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

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:
WASHINGTON, DC,
March 10, 2010,
I hereby appoint the Honorable LOUISE MCBRIDE SLAUGHTER 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:
O God of all the living, at times You are silent or seem to be absent.
When we are busy or fully occupied, we often do not turn to You. But when we do seek Your presence or pray asking for an answer, You may be silent.
Sometimes You may draw back from our momentary attention just to make us pray all the more ardently and increase our desire for Your presence or refine our request.
Hopefully, when You break Your silence and speak to us or any Member of Congress, we will be ready to respond to Your inspiration and be prepared to do Your will.
Although we are not always faithful, You are faithful both now and forever.
Amen.

THE JOURNAL
The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces the following:
Pursuant to clause 1, rule 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. HARE) come forward and lead the House in the Pledge of Allegiance.
Mr. HARE led the Pledge of Allegiance as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE
A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:
H.R. 3622. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are founded under that Act, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore. The Chair will now entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING GERALDINE JORDAN
(Mr. HARE asked and was given permission to address the House for 1 minute.)
Mr. HARE. Madam Speaker, I rise today to pay tribute to a member of the Women’s Air Force Service Pilots, Geraldine Hardman-Jordan of Moline, Illinois. And I would like to recognize her family who is sitting in the gallery with us this morning.
Madam Speaker, at the young age of 21, Geraldine was one of the first women in history trained to fly American military aircraft. Her call to serve did not end after her military career. Geraldine also prevailed in her second battle, the one to achieve full veteran status for her WASP sisters.
Today, I also honor Geraldine as the mother of nine wonderful children and a community leader who advocated on behalf of several worthy causes.
Madam Speaker, later today, Geraldine and other WASP pioneers will be awarded the Congressional Gold Medal for their invaluable service more than 60 years ago. Unfortunately, Geraldine passed away in 2001 and cannot be here to receive the award in person, but I am very happy that her family will proudly represent her at the ceremony.
Madam Speaker, Geraldine is a true American hero and a great source of pride for the 17th Congressional District of Illinois, and I can think of no better recognition of her services to this country than the Congressional Gold Medal.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. CUÉLLAR). The Chair will remind Members to refrain from referring to occupants of the gallery.

AFGHANISTAN RETREAT RESOLUTION
(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute.)
Mr. WILSON of South Carolina. Mr. Speaker, the House is considering today a dangerous resolution: the Afghanistan retreat. As a father of four sons in the military and as a former member of the 218th Brigade of the South Carolina National Guard, which served for a year in Afghanistan led by Major General Bob Livingston, I know we should trust our military leaders led by General David Petraeus and General Stanley McChrystal with
Major General Larry Nicholson of the Marines. These leaders will fight for victory to protect American families by defeating terrorists overseas.

Even liberal Newsweek highlights the success of the surge in the March 8 edition with the title, “The Surge is Working” and the subtitle, “All Signs Point America’s Way.”

Though the Taliban is entrenched in Helmand province, its grip is slipping in the rest of Afghanistan. These developments undercuts the common belief that America is doomed to fail. In fact, Afghanistan’s demography, sociology, military situation, and politics all favor Obama’s counterinsurgency strategy. If the Taliban can’t gain popular support or silence, it can’t win.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

WOMEN’S HISTORY MONTH
(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute.)

Ms. SLAUGHTER. Mr. Speaker, I was honored to open the House this morning during this most important Women’s History Month.

Our Nation’s foremothers stood up to injustice and, by changing the course of history, opened the doors of opportunity to all of America’s daughters. It is our duty to recognize and honor their tireless efforts.

This past summer, our great Nation celebrated the 160th anniversary of the 1848 Women’s Rights Convention in Seneca Falls, New York. This groundbreaking convention was dedicated to the key principle in the Declaration of Independence that we are all created equal.

From securing a woman’s right to vote in 1920 to serving our country in all created equal. Our foremothers adopted the Declaration of Independence that we are all created equal.

And that’s just the way it is.

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

Ms. WATSON. Mr. Speaker, during the 111th Congress, we have made great strides in creating jobs. The American Recovery and Reinvestment Act was the largest middle class tax cut in history. One year ago, the economy that was declining by 6 percent is now expanding at about that rate because of this significant program.

The Recovery Act has already worked to save or create as many as 2 million jobs, according to the non-partisan Congressional Budget Office. In 1 year, the Recovery Act has provided $120 billion in tax cuts for 95 percent of the working families as well as businesses across the country; loaned nearly $20 billion to small businesses to expand and create jobs; and funded more than 12,500 transportation projects nationwide; kept teachers, police officers, and firefighters on the job; and accomplished much more.

IT’S THE ECONOMY, STUPID
(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. ROGERS of Alabama. Many of you may remember in the 1992 campaign for the Presidency, James Carville made famous the phrase “It’s the economy, stupid,” because they posted that sign on the campaign war room to remind the candidate and the staff that that was the number one issue the American people wanted focused on.

Well, you know, Mr. Carville ought to pull that signage back out and take it over to the White House and maybe take one down the hallway here to the Speaker’s suite to remind the majority and the leadership that that is what they need to focus on. It is not a government takeover of health care; they want us to focus on the economy and creating jobs.

I don’t know why that seems to be something that they don’t want to do. The President said at the beginning of the year that he was going to pivot from health care and focus “like a laser” on jobs and the economy. And now they are now demanding that we put our full attention on the government takeover of health care by the end of next week.

You just want to remind them: It’s the economy, stupid. Let’s focus on it.

BALANCED BUDGET CONSTITUTIONAL AMENDMENT
(Mr. BRIGHT asked and was given permission to address the House for 1 minute.)

Mr. BRIGHT. Mr. Speaker, last Tuesday I introduced a constitutional amendment bill to balance the Federal budget. I am proud that 36 of my colleagues have joined me in cosponsoring H.J. Res. 78, and I urge all Members of Congress who believe that government should live within a budget join me and my colleagues to pass this bill.

Balancing the budget is a simple concept that Alabama families follow every day. Without question, there are many steps that must be taken to improve our financial situation, but balancing the budget on a yearly basis is the only way to ensure that we don’t repeat the mistakes of our past.

We know we can achieve this goal because we have done so in the past. From 1998 to 2001, our country achieved balanced budgets through adherence to PAYGO. Forty-nine States currently require an annual balanced budget. Passing a constitutional amendment is a long process but is absolutely necessary to ensure America remains strong for generations to come.

I urge the entire Congress to join me in this effort. I want to thank you for your support.

HONORING DAVID HAMES
(Mr. LAMBORN asked and was given permission to address the House for 1 minute.)

Mr. LAMBORN. Mr. Speaker, I rise today in remembrance of a noble and humble man lost in the devastating earthquake in Haiti, David Hames of Colorado Springs, Colorado, left an enduring legacy of selflessness and faith.

David lived a life completely devoted to his family and to his Savior, Jesus Christ. He and his beloved wife of 13 years, Renee, have been blessed with two beautiful adopted sons, Aidan and Zander, who will remember their father’s unending love.

He blessed the world with his talent for filmmaking. This was embodied in his award-winning and innovative children’s educational video series, “Cranium’s Ark.”

On January 11, David arrived in Haiti for Compassion International to tell the story of orphans and widows as he had throughout the world. After a day of shooting footage, he was in the
ECONOMY AND JOB MARKET ON THE RISE

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

Ms. NORTON. We've had to come to this floor, Mr. Speaker, to speak about the inflationary pressure into the ground and just how bad it was, but there is good news to raise the spirits of the American people coming from the Labor Department and from analysts. We know that the economy has turned around, but until the job market turned around nobody wanted to hear it; now analysts tell us so has the job market.

All expected unemployment numbers to ratchet up during February because of the bad weather, including crippling snowstorms. Instead, it stood steady—too high at over 9 percent, but it showed confidence in the economy that so many employers stopped laying off people and kept people on. The biggest losses were where you might have expected, in construction, because of all the bad weather and the snowstorms.

The best sign that employers are feeling more confident is that they are getting their feet wet with many new temporary employees. (More...) on, which is always the first sign that they are ready to bring on people full time and permanently, and the best sign may be the 2.7 million job openings. Now we have a mismatch. Thank goodness for the stimulus that went to community colleges to help us cure that mismatch.

calling on president obama to reverse stem cell research executive order

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

Mr. FLEMING. Mr. Speaker, I rise today to commemorate a solemn occasion.

One year ago, President Obama issued an Executive order allowing for taxpayer dollars to incentivize the destruction of human life through the use of embryonic stem cells. As a physician, a father, and a grandfather, I know that all human life is precious and begins at the moment of conception, and it is paramount that we continue to seek better medical treatments for diseases. Yet I also believe that our research and decisions must be life affirming.

Lives can be saved through techniques creating embryonic-like cells from adult cells, making it unnecessary to destroy embryos. Over 73 different diseases so far have been treated with adult or cord blood stem cells, including type 1 diabetes and heart disease.

I call upon the President to reverse this order and acknowledge that research that is both morally controversial and out of date does not need to be subsidized by the American taxpayer.
WOMEN AIR FORCE SERVICE PILOTS (WASPs)  
(Mr. MAFFEI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAFFEI. Mr. Speaker, I rise today to commend the forerunner of today’s women military pilots, the Women Airforce Service Pilots, or WASPs, who served during World War II.

More than 1,100 women flew more than 60 million miles and provided crucial aid to our Nation in a time of war. From 1942 to 1944, they delivered aircraft from manufacturers in the United States to air bases throughout the country. Three women from my district—Virginia Meloney, Ann Elizabeth O’Connor, and Aleta Johnson—are being awarded the Congressional Gold Medal today in recognition of their service to our country as WASPs. Their fearlessness led the way for future women military pilots. It is long overdue that we recognize these incredible women. Our country thrives because of the bravery and dedication of our citizens like the WASPs.

Ann O’Connor, a Syracuse resident since 1980, learned last year that this medal ceremony was going to happen. Her family told me it meant the world to her. Her daughter told me she would have loved to be here today, but Ann passed away in September of 2009. Her son and daughter and grandchildren are here and will attend the ceremony, and I know she is here today in spirit and through the eyes of her two lovely granddaughters.

I congratulate all of the extraordinary WASPs who served our country. Thank you for your dedication and service.

WAR POWERS RESOLUTION  
(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, the Constitution makes clear: Only Congress can declare war. While no one can dispute that we are at war, Congress has never been asked to make this declaration.

I disagree with the Congressman from Ohio’s policy position; to leave Afghanistan at this moment would undermine our national security and imperil our troops. However, the War Powers Resolution is an important check on unfettered executive authority.

It is worth remembering the period in our Nation’s history during which this act of Congress was passed. In 1973, during the height of the Vietnam War and following the Gulf of Tonkin, Congress overrode a Presidential veto to pass this measure into law. It did so because it was concerned with the erosion of congressional authority to decide when the United States should be come involved in a war. While Vietnam was a very different war, the frustration felt by the American public and Members of Congress at that point in time is similar to that of today.

In overriding a presidential veto and passing the War Powers Resolution, Congress returned to fundamental responsibilities. The Founding Fathers had granted to it: that such a declaration would be a product of robust discourse, one in which our leaders would identify the nature of the threat posed by our enemies, the objectives of the mission before us, and fully weigh the prudence of sending our troops into harm’s way.

RECOVERING FROM THE GREAT RECESSION  
(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, this chart is a quick way to assess the direction things have been going in our efforts to recover from the Great Recession. While it is not success, it is definitely progress. It shows the monthly change in nonfarm payrolls over the past 2 years.

