on Defense, on Combat Aircraft Requirements, 10:30 a.m., H–140 Capitol.

February 24, Subcommittee on Energy and Water Development, and Related Agencies, on U.S. Corps of Engineers, Fiscal Year 2011 Budget, 2 p.m., 2362–B Rayburn.

February 24, Subcommittee on Financial Services, and General Government, on Fiscal Year 2011 Budget for the IRS, 10 a.m., 2358–A Rayburn.

February 24, Subcommittee on Interior and Environment, and Related Agencies, on Protecting Public Health and the Environment: EPA FY 2011 Budget Request, 2 p.m., B–308 Rayburn.

February 24, Subcommittee on Legislative Branch, on Members of Congress and Public Witnesses, 10:15 a.m., H–144 Capitol.

February 24, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on American Battle Monuments Commission, 10 a.m., on U.S. Court of Appeals for Veterans Claims, 10:30 a.m., on Arlington National Cemetery, 11 a.m., and on Armed Forces Retirement Home, 11:30 a.m., H–143 Capitol.

February 25, Subcommittee on Defense, executive, on Fort Hood, 2 p.m., H–140 Capitol.

February 25, Subcommittee on Homeland Security, on Fiscal Year 2011 Budget for the Department of Homeland Security, 10 a.m., 2359 Rayburn, and on Biosurveillance: Smart Investments for Early Warning, 2 p.m., 2362–B Rayburn.

February 25, Subcommittee on Interior, Environment, and Related Agencies, on Restoring America's Forests and Headwaters: Fiscal Year 2011 Budget for U.S. Forest Service, 9:30 a.m., B–308 Rayburn.

February 25, Subcommittee State, Foreign Operations and Related Programs, on Fiscal Year 2011 Budget for the Department of State, 1 p.m., 2359 Rayburn.

Committee on Armed Services, February 23, hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Air Force, 10 a.m., 2118 Rayburn.

February 24, hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Navy, 10 a.m., 2118 Rayburn.

February 24, Subcommittee on Readiness, hearing on energy management and initiatives on military installations, 2 p.m., 2118 Rayburn.

February 25, full Committee, hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Army, 10 a.m., 2118 Rayburn.

February 25, Defense Acquisition Reform Panel, hearing on expert perspectives on managing the defense acquisition system and the defense acquisition workforce, 8 a.m., 2261 Rayburn.

February 25, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on private sector perspectives on Department of Defense information technology and cybersecurity activities, 2 p.m., 2118 Rayburn.

Committee on the Budget, February 24, hearing on the Treasury Department Fiscal Year 2011 Budget, 10 a.m., 210 Cannon.

February 25, hearing on the Department of Education Fiscal Year 2011 Budget, 10 a.m., 210 Cannon.

Committee on Education and Labor, February 23, hearing on Reducing the Growing Backlog of Contested Mine Safety Cases, 10 a.m., 2175 Rayburn.

February 24, full Committee, hearing on H.R. 4330, ALL-STAR Act of 2009, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, February 23, Subcommittee on Oversight and Investigations, hearing on Response by Toyota and NHTSA to Incidents of Sudden Unintended Acceleration, 11 a.m., 2123 Rayburn.

February 24, Subcommittee on Commerce, Trade, and Consumer Protection and the Subcommittee on Communications, Technology, and the Internet, joint hearing on The Collection and Use of Location Information for Commercial Purposes, 10 a.m., 2141 Rayburn.

February 24, Subcommittee on Oversight and Investigations, hearing entitled ''Premium Increases by Anthem Blue Cross in the Individual Health Insurance Market,'' 10 a.m., 2123 Rayburn.

February 25, Subcommittee on Energy and Environment, hearing entitled ''Endocrine Disrupting Chemicals in Drinking Water: Risks to Human Health and the Environment,'' 9:30 a.m., 2322 Rayburn.

February 26, Subcommittee on Health, hearing on Medical Radiation: An Overview of the Issues, 10 a.m., 2123 Rayburn.

Committee on Financial Services, February 23, hearing entitled ''Prospects for Employment Growth: Is Additional Stimulus Needed?'' 2 p.m., 2128 Rayburn.

February 24, hearing on the Chairman of the Board of Governors of the Federal Reserve System on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

February 25, hearing entitled ''Compensation in the Financial Industry—Government Perspectives,'' 2 p.m., 2128 Rayburn.