Point A on this chart is when the Great Recession and the job losses began in December of 2007. Back then, we were assured the fundamentals of the economy were sound. For over a year, the economy went straight downhill and shed jobs at an increasing rate, with no change in direction.

The last month that the former President was in office, President Bush, we lost over 700,000 jobs. Point C represents the jobs report from the last 2 months, clearly a dramatic improvement from 1 year ago—in fact, a 96 percent improvement, from over 750,000 jobs lost to 35,000 jobs; again, progress in the right direction.

In addition to this general trend, I would like to point out that the temporary help sector continues to improve. More than 40,000 workers have been added to the temporary help sector, a clear indication of improvement in the job market.

We still have a distance to go before we get every American back to work, but as this chart clearly shows, we are slowly and steadily moving in the right direction. Again, this is progress.

RECOGNIZING THE 60TH AIR MOBILITY WING AT TRAVIS AIR FORCE BASE  
(Mr. GARAMENDI asked and was given permission to address the House for 1 minute.)

Mr. GARAMENDI. Mr. Speaker and Members, I want to bring to your attention an extraordinary unit in our military in the Air Force located at Travis Air Force Base in Fairfield, California. The 60th Air Mobility Wing does an extraordinary job providing services to the military as well as humanitarian efforts.

When the earthquake in Haiti occurred, it was that Wing that brought immediate assistance, using rapid deployment. They also have hospital services available that are immediately deployed. And when it comes time to open a new military base or a national airport, it’s the 60th Air Mobility Wing located at Travis Air Force Base, Fairfield that provides those immediate services.

So I ask all the Members to recognize the good service, the good work this unit does, the extraordinary service provided by the men and women of the 60th Air Mobility Wing located at Travis Air Force Base, Fairfield, California.

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

Record votes on postponed questions will be taken later.

AUTHORIZING COMPENSATION FOR FURLoughed TRANSPORTATION DEPARTMENT EMPLOYEES  
Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4786) to provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4786

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

SECTION 1. COMPENSATION AND RATIFICATION OF AUTHORITY.  
(a) Compensation for Federal Employees.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) Ratification of Essential Actions.—

(1) All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68).

(2) Funding.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the

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Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111–177) and shall be subject to the obligations limitations established in such Act. 

Expenditures From Highway Trust Fund.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of this section, this section shall be deemed to be a section of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–66), as in effect on the date of the enactment of the last amendment to such Resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 4786, and to include extraneous material.

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

There was no objection.

Mr. OBERSTAR. Mr. Speaker, we are here on both sides of the aisle this morning on a mission of equity, fairness, even mercy, on behalf of 1,922 career Federal employees of the U.S. Department of Transportation. They were unintended victims of a standoff in the other body, which resulted in a 2-day lapse in the authorization of funding for Federal highway, highway and motor carrier safety, and public transit programs.

On February 25, the House passed by voice vote H.R. 4691, the Temporary Extension Act of 2010. The bill extended the authorization for Federal surface transportation programs which otherwise were scheduled to expire on February 28.

The Speaker’s efforts to pass the bill and to clear it for signature by the President were stalled by the actions of one Senator from the other party. His repeated objections held up consideration past the February 28 deadline.

As a result of those objections, the authority to reimburse States, metropolitan regions, and public transit agencies for federally approved Highway Trust Fund expenditures lapsed. Several States, like Missouri, immediately cancelled bid openings. DOT’s authority to pay administrative expenses for Federal employees from the Highway Trust Fund also lapsed.

These authorities were restored only when the Senate relented on the evening of March 2, allowing the Senate to consider the bill. The Senate passed it, and the President signed it that evening, but these 1,922 employees were collateral damage. They were doing their jobs, career professionals, and just happening to be hit by this roadside bomb. It affected them in a very specific way. Let me toll the numbers:

1,307 employees of the Federal Highway Administration. 434 employees of the Federal Motor Carrier Safety Administration. 143 employees of the National Highway Traffic Safety Administration, and 38 employees of the Research and Innovative Technology Administration.

Well, in a few days, on March 16 to be exact, the DOT will process its payroll for the current March pay period. If Congress does not act to reinstate those who were forced out of their jobs, then 1,922 public servants, through no fault of their own and having simply been doing their jobs as they have done for decades in many cases, will suffer a 20 percent pay cut in their biweekly paychecks. Now, this is not an abstraction. This is not a debatable point. This is not something that, oh, we’ll put this off, and we’ll think about it later.

At the National Highway Traffic Safety Administration, a long-term career secretary of NHTSA in Seattle, Washington normally would have netted $1,540 per paycheck, but because of the furlough, would be paid $1,150, a $390 cut. A $390 cut could affect your paying your mortgage, buying your weekly groceries, buying fuel for your car. Maybe you can afford your sending a birthday card to a child or to a grandchild. It has a real effect, and I think the Senator on the other side just had no idea, no interest, and no care about what the effects would be of his actions.

An entry-level program analyst, a GS–7 in Chicago, Illinois at NHTSA, normally would net $1,200 per paycheck in 2 weeks. Because of the furlough, he would be paid only $900. That’s a $300 cut. If you’re taking $900 home over 2 weeks, $300 out of that paycheck is serious money, a serious effect on your life, and it’s a serious devaluation of appreciation for your service to the public.

These are career personnel. At any time, that’s painful, but at this time, with this severe meltdown, economic recession, it’s devastating. Miss a car payment; miss a tuition payment; miss part of your mortgage payment; miss your fuel bill; miss your electric bill. All of these things are the real-world consequences of one person’s peak over some piece of this bill that had nothing to do with these personnel, with these careerists.

To the great credit of Secretary of Transportation Ray LaHood, a former colleague of ours in this body, he called and said, I am really concerned about these career personnel. We have to make them whole. They didn’t do anything wrong. They were just standing by victims of this action, and we will be able to restore their pay without any increase in budget. We will just shift dollars from one account to another.

The bill that we bring before you today does not require any new Federal funding. The Secretary, as I just described, will draw on administrative funding previously authorized and appropriated to finance the lost compensation for those personnel. It is the right thing to do. We need to do this. We have got to pass it by a unanimous voice vote.

I reserve the balance of my time.

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

Mr. Speaker, I rise today to voice my strong support for H.R. 4786. The distinguished gentleman from Minnesota has pretty well covered this bill in detail. I will speak briefly to it.

Beginning at midnight on February 28 through March 2, all of the programs and the operations of the agencies funded under the Highway Trust Fund came to a halt because the extension of these programs was not passed by Congress, as the chairman has already pointed out. As a result, nearly 2,000 Department of Transportation employees were furloughed. This bill will ensure that those employees furloughed, at no fault of their own, will receive their normal compensation for that period of time.

Between February 28 and March 2, certain surface transportation activities were classified as “essential,” such as the Federal safety inspection of trucks and buses. This bill approves these activities as essential activities taken to save lives and to protect property, allowing the DOT employees who worked on those activities during the furlough to be paid.

I urge my colleagues to support the passage of H.R. 4786. I support the bill.

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

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Northern Virginia (Mr. CONNOLLY). I wish to express my great appreciation and admiration of his concern for these Federal employees. Many Federal employees reside in his district. Even some of these 1,900 likely reside in the gentleman’s district. I appreciate his coming forward to champion this bill.

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise in strong support of this bipartisan legislation, compensating Federal transportation employees who were unfairly furloughed on March 1 and 2 because of a lapse in the Highway Trust Fund.

I also want to thank my good friend, the chairman of the Transportation and Infrastructure Committee, Mr. OBERSTAR, and the ranking member, Mr. MICA from Florida, for their great leadership and for their sensitivity. I want to thank Mr. COBLE from North Carolina for his support on this on a bipartisan basis. Their leadership is critical to solving this problem.

As the chairman has indicated, H.R. 4786 is a simple, commonsense bill. It would compensate the 1,922 Department of Transportation employees who were forced out of their jobs for 2 days because of political gamesmanship on the other side of the Capitol. These employees were spread across four agencies at the DOT: the Federal Highway
Administration, the Federal Motor Carrier Safety Administration, the National Highway Traffic Safety Administration, and the Research and Innovative Technology Administration. These employees were furloughed through no fault of their own. They became unwitting victims of an administrative practice in the upper Chamber that allows one Member’s objection, irrespective of merit, to grind to a halt the work of the American people.

As my colleagues will recall, an objection of one Senator from Kentucky led to the lapse of authorization for the Highway Trust Fund despite the objections of 21 of his Republican colleagues, a majority of the Republican caucus, who supported the ultimate extension on a 78–19 vote.

This bill does two simple things: It authorizes those workers who were furloughed to be compensated at their normal rate of pay for the 2 days in which they were laid off, and it ratifies actions taken by DOT during those 2 days to maintain minimum essential services. The Congressional Budget Office says this legislation has no new costs associated with it, as the chairman indicated, as the funding will come from existing expenses. By taking action now, this Congress will prevent a 20 percent cut in the next biweekly paycheck for these dedicated public servants.

There is a clear precedent for this type of restorative action dating back to the much longer government shutdown in the late 1995-early 1996 period during the Clinton administration. During that period, there were two funding gaps totaling 26 days which affected more than 800,000 Federal workers. As part of the final appropriations bill for FY 1996, the Republican-controlled Congress restored compensation for those employees. It was the right thing to do then, and it is the right thing to do now.

I thank Chairman O’BERRY for his leadership and for his collaboration and generosity on this important legislation. I urge my colleagues to vote “yes.”

Mr. O’BERRY. Mr. Speaker, in closing, I wish to express my great appreciation to Mr. MICA, the senior Republican on our committee and my partner and good friend and co-participant, in all of the works of our committee.

I share with him this tragic fact of the loss of pay for these 1,922 employees. He immediately said, We have to fix that. We have got to make it right by them, and he volunteered to cosponsor the legislation, which he has done. I am delighted he designated the gentleman from North Carolina, Mr. Speaker, who a great advocate for our committee, a great participant in all of our work and who is also a very good, fair and decent-minded Member.

To our Speaker, just this past Sunday, on March 7, we commemorated the 45th anniversary of Bloody Sunday, one of the most significant moments in the history of our nation. That day, thousands of brave people in the United States, known and unknown, of different races, ethnicities, and religions, risked their lives to stand for political equality and against racial discrimination in a quest culminating in the passage of the Voting Rights Act of 1965.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 249
Whereas brave people in the United States, known and unknown, of different races, ethnicities, and religions, risked their lives to stand for political equality and against racial discrimination in a quest culminating in the passage of the Voting Rights Act of 1965;

Whereas numerous people in the United States paid the ultimate price in pursuit of that quest, while demanding that the Nation live up to the guarantees enshrined in the 14th and 15th Amendments to the United States Constitution;

Whereas the historic struggle for equal voting rights led nonviolent civil rights marchers to cross the Edmund Pettus Bridge in Selma, Alabama, on March 7, 1965, a day that would come to be known as “Bloody Sunday,” where their bravery was tested by a brutal response, which in turn sent a clarion call to the Nation that the fulfillment of democratic ideals could no longer be denied;

Whereas, March 7, 2010, marks the 45th anniversary of Bloody Sunday, the day on which some 600 civil rights marchers were demonstrating for African-American voting rights;

Whereas Congressman John Lewis and the late Hosea Williams led these marchers across the Edmund Pettus Bridge in Selma, Alabama, where they were attacked with billy clubs and tear gas by State and local lawmen;

Whereas during the march on Bloody Sunday, Congressman Lewis was beaten unconscious, leaving him with a concussion and countless other injuries;

Whereas footage of the events on Bloody Sunday was broadcast on national television that night and burned its way into the Nation’s conscience;
civil rights movement. It was a day in which I was in Selma, Alabama, with JOHN LEWIS, one of the heroes of this United States of America, one of the great saints and heroes of this United States Congress. Other Congress people were there from both sides of the aisle, and

We first went to Brown Chapel in Selma for a prayer service, where Rev. C.T. Vivian led us with a wonderful sermon. It was a civil rights pilgrimage that the Faith and Politics Institute put on.

The culmination of that, after going to Birmingham, where we went to the 16th Street Church and the Civil Rights Institute, and to Montgomery, where we saw the Rosa Parks Museum and went to Rev. Ralph Abernathy’s church at the First Baptist Church and the Dexter Avenue Church, the church of Dr. Martin Luther King, as well as the Center for Poverty Law headed up by Morris Dees, culminated in Selma, and it was significant.

JOHN LEWIS marched there 45 years earlier. Alabama State troopers and Alabama police, the government, stopped them with horses and sticks and guns. They turned around and brought to bear because of a group of students and ministers, both black and white, who came together to march for civil rights and to make this country fulfill its destiny and its promise.

Mr. LEWIS is a man we are lucky to serve with, and I am lucky to serve with, and I appreciate him getting me to go, and for what I learned this week. I started on the Edmund Pettus Bridge where the first march ended in violence, and later started on the long struggle to Montgomery and to freedom and to voting rights. Six hundred civil rights marchers were beaten there with nightsticks and in fact, I think it is the story of the 15th Amendment.

Our democracy reflects a government of the people and by the people, a principle that had been articulated by President Abraham Lincoln in 1864. But until Bloody Sunday and Dr. King’s participation and the successful march and the passage of the Voting Rights Act by Congress, it wouldn’t have happened.

It had not been a government of the people and by the people. It was a government of the wealthy people, the propertyed people. In Alabama, there were literacy tests and there were taxes, and these stopped people from having the right to vote. There were intentional impediments to letting people participate in a democracy that you wouldn’t have thought would happen in a country with our great Constitution. But the words in our Constitution were simply words. They need to be put into law and a spirit put behind them and a fulfillment, and that didn’t happen until Montgomery and Alabama.

Besides voting rights, that march led to other issues. There is economic justice as well as social justice, and we are working in those areas. Access to education, housing, health care, and more have not been available to all. Dr. King, in his famous speech in New York at the Riverside Church, talked about not only racism, but militarism and materialism.

There are still problems in this world today and problems that affect this Congress, when too many times we do work on military solutions rather than peaceful solutions, and we worry about materialism rather than spiritual goods. We worry too much about people who have and not people who don’t have enough. That is part of Dr. King’s dream that hasn’t been fulfilled in this country, and this Congress needs to do more. That is why jobs bills are so important, to give people opportunities, and job training bills that we are working on.

I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support House Concurrent Resolution 249. This resolution commemorates the 45th anniversary of Bloody Sunday and the role it played in ensuring the passage of the Voting Rights Act of 1965.

On Bloody Sunday, March 7, 1965, JOHN LEWIS, now Congressman JOHN LEWIS and Chairman JOHN LEWIS, and the late Hosea Williams, led a march in Selma, Alabama, to demand racial and political equality in the United States. They led 600 civil rights marchers east out of Selma, Alabama, toward the state’s capital in Montgomery. They got as far as the Edmund Pettus Bridge six blocks away, where State and local lawmen attacked them with clubs and tear gas and forced them back into Selma. Congressman LEWIS was beaten unconscious, leaving him with a concussion and many other injuries.

The events on Bloody Sunday were televised nationally, and the nation responded to these actions. As a result, within eight days, President Lyndon Johnson called for a comprehensive voting rights bill to protect African Americans’ and other citizens’ right to vote, which is already guaranteed in the 15th Amendment.

Bipartisan majorities in both houses of Congress approved the Voting Rights Act of 1965, and President Johnson signed this historic legislation into law on August 6, 1965, less than 5 months after Bloody Sunday.

I totally support this resolution’s observance and celebrate the 45th anniversary of the Bloody Sunday marchers, whose sacrifices made it possible for the Voting Rights Act to come into being. I urge my colleagues to join in supporting this resolution.

I reserve balance of my time.
Mr. COHEN. Mr. Speaker, I yield 1 minute to the majority leader, the gentleman from Maryland (Mr. HOYER), who joined us on this civil rights pilgrimage. I was so proud to be with him. He is one of the most constant attendants and it reflects on his character that he goes and participates.

Mr. HOYER. I thank my friend for yielding, and I thank the ranking Republican for his comments. I thank Mr. COHEN for his leadership on this issue.

We insist to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

So spoke our Founding Fathers. Our Founding Fathers spoke, however, without a clear understanding of the impact of their words. Even as great as our Founding Fathers were, they did not live out the promise of those words in this land. Some were slave owners. Clearly, the contradiction between our words and the actions of our day-to-day lives were a contradiction from our stated values to our practices.

Martin Luther King, Jr., called America's attention to that paradox, to that contradiction, to that schizophrenic life that we had led. Martin Luther King, Jr., had a leader who was a giant of a leader in his own right, and we are honored to serve with him; in my view, the most historic figure that serves among the 535 of us who have been given the privilege to represent our people and defend the Constitution and protect and preserve our democracy. JOHN LEWIS is a giant among us; a quiet, self-effacing, humble giant, but a giant nonetheless.

Fifty-four years ago, civil rights activists attempted to march from Selma to Montgomery to demand that our Constitution be fulfilled. The Governor honor their right to vote and their God-given equality. Remember Jefferson's words, that our rights are not given by the majority. They are not given by Congress. They are not even given by the Constitution. They are given to us by a power higher than us. That is the glory of America, that every individual is an important being, endowed by their Creator with certain unalienable rights.

The world knows what happened to those marchers; how they were stopped by State troopers at the Edmund Pettus Bridge in Selma, how they were savagely beaten with nightsticks, and how they were giant, whose name was then not known, this young man from Troy, Alabama, JOHN LEWIS, who was helping to lead the march from the front with Hosea Williams, was beaten to the ground and took life-threatening injuries.

Today, as a Member of Congress, JOHN LEWIS still bears those scars, but he does not bear resentment. What a lesson for all of us who suffer the verbal slings and arrows almost daily in this public profession which we pursue.

But JOHN LEWIS took more than rhetorical slings and arrows. He was beaten, subjected to hate, spit upon, subjected to prejudice and division and segregation and rejection. But still, Christ-like, JOHN LEWIS, following Gandhi's example, turned the other cheek and said, I seek justice, and I will continue to seek justice for myself and for others, no matter the opposition.

I will not do so violently. I will not do so by assaulting those who assault me. But I will appeal to the conscience of the Nation. I will appeal to the promise in our declaration, in our Constitution, and in the principles for which this Nation stands. And it was a powerful appeal.

This weekend, I and others—Mr. CAO was with us—were privileged to walk with that giant of a man, JOHN LEWIS, across a river, but it is also a bridge to brotherhood; a bridge to a realization of America's promise; a bridge to a better America; a bridge to a better country; a bridge, as my friend and brother JOHN LEWIS would say, to the beloved community; a bridge, then, over troubled waters, who have to some degree been stillled, but not silenced.

There is still prejudice in this land. There is still division in this land. There will not be reconciliation that America still strives for. And that is why I return almost every year with my friend JOHN LEWIS to walk over that bridge, to remind myself—and I have taken my grandchildren—to remember the mission of Martin Luther King, Jr., was extraordinarily successful, and the mission of JOHN LEWIS, which continues to this day, has been successful, it is not over. The mission and the commitment must continue. That is what we must remember on this anniversary of March 7, 1965, when a group of our fellow citizens peacefully walked to register to vote. Is there any more sacred than that—the ability to express your opinion, unabowed by government or unbowed or dissuaded by threats? That was JOHN LEWIS’s mission then. He was so successful. But the mission is not over. And as we vote on this resolution, we ought to all commit ourselves to walking with the wind of justice, of which JOHN LEWIS spoke, of which he has written. But, much more importantly, the life that he has led teaches us that America is not only the pursuit of Happiness. It is also the unalienable rights of life, liberty, and the pursuit of happiness.

God has blessed America through the life of JOHN LEWIS, and so many others whose courage and convictions have made us better. Support this resolution. But, more than that, live out its promise for all of our citizens.

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. CAO).

Mr. CAO. Mr. Speaker, today, I rise in support of House Concurrent Resolution 249 to commemorate the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

Today, we remember a momentous occasion in our history. On March 7, 1965, 600 brave marchers from Selma, Alabama, These brave marchers used the power of non-violence to demand the recognition of democratic rights of a citizen: the right to vote. In return, the marchers were met with billy clubs and tear gas. But the marchers confronted terror with courage. Their dignity in the face of brutality moved this House to pass the Voting Rights Act, which reaffirmed this Nation's commitment that every citizen has the right to participate fully in the political life of the Nation.

This past weekend, my family and I traveled to Selma to honor the 45th anniversary of Bloody Sunday. Kate, my wife, our two daughters, Betsy and Sophia, and I marched from Brown Chapel to the top of Edmund Pettus Bridge. Along the way, not only was I awed by the significance of the march, but also the love and admiration that the people still have for the historical marchers. Among those was JOHN LEWIS. I commented then and firmly believe today that I owe so much of my personal and political success to the struggles of the African American community. Because of their perseverance and sacrifice, doors have been opened permanently to every minority community in America.

Mr. Speaker, it was an honor to have been a part of this momentous commemoration, to work with dedicated public servants like my good friend from Georgia, and I ask my colleagues to support this important resolution.

Mr. HOYER. Mr. Speaker, 45 years ago, on March 7, 1965, Hosea Williams led 1,600 peaceful, nonviolent protesters attempting to march from Selma, Alabama, to the State capitol in Montgomery to dramatize to the world that people of color wanted to register to vote. We left Brown Chapel AME Church that afternoon on a sacred mission, prepared to defy the dictates of man to demonstrate the truth of a higher law. Ordinary citizens with extraordinary vision walked shoulder-to-shoulder, two-by-two, in a silent, peaceful protest against injustice in the American South.

We were met on the Edmund Pettus Bridge crossing the Alabama River by
a sea of blue—Alabama State troopers. Some were mounted on horseback, but all of them were armed with guns, tear gas, billy clubs, and beyond them were deputized citizens who were waving any weapons they could find on that day, bullhorns.

Then we heard, “I am Major John Cloud. This is an unlawful march. You cannot continue. You have 3 minutes to go home or return to your church.” We were preparing to kneel and pray when the Major said, “And I suppose your next words will be to walk away.” And these troopers came toward us, beating us, spraying tear gas, chasing us. I was hit on the head by a State trooper with a nightstick and I fell unconscious on the bridge. On that day, Mr. Speaker, I thought I was going to die. I thought I saw death. The most brutal confrontation of the modern-day civil rights movement became known as Bloody Sunday. It produced a sense of righteous indignation in this country and around the world that led this Congress to pass the Voting Rights Act of 1965.

Eight days after Bloody Sunday, President Lyndon Johnson addressed a joint session of the Congress and made what I believe is the greatest and most meaningful speech of his presidency. President Johnson, who has ever made on the importance of voting rights in America. He began by saying, “I speak tonight for the dignity of man and for the destiny of democracy.” President Johnson went on to say, “At times, history and fate meet at a single time, in a single place, to shape a turning point in the course of human events. Such a time was at Appomattox. So it was at Lexington and Concord. So it was in Selma, Alabama. This was a century ago at Appomattox. So it was last week in Selma, Alabama.”