February 26, full Committee, and the Committee on Small Business, joint hearing entitled ''Condition of Small Business and Commercial Real Estate Lending in Local Markets,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, February 24, Subcommittee on International Organizations, Human Rights and Oversight, Oversight hearing on Hard Lessons Learned in Iraq and Benchmarks for Future Reconstruction Efforts, 9:30 a.m., 2172 Rayburn.

February 25, full Committee, hearing on Promoting Security through Diplomacy and Development: The Fiscal Year 2011 International Affairs Budget, 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, February 25, hearing entitled ''The President's Fiscal Year 2011 Budget Request for the Department of Homeland Security,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, February 23, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Keeping Youth Safe While in Custody: Sexual Assault in Adult and Juvenile Facilities, 4 p.m., 2141 Rayburn.

February 24, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on Recent Inspector General Reports Concerning the FBI, 3 p.m., 2141 Rayburn.

February 25, full Committee, hearing on Competition in the Media and Entertainment Distribution Market, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, February 24, to mark up the following bills: H.R. 1078, Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act; H.R. 4003, Hudson River Valley Special Resource Study Act; H.R. 4192, Stornetta Public Lands Outstanding Natural Area Act of 2009; H.R. 1738, Downey Regional Water Reclamation and Goundwater Augmentation Project of 2009; H.R. 4252, Inland Empire Perchlorate Ground Water Plume Assessment Act of 2009; 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. 2788, Distinguished Flying Cross National Memorial Act; and H.R. 4395, To revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, 10 a.m., 1324 Longworth.

February 25, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 3511, Marianas Trench Marine National Monument Visitor Facility Authorization Act of 2009; and H.R. 4493, Bonitan Tasi, 10 a.m., 1324 Longworth.

February 25, Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 2100, To provide for the conveyance of certain public lands in Mohave Valley, Mohave County, Arizona, administered by the Bureau of Land Management to the Arizona Game and Fish Department, for use as a public shooting range; H.R. 3425, To authorize the Fair Housing Commemorative Foundation to establish a commemorative work on Federal land in the District of Columbia to commemorate the enactment of the Fair Housing Act of 1968; H.R. 4438, San Antonio Missions National Historical Park Leasing and Boundary Expansion Act of 2010; H.R. 4491, Buffalo Soldiers in the National Parks Study Act; and H.R. 4524, Blue Ridge Parkway Protection Act, 10 a.m., 1334 Longworth.

February 24, Subcommittee on Energy and Mineral Resources, hearing on H.R. 3709, Geothermal Production Expansion Act, 2 p.m., 1334 Longworth.

February 24, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on the President's Fiscal Year 2011 budget requests for the NOAA, the U.S. Office of Insular Affairs, and the U.S. Fish and Wildlife Service, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, February 23, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing on H.R. 4489, Federal Employees Health Benefits Program (FEHBP) Prescription Drug Integrity, Transparency, and Cost Savings Act, 2 p.m., 2154 Rayburn.

February 24, full Committee, hearing entitled ''Toyota Gas Pedals: Is the Public At Risk?'' 10 a.m., 2154 Rayburn.

February 24, Subcommittee on Information Policy, Census, and National Archives, hearing entitled ''The 2010 Census Communications Contract: The Media Plan in Hard to Count Areas,'' 2 p.m., 2154 Rayburn.

February 24, Subcommittee on National Security and Foreign Affairs, to continue hearings entitled '' Sexual Assault in the Military: Are We Making Progress?'' 2 p.m., 2247 Rayburn.

February 25, full Committee, pending business, 10 a.m., 2154 Rayburn.

February 25, Subcommittee on Domestic Policy, hearing entitled ''Foreclosures Continue: What Needs to Change in the Administration's Response,'' 2 p.m., 2154 Rayburn.

Committee on Rules, February 23, to consider Health Insurance Fair Competition Act, 3 p.m., H–313 Capitol.

Committee on Science and Technology, February 23, Subcommittee on Research and Science Education, hearing on the State of Research Infrastructure at U.S. Universities, 2 p.m., 2318 Rayburn.

February 24, full Committee, hearing on the Administration's Fiscal Year 2011 Research and Development Budget Proposal, 9:30 a.m., 2318 Rayburn.

February 24, Subcommittee on Technology and Innovation, hearing on How Can NIST Better Serve the Needs of the Biomedical Research Community in the 21st Century? 2 p.m., 2318 Rayburn.