In this speech, President Johnson condemned the violence in Selma, and called on the Congress to enact the Voting Rights Act. He closed his speech by echoing the words of the Declaration of Independence, that all men are created equal, and they are endowed by their Creator with certain inalienable Rights. In other words, we get our rights from the Almighty. We don’t get our rights from government or from the court or from the king. We get our rights because we get them from the Almighty. And as it states in the Declaration of Independence, that governments are instituted to secure those rights. And first it was the 15th Amendment, and yet there needed to be more legislation. Because of the events that occurred on Bloody Sunday, ironically a President from the South signed the Civil Rights Act of 1965. President Lyndon Baines Johnson of Texas. This was a bipartisan piece of legislation that in this House of Representatives, the majority of the Democrats, 217, and the majority of the Republicans, 111, voted for this legislation with about 20 percent or less in both parties voting against it. Bipartisan legislation passed with a vast majority of both the Republicans and the Democrats, a sign that bipartisanship on important pieces of legislation is necessary, and it is effective.

So I totally support this resolution. I come from a very proud union background. I was in junior high. And this event occurred, those noble 600 that walked through the streets of Alabama, and thus, the Civil Rights Act, as we have today.

So I yield back the balance of my time, totally supporting this resolution.

Mr. COHEN. Mr. Speaker, in closing, I want to thank each of the speakers, particularly Mr. LEWIS, whom we are privileged to serve with and I was privileged to go to Montgomery with; and with Leaders HOYER, whose made such eloquent remarks; and the other gentlemen and ladies who were on the trip, Mr. BARROW, Mr. McDERMOTT, Mr. FILNER, Ms. KIRKPATRICK, and others.

I want to remind, Mr. Speaker, this House that this is an important event to remember. And there are people that go to Montgomery and go to Selma and go to Birmingham to reflect on their history. And in Brown’s Chapel, there was a full church in Selma on Sunday, including Ms. Ruby WHARTON, a distinguished attorney in my city and the mayor’s wife of my city, AC Wharton. She goes every year. Also there was John Nixon, district court judge in Middle Tennessee and then a Sixth Circuit Court judge. He goes every year of the Civil Rights Division in 1965 when the march that succeeded with Dr. King took place. There are people that go back every year to renew their thoughts and their experiences because we shall overcome together.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I think it’s well said, as our majority leader pointed out, that in the Declaration of Independence, the basis for who we are, states “that all men are created equal, that they are endowed by their Creator with certain inalienable Rights.” In other words, we get our rights from the Almighty. We don’t get our rights from government or from the court or from the king. We get our rights because we get them from the Almighty. And as it states in the Declaration of Independence, that governments are instituted to secure those rights. And first it was the 15th Amendment, and yet there needed to be more legislation. Because of the events that occurred on Bloody Sunday, ironically a President from the South signed the Civil Rights Act of 1965. President Lyndon Baines Johnson of Texas. This was a bipartisan piece of legislation that in this House of Representatives, the majority of the Democrats, 217, and the majority of the Republicans, 111, voted for this legislation with about 20 percent or less in both parties voting against it. Bipartisan legislation passed with a vast majority of both the Republicans and the Democrats, a sign that bipartisanship on important pieces of legislation is necessary, and it is effective.

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Mr. Speaker, this past weekend we have heard from the majority leader and my colleagues, Mr. COHEN and Mr. CAO, that we went back to Selma, along with Mike PENCE and Senator BROWNBACK and several others with the Faith and Politics Institute on the journey. During this journey, we brought our fellow Members of Congress on this unbelievable trip of the historic Civil Rights Act, not just in Selma, but Montgomery and Bir-
H. Con. Res. 249 to commemorate the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

As we commemorate this day, I am reminded of the pain and hardships that the African-American community faced prior to the enactment of the Voting Rights Act. The use of intimidation, literacy tests, and poll taxes throughout the South ensured the disenfranchisement of most blacks, and while we have a difficult time fathoming these realities today, these practices were very common in the period before this historic legislation became law.

It is often regarded that the marches from Selma to Montgomery in 1965 were key in bringing about the Voting Rights Act, and perhaps the first march, which took place on March 7, 1965, or Bloody Sunday, was the most important of these. On that day, roughly 600 people led by Hosea Williams and John Lewis were beaten and bombarded with tear gas at the Edmund Pettus Bridge on the Alabama River. From this, two subsequent marches took place that culminated with the gathering of roughly 20,000 people on March 25, 1965, on the steps of the Alabama capitol. A few short months later, on August 6, 1965, the Voting Rights Act was signed into law by President Lyndon B. Johnson to outlaw discriminatory voting practices.

Mr. Speaker, I would also like to mention briefly how privileged I am to work with an American Hero and civil rights leader, Congressman John Lewis. His dedication to civil rights is unfaltering, and I am so fortunate to consider him a dear friend.

Mr. Speaker, Bloody Sunday and the march on Selma will continue to be infamous subjects in American history, and it is important for us to reflect on these events with solemn hearts. However, we have never been a nation to forget the future either, and as we continue to look towards tomorrow, we must not disregard our hope for that which is to come. For this reason, I ask my fellow colleagues to join me in commemorating the 45th anniversary of Bloody Sunday so that we can honor the civil rights leaders of yesterday and encourage generations of tomorrow to continue to work towards a more democratic America.

Mr. Johnson of Georgia. Mr. Speaker, I rise today to express my strong support for H. Con. Res. 249 which honors the 45th anniversary of Bloody Sunday and acknowledges the role that it played in ensuring the passage of the Voting Rights Act of 1965. I would also like to commend Representative Lewis, the sponsor of this resolution, for his continued commitment to preserving the importance of Bloody Sunday and his unwavering courage of Congressman John Lewis, and all of those men and women who suffered the brutality of Alabama State Police on that Sunday on March 7, 1965. Much blood was shed when all white troopers and sheriff’s deputies used tear gas, nightsticks and whips to break up the march. I urge my colleagues to support this resolution.

The Voting Rights Act of 1965 is pertinent today as it continues to provide much needed protection for minorities in my District and Americans across the country. Because of Bloody Sunday and the Voting Rights Act of 1965, all of my constituents in the Fourth District of Georgia have the opportunity to exercise their rights under the Fourteenth and Fifteenth Amendments of the U.S. Constitution. Indeed, it was because of the Voting Rights Act of 1965 that all Americans were extended the right to vote guaranteed under the U.S. Constitution.

Mr. Speaker, in the century following reconstruction, African Americans faced tremendous obstacles to voting. Despite the Fourteenth and Fifteenth Amendments to the U.S. Constitution, which had enfranchised black men and women, southern voter registration boards used poll taxes, literacy tests, and other bureaucratic impediments to deny African Americans their legal rights. Southern blacks also faced harassment, intimidation, and physical violence when they tried to register or vote. As a result, African Americans had little if any political power.

Mr. Speaker, as the 45th anniversary of Bloody Sunday has come to pass, let us not forget the work of the 600 men and women who marched across the Edmund Pettus Bridge in Selma, Alabama, and what they did for America and the world and let us recognize the importance of Bloody Sunday. I applaud Congressmen Lewis for his leadership in bringing this important legislation to the floor. Furthermore, I commend him for leading those brave marchers across the Edmund Pettus Bridge in Selma, Alabama to stand up for political equality and fight against racial discrimination. This resolution recognizes the heroism of these freedom fighters with respect to the events that occurred on Bloody Sunday and their commitment to ensuring equality for all Americans.

I strongly support H. Con. Res. 249.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 249.

The question is on the motion.

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

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

The yeas and nays were ordered.

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

Supporting National Teen Dating Violence Awareness and Prevention Month

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1081) supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Month.

The Clerk reads the title of the resolution as follows:

H. Res. 1081

Whereas dating, domestic, and sexual violence affect women regardless of age, and teens and young women are especially vulnerable.

Whereas approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a figure that victimization rates for other types of violence affecting youth.

Whereas nationwide, 1 in 10 high school students (9.9 percent) has been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend.

Whereas more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive.

Whereas 20 percent of teen girls exposed to physical dating violence did not attend school on 1 or more 30-day period because they felt unsafe either at school, or on the way to or from school.

Whereas violent relationships in adolescence can have serious ramifications for victims, including higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization.

Whereas teen girls who are physically and sexually abused are up to 6 times more likely to become pregnant, and more than 2 times as likely to report a sexually transmitted disease, than teen girls who are not abused.

Whereas nearly 3 in 4 children, ages 11 to 14 (hereinafter referred to as “tweens”), say that dating relationships usually begin at age 14 or younger, and approximately 72 percent of 8th and 9th grade students report “dating.”

Whereas 1 in 5 tweens say their friends are victims of dating violence and nearly ¾ of tweens who are in relationships know friends who are verbally abused;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the dating relationships of tweens.

Whereas teen dating abuse most often takes place in the home of one of the teens in the dating relationship;

Whereas a majority of parents surveyed believe they have had a conversation with their teen about what it means to be in a healthy relationship, but the majority of teens surveyed said that they have not had a conversation about dating abuse with a parent in the past year;

Whereas digital abuse and “sexting” are becoming new frontiers for teen dating abuse;

Whereas 1 in 4 teens in a relationship say they have been called names, harassed, or put down by their dating partner through cellular phones and texting;

Whereas in 10 young people have sent or received nude pictures of other young people on their cellular phones or online, and 61 percent who have “sexed” report being pressured to do so at least once;

Whereas targets of digital abuse are almost 3 times as likely to attempt suicide or suicide ideate as those who have not encountered such abuse (8 percent versus 3 percent), and targets of digital abuse are nearly 3 times more likely to consider drug or alcohol withdrawal;

Whereas the severity of violence among intimate partners has been shown to be greater...
in cases where the pattern of violence has been established in adolescence;

Whereas primary prevention programs are a key part of addressing teen dating violence; successful community examples include education, community outreach, and social marketing campaigns that account for the cultural appropriateness of programs;

Whereas in addition to prevention programs, skilled assessment and intervention programs are necessary for youth victims and abusers;

Whereas the alarming trend of unhealthy and abusive youth relationships exists in communities across the country, and affects youth of every race, culture, sex, and socioeconomic status; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Month in February will benefit schools, communities, families, and youth throughout the Nation; Now, therefore, be it

Resolved, That the House of Representative—

(1) supports the goals and ideals of National Teen Dating Violence Awareness and Prevention Week to raise awareness of teen dating violence in the United States;

(2) supports and encourages communities to empower teens to develop healthy relationships; and

(3) encourages the people of the United States, State and local officials, middle schools and high schools, law enforcement agencies, and other interested groups to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the question under consideration.

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

There was no objection.

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

Mr. Speaker, House Resolution 1081 designates the month of February 2010 as National Teen Dating Violence Awareness and Prevention Month. By designating a month to teen dating violence awareness, Congress hopes to bring more attention to the problem. We also hope to underscore the need for more effective prevention and deterrence efforts to help young people break the cycle of violence.

Dating violence is a serious problem in this country, and many teens do not report it because they’re afraid to tell family and friends. It often starts with teasing and name calling but escalates to more serious violence like physical and sexual assaults. Teen victims of dating violence are at greater risk of doing poorly in school and abusing drugs and alcohol. Fifty percent of young people reporting both dating violence and rape also reported increased rates of attempted suicide, compared to youth who had not been abused.

Physically abused teens are three times more likely than teens who have not been abused to experience violence during college. Teen victims also carry the patterns of violence into future relationships. According to a recent report by the American Bar Association, dating violence is occurring with people as young as 12 years of age. A Department of Justice consideration found that girls and young women between the ages of 16 and 24 experienced the highest rate of intimate partner violence at a rate almost triple the national average. As a result of the growing number of deaths and injuries resulting from teen dating violence, we must recognize this type of behavior is not only a crime but also is a serious public health concern.

Today’s resolution should occur in families and communities around the country to educate their teenagers about this problem and help in preventing it. I would like to thank the gentleman from Georgia (Mr. LEWIS) for his leadership on this issue and this important resolution. I urge my colleagues to join me in supporting House Resolution 1081.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H. Res. 1081 which supports the goals and ideals of National Teen Dating Violence Awareness and Prevention Month. This nationwide effort seeks to increase public awareness and to educate citizens about the prevalence of dating violence among American teenagers. The Teen Dating Violence Awareness and Prevention Initiative was spearheaded by teenagers across our Nation who chose to take a stand and put a stop to teen dating violence. The initiative began in 2004 and is now supported by numerous national, State and local organizations, and in 2005, this Congress noted the importance of addressing teen dating violence and highlighted the initiative in the reauthorization of the Violence Against Women Act.

The call to end dating violence was formally recognized by the House in 2006, and to bring more public awareness about teen dating violence, the House designated the first full week in February to be National Teen Dating Violence Awareness and Prevention Week over the last 3 years. However, the Justice Department worked with the American Bar Association, colleges, high schools, and yes, even middle schools and cities and towns join Congress to designate February as National Teen Dating Violence Awareness and Prevention Month. And in doing so, these jurisdictions demonstrated their collective commitment to ending teen dating violence and to support the numerous victims and survivors who live among us.

This effort tells us that one in three adolescent girls in the United States is a victim of physical, emotional or verbal abuse from a dating partner. These violent relationships can have serious consequences for victims, putting them at higher risk for abuse, eating disorders, risky sexual behavior, suicide and adult victimization. In fact, teen girls who are physically and sexually abused are six times more likely to become pregnant and more than two times as likely to report a sexually transmitted disease as teen girls who are not abused. Perhaps the most alarming statistic is how prevalent this violence is in our country. Studies show that one in three teens has suffered from some sort of violence in a dating relationship. We also know that dating violence among children is not limited to physical, emotional or sexual assault. It also can take the form of harassment via computer or cell phone text messaging or by phone.

National Teen Dating Violence Awareness and Prevention Month provides an opportunity for parents to engage their children about dating violence and abusive relationships. Surveys of teens indicate that parents often do not know their children are in a relationship that is abusive. To start the dialogue, parents or teens can call the National Teen Dating Abuse Helpline at 1-866-331-9474. The helpline promotes awareness of healthy dating relationships and offers tips on preventing abusive relationships. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. COHEN. I yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS), the sponsor of this resolution.

Mr. LEWIS of Georgia. Mr. Speaker, let me begin by thanking Chairman COHEN, Chairman CONYERS, Chairman SCOTT, Ranking Member POE and all of their staff for their support and work on this issue. I am proud to sponsor this resolution and hope that all of my colleagues will support this simple but important effort.

This is an important effort. It’s an important step. Youth dating violence is spreading all across our country. In my congressional district, the Center for Disease Control, the Fulton County district attorney’s office and the Georgia Domestic Violence, colleges, high schools, and yes, even middle schools have been seeing an increase in abusive teen relationships. Fear, stalking, bullying, violence and abuse are unacceptable and always shocking. But the good news for all of us is that our kids are in good hands.

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our own children. Mr. Speaker, we must break this chain. We must stop the cycle from being repeated over and over again.

The CDC worked with Liz Claiborne, Inc. to develop Dating Matters: Understanding Teen Dating Violence Prevention. The CDC provides online training course for teachers, youth leaders and family members. I encourage all those watching this discussion and debate to research this issue, take the course and watch for the signs. I think the time has come for Mr. Speaker, for us to teach our young people the way of non-violence, our children, our teenagers, our college-aged students.

Last month, I know that many across the country recognized Teen Dating Violence Prevention Month. I hope they continue through Women's History Month and really the entire year. We used to think a week was enough time, but it is just not enough. Mr. Speaker, our communities must have the information and the training to stop teen dating violence. I urge all of my colleagues to support this commonsense resolution.

Mr. POE of Texas, I have no further requests for time. Mr. Speaker, and I am pleased to close. I yield myself such time as I may consume.

This is an important piece of legislation to bring national awareness to this problem. Some of the violence that occurs in our teenagers is horrible, the things they are doing to each other and those especially in a relationship and dating. I think it's important that the country understand that teen violence among those who are dating is a tremendous problem. I have four kids, three of them are girls, and their safety has always been a concern as they were growing up. As all parents have that concern. So I totally support this resolution and urge its adoption.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 1087, which supports the goals and ideals of "National Teen Dating Violence Awareness and Prevention Month".

Mr. Speaker, allow me to briefly mention a resolution that supports the goals and ideals of "National Teen Dating Violence Awareness and Prevention Month". Mr. Speaker, I stand before you today with a zeal and vigor about the goals and ideals that the "National Teen Dating Violence Awareness and Prevention Month"; because this issue, if not handled properly, grows into domestic violence, the ugly older sister of teen dating violence. In Houston, 9 percent of Houston students surveyed in grades 9 to 12 reported being hit, slapped or physically hurt by their boyfriend or girlfriend in the past year. This is unacceptable! Teenagers' foremost concern should be achieving academic excellence, not dealing with physical and mental abuse, from anyone!

This Congress should be committed to tackling the roots of issues, such as teen violence and supporting this resolution will not only address the root causes of domestic violence, but also; (1) support teen victims of abuse; (2) educate pre-teens and teenagers, both male and female, about the issue; and (3) give the support needed by organizations and groups to effectively distribute life saving information and awareness to those in need.

So in conclusion, Mr. Speaker, I urge all my colleagues to support this resolution. I yield back the balance of my time.

HONORING JOHN H. "JACK" RUFIN, JR.

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1087) honoring the life of John H. "Jack" Ruфин, Jr.

The Clerk read the title of the resolution. The text of the resolution is as follows:

Whereas Jack Ruфин left a lasting impact on Tennessee and the United States during his distinguished legal career and as a public servant, for his dedication to the advancement of civil rights in the South; and
Whereas Ru фин was born in the rural town of Waynesboro, where in 1946, where he spent his formative years and where today his portrait hangs in the Burke County Courthouse; and
Whereas Jack Ruфин graduated from Morehouse College in 1962 and from Howard University School of Law in 1966; and
Whereas Ru фин became, in 1961, the first African-American admitted to the Augusta Bar Association, against the wishes of his mother who feared for his safety; and
Whereas Ru фин fought with great courage against injustices in his community throughout his life, most notably when he filed the lawsuits that desegregated the public school systems of Richmond County and of Burke County; and
Whereas Jack Ruфин honorably served, from 1986 to 1994, as the first African-American Superior Court Judge in the Augusta Judicial Circuit; and
Whereas Jack Ru фин, having been appointed by Governor Zell Miller to the Georgia Court of Appeals in 1994, honorably served as a member of that Court until 2008; and
Whereas Jack Ru фин became the first African-American Chief Judge of the Georgia Court of Appeals in 2005 and served honorably in that position until 2006; and
Whereas the new Richmond County judicial center in Augusta, Georgia, will be named in Jack Ru фин's honor, a decision made by the Augusta-Richmond County Commission in 2009; and
Whereas Jack Ru фин retired from the Georgia Court of Appeals in 2008 and spent the rest of his life giving back to his community by teaching students at his alma mater, Morehouse College; and
Whereas Ru фин died the night of January 29, 2010, at the age of 75, in Atlanta, Georgia, and is survived by his wife, Judith Ru фин, his father, John Ru фин, Sr., his son, Ru фин Ru фин, and two grandchildren; and
Whereas the passing of Jack Ru фин is a great loss to the legal community and to the State of Georgia, and his life should be honored with great praise and appreciation for the many contributions he made to the legal system in the United States and to the civil rights movement; and
Whereas it is the intent of the House of Representatives to recognize and pay tribute to the life of Jack Ru фин, his achievements for civil rights, his zeal for justice, and his passion for the law; Now, therefore, be it
Resolved, That the House of Representatives—
(1) recognizes Jack Ru фин as a great jurist in the State of Georgia and as an important figure in the civil rights movement; and
(2) recognizes the selflessness and brave contributions that Jack Ru фин made to his community and to the law;

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members have 5

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Ruffin went to law school anyway. And despite his mother’s concerns about his safety, he became a lawyer.

After law school he moved to Augusta, Georgia, where he became the first African American member of the Augusta Bar Association. He argued countless cases for civil rights. In perhaps the most notable case, Acree v. Board of Education, he filed suit to desegregate the Richmond County school system, which included the City of Augusta. Litigation continued for decades before a federal court order to integrate the system.

From 1986 to 1994 he served as the first African American Superior Court Judge in the Augusta Judicial Circuit. In 1994, he was appointed to the Georgia Court of Appeals. In 2009, the Augusta-Richmond County Commission decided to name the new Richmond County Judicial center in Jack Ruffin’s honor.

Judge Ruffin’s selfless and brave pursuit of equal justice for everyone earned him the respect and admiration of generations to come. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. BARROW).

Mr. BARROW. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H. Res. 1087, a resolution honoring the life of my good friend, Judge Jack Ruffin of Augusta, Georgia. Judge Ruffin passed away on January 29 at the age of 75. He had a long and distinguished career of service in Georgia, and he will truly be missed.

Jack Ruffin was born in the middle of the Great Depression, and spent his formative years in the town of Waynesboro, Georgia. He left home to attend Washington and Industrial School. He attended and graduated from Waynesboro High School and began law practice in Augusta. At the time his mother wanted him to be a teacher, but Jack Ruffin had other plans. He moved to Washington, D.C., attended Howard University School of Law, and got his J.D. degree in 1960.

Jack Ruffin could have built a successful law practice anywhere in the country, but he decided to return home to the deeply segregated City of Augusta to practice law. Throughout the course of his career, Jack Ruffin focused on rooting out the racial prejudice and discrimination which still held a firm grip on the political and economic livelihood of our State. Jack Ruffin fought for his own right to practice his profession, and became the first black lawyer admitted to the Augusta Bar Association and the first black Superior Court Judge in the Augusta Judicial Circuit. But more importantly, he fought for the rights of everyone in the community. Among other cases, he was the lawyer who desegregated the Richmond and Burke County public school systems.

Judge Ruffin was appointed to the Georgia Court of Appeals in 1994. He became the first black Chief Judge of that court in 1996. After his retirement in 2008, Judge Ruffin spent the remainder of his life teaching students at Morehouse College, giving back to the college that gave so much to him.

The resolution before us today honoring Jack Ruffin’s life is sponsored by every single member of the Georgia congressional delegation. That speaks not only to Jack Ruffin’s character, but also to how far we have come as a State and as a Nation.

Jack Ruffin did as much to change the laws and attitudes in Georgia as anyone else of his generation, and as a result we are a better and a freer people.

So today I urge my colleagues to adopt this legislation to express our lasting gratitude for Jack Ruffin’s unyielding commitment to justice and equality for all.

Mr. POE of Texas. I urge the adoption of this resolution and commend the Georgia delegation for bringing it forward, Mr. BARROW especially.

I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I join with the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1087.

The question was taken; and (two-thirds being in the affirmative) the motion to suspend the rules and agree to the resolution, H. Res. 1087, was agreed to.

A motion to reconsider was laid on the table.

**BANKRUPTCY JUDGESHIP ACT OF 2010**

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4506) to authorize the appointment of additional bankruptcy judges, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4506

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 “Bankruptcy Judgeship Act of 2010.”

**SEC. 2. ADDITIONAL PERMANENT OFFICES OF BANKRUPTCY JUDGES.**

Section 152(a)(2) of title 28, United States Code, is amended—

(1) in the item relating to the eastern and western districts of Arkansas by striking “3” and inserting “4”;

(2) in the item relating to the eastern district of California by striking “6” and inserting “8”.