February 25, full Committee, hearing on NASA's Fiscal Year 2011 Budget Request and Issues, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, February 23, hearing on Recovery Act: One-Year Progress Report for Transportation and Infrastructure Investments, 10 a.m., 2167 Rayburn.

February 25, Subcommittee on Coast Guard and Maritime Transportation, hearing on Fiscal Year 2011 Budget for the Coast Guard, the Maritime Administration and the Federal Maritime Commission, 10 a.m., 2167 Rayburn.

February 25, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on EDA: Lessons Learned From the Recovery Act and New Plans to Strengthen Economic Development, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, February 23, Subcommittee on Health, hearing on the Veterans Health Administration's Fiscal Year 2011 Budget, 1 p.m., 334 Cannon.

February 23, Subcommittee on Oversight and Investigations, hearing on the U.S. Department of Veterans Affairs Office of Inspector General and Office of Information Technology Budget Request for Fiscal Year 2011, 10 a.m., 334 Cannon.

February 24, full Committee, hearing Exploring the Relationship between Medication and Veteran Suicide, 10 a.m., 334 Cannon.

February 24, Subcommittee on Disability Assistance and Memorial Affairs, hearing Examination of the VA Benefits Delivery at Discharge and Quick Start Programs, 2 p.m., 334 Cannon.

February 25, Subcommittee on Economic Opportunity, hearing on the following bills: H.R. 3257, Military Family Leave Act of 2009; H.R. 3484, To amend title 38, United States Code, to extend the authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs; H.R. 3579, To amend title 38, United States Code, to provide for an increase in the amount of the reporting fees payable to educational institutions that enroll veterans receiving educational assistance from the Department of Veterans Affairs; H.R. 3813, Veterans Training Act; H.R. 3948, Test Prep for Heros Act; H.R. 3976, Helping Heroes Keep Their Homes Act of 2009; H.R. 4079, To amend title 38, United States Code, to temporarily remove the requirement for employers to increase wages for veterans enrolled in on-the-job training programs; H.R. 4203, To amend title 38, United States Code, to direct the Secretary of the Veterans Affairs to provide veterans certain educational assistance payments through direct deposit; H.R. 4359, WARMER Act; and H.R. 4469, To amend the Servicemembers Civil Relief Act to provide for protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation, 2 p.m., 334 Cannon.

February 25, Subcommittee on Oversight and Investigations, hearing on Gulf War Illness: The Future for Dissatisfied Veterans, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, February 24, executive, briefing on the Google Hacking Incident, 9 a.m., 304–HVC.

February 25, full Committee, executive, briefing on Cyber Security Defense, 9 a.m., 304–HVC.

February 26, full Committee, executive, briefing on Radicalization Analysis, 9 a.m., and executive, briefing on Fiscal Year 2011 Intelligence Budget for Research and Development, 11 a.m., 304–HVC.

Joint Meetings

Joint Economic Committee: February 23, to hold hearings to examine the road to economic recovery, focusing on policies to foster job creation and continued growth, 11:30 a.m., 2325 Rayburn Building.

Joint Economic Committee: February 26, to hold hearings to examine the road to economic recovery, focusing on prospects for jobs and growth, 10:30 a.m., 2325 Rayburn Building.

Next Meeting of the SENATE

10 a.m., Tuesday, February 23

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, February 23

House Chamber

Program for Tuesday: Consideration of the following suspensions: 1) H. Res. 1066—Recognizing the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response; 2) H. Res. 1059—Honoring the heroism of the seven United States Agency for International Development and Office of U.S. Foreign Disaster Assistance supported urban search and rescue teams deployed to Haiti; 3) H. Res. 1074—Honoring the life of Miep Gies, who aided Anne Frank's family while they were in hiding and preserved her diary for future generations; 4) H. Res. 944—Expressing the sense of the House of Representatives on religious minorities in Iraq; 5) H. Res. 1048—Commending the efforts and honoring the work of the men and women of USNS Comfort and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010; 6) H.R. 3695—Billy's Law; 7) H. Con. Res. 227—Supporting the goals and ideals of National Urban Crimes Awareness Week; and 8) H. Res. 274—Expressing support for designation of March as National Nutrition Month. Consideration of H.R. 2314—Native Hawaiian Government Reorganization Act (Subject to a Rule).

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