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(3) in the item relating to the district of Delaware by striking "1" and inserting "6", (4) in the item relating to the middle district of Florida by striking "8" and inserting "9", (5) in the item relating to the northern district of Florida by striking "1" and inserting "2", (6) in the item relating to the southern district of Florida by striking "5" and inserting "7", (7) in the item relating to the northern district of Georgia by striking "8" and inserting "10", (8) in the item relating to the southern district of Georgia by striking "2" and inserting "3", (9) in the item relating to the district of Maryland by striking "4" and inserting "7", (10) in the item relating to the eastern district of Michigan by striking "4" and inserting "7", (11) in the item relating to the northern district of Mississippi by striking "1" and inserting "2", (12) in the item relating to the district of Nevada by striking "3" and inserting "5", (13) in the item relating to the district of New Hampshire by striking "1" and inserting "2", (14) in the item relating to the district of New Jersey by striking "8" and inserting "9", (15) in the item relating to the northern district of New York by striking "2" and inserting "3", (16) in the item relating to the southern district of New York by striking "9" and inserting "10", (17) in the item relating to the eastern district of North Carolina by striking "2" and inserting "3", (18) in the item relating to the western district of North Carolina by striking "2" and inserting "3", (19) in the item relating to the middle district of Pennsylvania by striking "2" and inserting "3", (20) in the item relating to the eastern district of Pennsylvania by striking "3" and inserting "4", (21) in the item relating to the western district of Pennsylvania by striking "4" and inserting "5", (22) in the item relating to the eastern district of Virginia by striking "5" and inserting "6", and (23) in the item relating to the southern district of West Virginia by striking "1" and inserting "2", SEC. 3. CONVERSION OF CERTAIN TEMPORARY OFFICES OF BANKRUPTCY JUDGES TO PERMANENT OFFICES.

(a) Conversion of Certain Temporary Offices Established by Public Law 109–8.—The temporary offices of bankruptcy judges established by section 3(a) of Public Law 102–361 (28 U.S.C. 152 note) for the following districts are hereby converted so as to be included in the permanent offices of bankruptcy judges that are added by the amendments made by section 2 with respect to the corresponding districts:

(1) The district of Delaware.
(2) The district of New Hampshire.
(3) The eastern district of Tennessee.


(a) Extensions.—The temporary offices of bankruptcy judges for the eastern district of Pennsylvania and the middle district of North Carolina by section 1223(b)(1) of Public Law 109–8 (28 U.S.C. 152 note) are extended until the 1st vacancy occurring in the office of a bankruptcy judge in the respective district resulting from the death, retirement, resignation, or removal of a bankruptcy judge and occurring 5 years or more after the date of the enactment of this Act.

(b) Applicability of Other Provisions.—Except as provided in subsection (a), all other provisions of section 1223(b) of Public Law 109–8 (28 U.S.C. 152 note) remain applicable to the temporary offices of bankruptcy judges referred to in subsection (a).

SEC. 5. PAY OFFSET.

(a) Bankruptcy Filing Fees.—Section 1906(a) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking "$245" and inserting "$235", and

(B) in subparagraph (B) by striking "$235" and inserting "$236", and

(2) in paragraph (3) by striking "$1,000" and inserting "$1,042",

(b) United States Trustee Fund.—Section 589a(b) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking "40.46" and inserting "40.46", and

(B) in subparagraph (B) by striking "34.77" and inserting "34.77", and

(2) in paragraph (2) by striking "55" and inserting "52.78.

(c) Collection and Deposition of Miscellaneous Fees.—Section 406(b) of the Judiciary Appropriations Act, 1990 (Public Law 101–162; 28 U.S.C. 1931 note) is amended—

(1) by striking "28.74" and inserting "28.74", and

(2) by striking "35.00" and inserting "34.77", and

(3) by striking "25" and inserting "23.99.

SEC. 6. EFFECTIVE DATES.

(a) General Effective Date.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) Special Effective Date.—The amendments made by section 5 shall take effect 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. There is objection to the request of the gentleman from Tennessee?

There was no objection.

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

Mr. Speaker, H.R. 4506, the Bankruptcy Judgeship Act of 2010, provides new resources for bankruptcy courts to handle the growing number and complexity of bankruptcy cases. This economic crisis has resulted not in the collapse of major industries, but in the bankruptcy of millions of homeowners, millions of small businesses, and millions of workers.

The bill authorizes the creation of 13 new permanent bankruptcy judges, the conversion of 22 temporary judgeships to permanent judgeships, and the extension of two judgeships for another 5 years. The act will help bankruptcy courts in 25 different Federal judicial districts around this country.

Bankruptcies have steadily on the rise since October 2006. These events, bankruptcies rising and the financial crisis, combined with the continuing mortgage foreclosure crisis, consumer credit problems, and health care crises, have exacerbated this trend significantly and caused the bankruptcy courts much additional work.

According to the Administrative Office of the United States Courts, bankruptcy filings increased by over 300,000 from fiscal year 2008 to fiscal year 2009. That is a 34.5 percent increase in 1 year. The previous year they had increased by 30.2 percent. And the Wall Street Journal recently reported another sharp increase in personal bankruptcy filings in 2008, up 32 percent from 2008. According to the Wall Street Journal, these increases were driven by high unemployment rates and the continuing housing crisis, both of which have exacerbated the economic margins, but also a growing number of middle class families who desire to work but have had to turn to our Nation’s bankruptcy system for help as a last resort.

In addition to the growing numbers of bankruptcy cases, the cases have also grown more complex, particularly in business bankruptcies. As I mentioned earlier, in 2009 two of the big three, General Motors and Chrysler, companies which tens of thousands of workers, thousands of dealers, hundreds of suppliers, and many communities across this Nation depended for their livelihoods, went through quick but nonetheless intense reorganizations. Bankruptcy courts performed admirably but under strain.

Outside the automobile industry, as I mentioned earlier, businesses such as Delta Airlines to Lehman Brothers to Citigroup have been stressed by bankruptcy for relief in recent years, with the same kind of extraordinary burden imposed on the bankruptcy courts.

The SPEAKER pro tempore. I ask unanimous consent that all Members have 5 minutes to make their remarks and include extraneous material on the bill under consideration.
While the workload for bankruptcy courts is increasing, judicial resources are in danger of decreasing. Many current bankruptcy judgeships are authorized on a temporary basis, and some are set to expire soon. A well-functioning bankruptcy system is absolutely essential to helping individuals and businesses weather our Nation’s current economic difficulties. Having a sufficient number of bankruptcy judges is a key to making the system work, and has never been more important than now.

H.R. 4506, the Bankruptcy Judgeship Act of 2010, addresses these needs by authorizing the creation of 13 new permanent bankruptcy judgeships and the conversion of 22 temporary judgeships to permanent judgeships. Additionally, it extends the temporary authorization for two judgeships for another 5 years. These new, converted, and extended bankruptcy judgeships reflect the recommendations of the Judicial Conference of the United States. Those recommendations in turn are the culmination and careful survey and review process that thoroughly assessed the bankruptcy judgeship needs of every Federal judicial district in the country. In essence transparent, fair, methodical, rational.

I note that a significant part of the conference’s assessment of bankruptcy judgeships depends on the successful operation of the bankruptcy system. The U.S. is also in need of more bankruptcy judges. The time has come for Congress to authorize additional bankruptcy judgeships in various states. This legislation was introduced by Representative COHEN, my colleague from Tennessee. As a member of the judiciary committee, I urge my colleagues to adopt this legislation.

To pay for 13 new judgeships, the bill also raises the filing fees for chapter 7 and 13 cases by $1, and for chapter 11 cases, which are business bankruptcies, by $42. While I understand that filing fees are essential to fund the successful operation of the bankruptcy system, I believe they are already too high, particularly for consumer debtors seeking bankruptcy relief because they are in dire straits. In this one instance we ultimately determined that a fee increase was the only practical way to get the needed judgeships in a timely manner, which will allow for the efficient functioning of the bankruptcy system to the ultimate benefit of debtors.

In passing a bankruptcy system, we wanted to have funds to make it self-sufficient. To put the bankruptcy system of our country in bankruptcy while saving the bankruptcy system seemed like an oxymoron.

But I would urge in the future we rely on something other than bankruptcy filing fee increases to pay for new bankruptcy judgeships. The last time Congress addressed the issue of bankruptcy judgeships was 5 years ago when it authorized 28 temporary judgeships in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. Those temporary judgeships are now about to expire.

Moreover, the last time Congress authorized new permanent bankruptcy judgeships was in 1992. It is well past the time that we address the critical issue of bankruptcy judgeships needs, and I am pleased that we are able to do so today.

I thank the Judiciary Committee chairman, JOHN CONEYS, and Ranking Member LAMAR SMITH for being original cosponsors of this important legislation and our Judiciary Committee working in a bipartisan fashion to pass the bill. I also thank TRENT FRANKS, the ranking member of the Judiciary Subcommittee on Commercial and Administration Law, for his support of this bill. I guess it wasn’t an oxymoron but an inconsistency.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. Speaker, I rise in support of this legislation, and I yield myself such time as I may consume.

Mr. Speaker, additional permanent bankruptcy judgeships have not been authorized since 1992. The Judicial Conference has requested more judgeships several times and the House has passed legislation to add them; however, the Senate has not acted on these requests.

Since Congress last authorized additional permanent judgeships, judicial workloads have increased substantially. The important bankruptcy reforms passed in 2005, for example, called on judges to do more to prevent abuse.

Congress compensated for some of the court’s increasing burden in recent years by creating temporary bankruptcy judgeships. Many of those judgeships are near their expiration dates.

The time has come for Congress to address bankruptcy judgeships needs by authorizing new permanent bankruptcy judgeships. The U.S. is also in need of more bankruptcy judges. According to Michael J. Melloy, Chair of the Judicial Conference Committee on the Administration of the Bankruptcy System, “Additional judgeships are critical to ensure that the bankruptcy courts have sufficient judicial resources to effectively and efficiently adjudicate the rights and responsibilities of parties in bankruptcy cases and proceedings”. New bankruptcy judgeships have not been authorized since 1992, yet case filings have increased by 61 percent.

The current recession has had an adverse effect on the Bankruptcy Court system. The courts are now faced with much more complex and time-consuming bankruptcy cases, not to mention an increase in volume of cases. This has led to more cases per judge than they are able to handle. It is therefore necessary that we act and authorize additional bankruptcy judges.

In addition to authorizing new judges, H.R. 4506 would also convert certain temporary offices of bankruptcy judges to permanent offices, extend certain temporary offices of bankruptcy judges, reduce the amount of bankruptcy fees to be deposited as offsetting
collections to the United States Trustee System Fund, and increase bankruptcy filing fees. All of this would lead to a better and more efficient bankruptcy judicial system.

My state of Georgia has the third highest personal bankruptcy rate in the nation. According to Bankruptcy Research Center, Georgia’s federal bankruptcy courts handled 66,925 filings during the first 11 months of 2009. This was 22 percent higher than the same period of 2008. This resolution will give the bankruptcy judicial system the resources necessary to review cases in a thorough and timely manner, and turn the hectic bankruptcy process into a much more manageable one. I urge my colleagues to join me in support of this legislation, and vote in the affirmative for H.R. 4506, the Bankruptcy Judgeship Act of 2010.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 4506, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. The SPEAKER pro tempore. Pursuant to the gentleman’s prior announcement, further proceedings on this motion will be postponed.

EXPRESSING APPRECIATION FOR ENRIQUE “KIKI” CAMARENA

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1115) expressing appreciation for the profound dedication and public service of Enrique “Kiki” Camarena on the 25th anniversary of his death.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1115

Whereas in March 1985, Drug Enforcement Administration (DEA) Special Agent Enrique “Kiki” Camarena made the ultimate sacrifice in the fight against illicit drugs;

Whereas Special Agent Camarena, an 11-year veteran special agent of the DEA, was kidnapped, tortured, and murdered in the line of duty;

Whereas Special Agent Camarena joined the DEA in June 1974 as an agent with the Calexico, California, District Office;

Whereas Special Agent Camarena was assigned to the Fresno District Office in September 1977, and transferred to the Guadalajara Resident Office in July 1981;

Whereas, on February 7, 1985, when leaving the Guadalajara Resident Office to join his wife Geneva for lunch, Special Agent Camarena was surrounded by 5 armed men, forced into a vehicle and taken away;

Whereas the body of Special Agent Camarena was discovered on March 5, 1985, on a ranch approximately 60 miles southeast of Guadalajara, Mexico;

Whereas to date, 22 individuals have been indicted in Los Angeles, California, for their roles in the Camarena murder, including former high ranking Mexican Government officials, cartel drug lords, lieutenants, and soldiers;

Whereas of the 22 individuals indicted in Los Angeles, 8 have been convicted and are imprisoned in the United States, 6 have been incarcerated in Mexico and considered fugitives as they remain outstanding warrants in the United States, 4 are believed deceased, 1 was acquitted at trial, and 3 remain fugitives believed to be residing in Mexico;

Whereas an additional 25 individuals were arrested, convicted, and imprisoned in Mexico for their involvement in the Camarena murder;

Whereas the men and women of the DEA will continue to seek justice for the murder of Special Agent Camarena;

Whereas fugitives Guillermo Chavez-Sanchez and Ricardo Chavez-Sanchez are still wanted as hostile material witnesses in Los Angeles, California;

Whereas during his 11-year career with the DEA, Special Agent Camarena received 2 Sustained Superior Performance Awards, a Special Achievement Award and, posthumously, the Administrator’s Award of Honor by the Drug Enforcement Administration;

Whereas prior to joining the DEA, Special Agent Camarena served 2 years in the U.S. Marine Corps, as well as serving as a fireman and police officer, in Calexico, as a narcotics investigator with the Imperial County Sheriff Coroner;

Whereas Red Ribbon Week, nationally recognized since 1988 and now the oldest and largest drug prevention program in the Nation, reaching millions of young people each year and celebrated annually from October 23 to 31, was established to help preserve Special Agent Camarena’s memory and further the cause for which he gave his life, the fight against drug crime and addiction; and

Whereas Special Agent Camarena will be remembered as an honorable public servant, his sacrifice should also be a reminder every October during Red Ribbon Week of the dangers associated with drug use and trafficking; Now, therefore, be it

Resolved, That the House of Representatives:

(1) expresses appreciation for the profound dedication and public service of Enrique “Kiki” Camarena on the 25th anniversary of his death;

(2) offers its deepest sympathy and appreciation to his wife, Geneva, his three children, Enrique, Daniel, and Erik, and to the friends as Kiki, left the American consulate in Guadalajara to meet his wife, Mika, for lunch. As Kiki walked to his truck, he was approached by five men who kidnapped him and sped away. He was found dead on March 5, 1985, after being tortured and brutally beaten by his captors. Kiki was 37 years of age—survived by his wife and three children, Enrique, Daniel, and Erik.

During his 11 years with the DEA, Kiki received two Special Achievement Awards and a Special Achievement Award as well. He also received posthumously the Administrator’s Award of Honor, the highest award granted by the Drug Enforcement Administration.

Mr. Camarena was born on July 26, 1947, in Mexicali, Mexico. He graduated from Calexico High School in Calexico, California, in 1966. In 1968, he joined the U.S. Marine Corps, and after serving 2 years, he joined the Calexico Police Department as a criminal investigator in 1970.

In May 1973, he started working as a narcotics investigator with the El Centro Police Department. He stayed there until 1974, when he joined the DEA.

His first assignment as a special agent with DEA was in Calexico, California. In 1977, he was reassigned to the Fresno district office in northern California. After working in the Fresno office, he was later assigned to the Guadalajara, Mexico, DEA office for 4 ½ years and worked undercover on the trail of the country’s biggest marijuana and cocaine traffickers. Before being kidnapped, Kiki was extremely close to unlocking a multimillion-dollar drug pipeline.

Officer Camarena gave his life in the fight against drug traffickers, and after his death, many people wanted to do something to remember the ultimate sacrifice he made. Soon after his death, people everywhere started wearing red ribbons to symbolize their commitment to help reduce the demand for drugs in their communities. The act of wearing red ribbons took on national significance and grew into what is now known as the Red Ribbon Campaign. During Red Ribbon Week, Kiki is remembered as a man who wanted to make a difference in the war on drugs, and his legacy still lives on.

In honor of Kiki Camarena’s legacy and in recognition of the 25th anniversary of his death, I urge my colleagues to join me in supporting H. Res. 1115.

I reserve the balance of my time.
Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume. I stand before the House today with heartfelt gratitude for every law enforcement officer who serves the communities throughout this country, and especially for those who have given their lives in the line of duty for the rest of us.

As we take a moment to pause and reflect on the heroic life and tragic death of this individual, the drug cartels continue. They continue to wage war on our borders and threaten the safety of so many people, and they do so all in the name of money. Yet they will soon come to learn that their pursuit of justice will not waiver and it will not weaken just because they continue their criminal enterprises north and south of our borders.

To the family of Special Agent Camarena, we share in their grief and we will always ensure that his legacy lives on. We will relentlessly fight against the drug cartels and the border violence that they have caused. We want to thank this family for sharing with our country a man who truly is an American hero.

To the individuals who continue to pursue those who abducted and tortured and murdered Special Agent Camarena, we thank them, we support them, we work with those who have dedicated themselves to those who will rest until the perpetrators are brought to justice and tried for their evil deeds.

To our Nation’s law enforcement officers, we thank them for living their lives each day to protect our lives and the lives of our loved ones. Their sacrifices and the sacrifices of their families shall always be remembered. Across our Nation, there are countless stories of men and women who have given their time, their resources, and their lives to protect and defend America.

Although we each have only one life to live, Special Agent Kiki Camarena has shown us the difference that one individual can make. I urge my colleagues to support this resolution. I reserve the balance of my time. The SPEAKER pro tempore, Without objection, the gentleman from Georgia (Mr. Johnson) yields the time.

There was no objection. Mr. JOHNSON of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. Hunter), the sponsor of this legislation.

Mr. HUNTER. Mr. Speaker, I thank the gentleman from Texas, a great prosecutor and judge in his own right. Mr. Speaker, we are all familiar with the tragic death of Special Agent Enrique “Kiki” Camarena. America would not be what it is today without the sacrifices of these individuals that we will not rest until the perpetrators are brought to justice.

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Mr. Speaker, the special agents that work in the Drug Enforcement Administration, the DEA, and our special agents indeed. Many times they work alone, they work deep undercover, they work not only in the United States, but in foreign countries, and they work for the sole purpose of trying to capture those outlaws who are in the drug business, who, in the name of money, try to sell their wares and profit on that illegal enterprise. They are an international crime cartel syndicate. Our DEA agents do a wonderful job. We sometimes forget the work that they do every day and the sacrifices and the danger and the fear. They work along our international borders, on our border with Mexico especially. Because the drug cartels, in the name of money, are very violent, they are well armed, they are well financed, and they do anything in their relentless effort to bring drugs across the United States.

We need to be aware that they have committed a war against the United States and all people who oppose their
activities. And so it is quite appropriate that today we honor and commemorate the life of one of those special agents who gave his life trying to protect us from the drug cartels.

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud one was on honor of H. Res. 1115.

As my colleagues have explained, this resolution recognizes the life and public service of Drug Enforcement Administration (DEA) Special Agent Enrique “Kiki” Camarena.

On February 7, 1985, Special Agent Camarena was on his way to meet his wife for lunch when he was kidnapped outside the U.S. Consulate in Guadalajara, Mexico by five armed men.

Almost a month later, his body was discovered on a ranch nearly 50 miles away, brutally murdered by the same kind of violent drug traffickers he had dedicated his life to fighting.

This month marks 25 years since that fateful day.

As an 11-year veteran of the DEA, Special Agent Camarena received two Sustained Superior Performance Awards, a Special Achievement Award and, posthumously, the Administrator’s Award of Honor, the highest award granted by DEA.

Prior to joining the DEA, he served in the U.S. Marine Corps, as a fireman, a police investigator, and a narcotics investigator.

Special Agent Camarena was deeply committed to public service throughout his life.

In honor of his memory, each October, thousands of schools, communities, and state and local drug abuse prevention organizations celebrate Red Ribbon Week.

Further, the anniversary of Special Agent Camarena’s death reminds us of the importance of continuing the close cooperation between the United States and Mexico in fighting the narco traffickers.

The Mérida Initiative, a partnership between the Government of Mexico and the United States, has been successful in presenting new opportunities for expert collaboration on these fronts.

Through operations such as Operation Firewall and Operation Panama Express, the DEA and Mexican law enforcement authorities are dismantling drug cartels and seizing tons of illegal drugs destined for America’s streets.

I am sure that Special Agent Camarena would have been pleased to see how far we have come.

Again, I am proud to be an original cosponsor of this important measure in honor of Special Agent Enrique “Kiki” Camarena and his dedication to public service.

My most sincere thoughts and prayers are with his wife, Geneva, his sons Enrique, Daniel, and Erik, and his entire family.

I thank Congressman HUNTER for introducing this important measure.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1115, which honors the profound dedication and public service of Enrique “Kiki” Camarena on the 25th anniversary of his untimely death.

Mr. Camarena led an exemplary life of service to his community and his nation. As a member of the Marine Corps, fire fighter, police officer, and DEA special agent, he demonstrated an extreme passion for fighting crime and eliminating drugs to ensure the safety and well-being of our communities. He led a commendable 11-year career at the Drug Enforcement Administration earning him the distinguished Administrator’s Award of Honor.

In February 1985, Mr. Camarena lost his life in the line of duty. I had the opportunity to attend a memorial for Mr. Camarena and witness the impact his sacrifice made and hear from some of the many lives he touched. I am glad that twenty-five years after this tragedy, his passion and spirit still live on. His commitment to fighting drugs inspired millions of people around the world to live drug-free lives. We must continue to honor this legacy by promoting drug-free communities and supporting healthy drug-free lifestyles.

Again, I would like to express my appreciation for the outstanding service Mr. Camarena provided for this nation and offer my support and deepest condolences to his wife, children, and to the entire family, friends, and former colleagues at the Drug Enforcement Administration.

Mr. POE of Texas. With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The text of the resolution is as follows:

H. Res. 1061


The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 1061


The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 1061

Whereas, on January 4, 2010, during an armed assault at the Lloyd D. George Federal Courthouse in Las Vegas, Nevada, Court Security Officer Stanley Cooper was fatally wounded and died heroically in the line of duty while protecting the employees, occupants, and visitors of the courthouse;

Whereas Deputy United States Marshal Richard J. “Joe” Gardner was wounded in the line of duty while protecting the employees, occupants, and visitors of the courthouse;

Whereas the Court Security Officers and members of the United States Marshals Service and the Las Vegas Metropolitan Police Department acted swiftly and bravely to subdue the gunman and minimize risk and injury to the public;

Whereas the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. “Joe” Gardner, and the law enforcement officers who responded to the attack prevented additional harm to innocent bystanders: Now, therefore be it

Resolved, That the House of Representatives—

(1) commends the brave actions and quick thinking exhibited by Court Security Officer Stanley Cooper during the assault at the entrance of the Lloyd D. George Federal Courthouse;

(2) offers its deepest condolences to the family and friends of Court Security Officer Stanley Cooper, who valiantly gave his life in the line of duty;

(3) commends Deputy United States Marshal Richard J. “Joe” Gardner for his actions and bravery in responding to the assault;

(4) wishes Deputy United States Marshal Richard J. “Joe” Gardner a speedy recovery from the wounds he sustained in the line of duty;

(5) applauds the Court Security Officers and members of the United States Marshals Service and Las Vegas Metropolitan Police Department for their brave and courageous actions in responding to the assault at the Lloyd D. George Federal Courthouse.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Speaker, this resolution honors the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. “Joe” Gardner, Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse.

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution honors the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. “Joe” Gardner, and the law enforcement officers involved in responding to the armed assault at the Lloyd D. George Federal Courthouse.

On January 4, 2010, a man entered the Lloyd D. George Federal Courthouse, pulled a shotgun from underneath his jacket, and began firing indiscriminately from outside the security area where visitors pass through the metal detectors. Through a swift response, law enforcement officers were able to chase the gunman from the courthouse and ultimately subdue him.

Court security officers and members of the United States Marshals Service and the Las Vegas Metropolitan Police Department acted bravely to subdue the gunman and minimize risk and injury to the public. Without regard for their own safety, they performed their
duty and protected all who were present in the courthouse that day from the threat of deadly harm through their swift and effective response.

Court Security Officer Stanley Cooper was a 26-year veteran of the Las Vegas Metropolitan Police Department and worked as a courthouse security officer since 1994. On January 4, 2010, Officer Cooper was fatally wounded and died heroically in the line of duty while protecting the employees, occupants, and visitors at the courthouse. Deputy United States Marshal Richard J. "Joe" Gardner was wounded in the line of duty while protecting the employees, occupants, and visitors of the courthouse.

This slaying and wounding of these two officers is a sobering reminder. Mr. Speaker, that law enforcement officers put themselves in dangerous situations every day in order to protect and serve the citizens of our country. Through our recognition today of the exemplary actions of these officers, we are celebrating the nameless, unrecognized acts of service performed every day by our brothers and sisters in law enforcement.

By way of this resolution, the House of Representatives commends the brave actions and quick thinking of the court officers, the United States Marshals, and the Las Vegas Metropolitan Police Department in responding to the assault at the Lloyd D. George Federal Courthouse. It also extends its deepest condolences to the family and friends of Officer Cooper, who valiantly gave his life in the line of duty. And it wishes Deputy Gardner a speedy recovery from the wounds that he sustained in the line of duty on that day.

All of these officers are heroes. We hope their families will take pride, and in the case of Officer Cooper, a small measure of consolation and comfort, in the knowledge that their actions were recognized by this body and they are celebrated today.

I urge all of my colleagues to support this important resolution. I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in total support of House Resolution 1061, honoring the heroic and dedicated court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshal Service, the Las Vegas Metropolitan Police Department, and the court security officers in responding to an armed assault at the Lloyd D. George Federal Courthouse.

On the morning of January 4, 2010, an armed gunman walked into the Las Vegas Courthouse downtown Las Vegas and opened fire, fatally wounding Court Security Officer Stanley Cooper and seriously wounding Deputy United States Marshal J. "Joe" Gardner.

The actions of these two men saved the lives of many people and innocent civilians in the courthouse. In a time of tragedy and crisis, Court Security Officer Cooper and Deputy United States Marshal Gardner responded immediately with selfless courage, placing the lives of others before their own. Court Security Officer Cooper lived his life protecting the lives of other people. After 26 years of service with the Las Vegas Metropolitan Police Department, he retired to work at the Las Vegas Courthouse as a security officer. But it was there that Officer Cooper died valiantly defending the halls of justice. For even after being fatally wounded, he continued to try to subdue the gunman, ultimately ensuring the safety of those that were in the courthouse that day. We join in the sorrow of his family and mourn the loss of this great individual. His legacy of a life dedicated to public service will not be forgotten.

In the moments that followed the fatal shooting, Deputy United States Marshal Joe Gardner and six other members of the United States Marshal Service, Las Vegas Metropolitan Police Department, and court security officers acted quickly and valiantly to subdue the gunman. Deputy United States Marshal Joe Gardner suffered gunshot wounds to his upper arm. We are grateful his life was not lost on that tragic day, and we honor his courageous actions as well.

The memory of that day serves as a haunting reminder of the dangers that our law enforcement officers face each and every day. Deputies are shot by citizens in a split second, on a quiet Monday morning, it can turn into a battle between those who seek to harm innocent people and those who give their lives fighting to protect those same individuals.

Today, we honor Officer Cooper, Deputy United States Marshal Gardner, and law enforcement officers across this country. We remember the high price they pay for answering the call of duty, and they pay every day.

The tragic events that occurred on January 4, 2010 will be remembered by all of us. We will not forget the heroism and patriotism that was shown by Officer Cooper, Deputy U.S. Marshal Gardner, and the six other brave men and women.

I urge my colleagues to support this resolution. Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSTON of Georgia. Mr. Speaker, I yield myself such time as I may consume to the distinguished congresswoman from Nevada, SHELLEY BERKLEY.

Ms. BERKLEY. I appreciate the congressman's yielding.

I particularly want to thank my colleague from Nevada, DINA TITUS, for introducing this resolution. I think it's very important to honor those in Las Vegas who have given so much to their country.

Mr. Speaker, I rise today in strong support of this resolution and the law enforcement personnel who put their lives at risk every day in order to protect their fellow Americans. Today, we honor two Nevadan heroes, Stanley Cooper and Joe Gardner, for their courageous actions while protecting the staff and visitors at the Lloyd George Federal Courthouse in Las Vegas during an armed assault earlier this year. Officer Cooper was downed during this senseless act of violence and gave his life while bravely serving his country.

Mr. Speaker, I rise today in strong support of this resolution and the law enforcement personnel who put their lives at risk every day in order to protect their fellow Americans. Today, we honor two Nevadan heroes, Stanley Cooper and Joe Gardner, for their courageous actions while protecting the staff and visitors at the Lloyd George Federal Courthouse in Las Vegas during an armed assault earlier this year. Officer Cooper was downed during this senseless act of violence and gave his life while bravely serving his country.

We should never forget the heroic sacrifice he made, and my thoughts and prayers go out to his family.
U.S. Marshal Joe Gardner thought quickly and acted bravely in responding to the armed assault, and I wish him a speedy recovery from the wounds he received in the line of duty.

I also commend the other court security officers, U.S. marshals and the Las Vegas Metropolitan Police Department for their quick and courageous responses to this attack and for protecting the public and preventing further loss of life.

This resolution honors these public servants’ courageous actions and Officer Cooper’s legacy of bravery and selflessness. This resolution serves as a tribute, not only to Officer Cooper and to U.S. Marshal Gardner, but to all public servants who put their lives on the line daily while serving their country. I encourage my colleagues to support this measure.

If I may take an additional minute, to the families of those who are so frustrated with their government or who are so angry with life or with what is happening in this country or in their lives, there has to be a better way than this to express your anger and frustration.

In the aftermath of these tragedies, the government continues to function; Congress continues to meet; life goes on except for the lives of the perpetrators. Oftentimes, they are brought down by those who protect and defend the rest of us. Their families are destroyed, and they can’t figure out why their loved ones reacted in this manner, and the misery they cause to their innocent fellow citizens, who are only doing their jobs, is beyond mention.

So I say to those who are angry and frustrated, do not do this. It creates misery in this country that has no place in the United States of America.

Again, I offer Officer Cooper’s family my condolences and Officer Gardner a very speedy recovery.

Mr. POE of Texas. Mr. Speaker, I spent a morning as judge and as a judge at the courthouse in Houston, all in the criminal courts building. I am very familiar with the individuals who work in the courthouse, who protect those who come to the seat of justice, to the bar of justice to seek grievances against our government.

Throughout those years, it became obvious to me that, in our country, the way we settle disputes is at the courthouse where we have two sides, sometimes two persons, who show up to argue their cases. Then there is a ruling by the judge on the law. Yet sometimes, as in this case, people show up at the courthouse and wish to take matters into their own hands in a violent manner.

We have folks at the courthouse who protect us, not just the lawyers and judges, but to protect those people who come to the courthouse to seek justice. Those people in our system are called the security officers, or bailiffs, as they are called in Texas.

More than once, unfortunately, I have had the unfortunate opportunity of having seen people disagree with what took place in the courthouse and of having seen them get out of control. Yet those security officers, those bailiffs, those deputy sheriffs were there to protect the seat of justice. These are examples of two of those. One was killed, and the other was wounded and making sure that justice prevails in our justice system and that the law is not taken advantage of in a violent manner.

So we honor those individuals, not just these two but the others who helped from the Metropolitan Police Department and all of those court officers who work every day in every courthouse in the United States to make sure we have a secure and a safe justice system.

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

Mr. JOHNSON of Georgia. Mr. Speaker, January 4, 2010, was a Monday morning, the first Monday morning of the new year. This incident happened that morning.

Monday mornings are always very busy, if not the busiest times, at courthouses throughout America. People are coming in to litigate their disputes, to answer calendar calls, to answer trial calendars. Witnesses who have been subpoenaed. There are jurors who have come to court, having been notified that they need to be there. There are courthouse workers.

Of course, you pass through security. It’s just like we do here at the United States Capitol and in our legislative office buildings. We pass through security. Sometimes, when people are in a hurry, they get a little antsy, and they take that out on the security officials.

Though, I will tell you, despite all that was ongoing on that morning, Judge Poe, as you well know of these things that I just spoke of, on that day, a madman entered the courthouse and struck at a very soft part of security, which is what right in the door and before you go through security. In the midst of all of that activity going on, he killed Officer Stanley Cooper, and he wounded Marshal Joe Gardner. Had it not been for their selfless and professional conduct at the time, there is no doubt that others could have lost their lives or could have been wounded as well.

So everywhere we have security checkpoints, the officers who man those checkpoints deserve our respect. They deserve our cooperation. They deserve our recognition as well for the fine jobs that they do. I want to take this opportunity to let all of those folks on the front lines know that we here in Congress, regardless of party affiliation, appreciate their service to us.

Lastly, we wish the family of Officer Cooper, as well as U.S. Deputy Marshal Joe Gardner and his family, the best in the future.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. Johnson) that the House suspend the rules and agree to the resolution, H. Res. 1061.

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

A motion to reconsider was laid on the table.

ACCELERATING TAX BENEFITS FOR DONATIONS TO CHILE EARTHQUAKE VICTIMS

Mr. LEVIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4783

CONGRESSIONAL RECORD — HOUSE

March 10, 2010

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

SECTION 1. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF EARTHQUAKE IN CHILE

(a) In General.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after February 26, 2010, and on or before April 15, 2010, as if such contribution were made on December 31, 2009, and not in 2010.

(b) Contribution Described.—A contribution described in subsection (b) is a cash contribution made for the relief of victims in areas affected by the earthquake in Chile on February 27, 2010, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) Recordkeeping.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be a record sufficient for purposes of section 170(f)(17) of the Internal Revenue Code of 1986.

SEC. 2. EXTENSION OF PERIOD FROM WHICH CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF EARTHQUAKE IN HAITI MAY BE ACCELERATED

(a) In General.—Subsection (a) of section 1 of Public Law 111–126 is amended by striking “before March 1, 2010” and inserting “on or before April 15, 2010”.

(b) Effective Date.—The amendment made by this section shall apply to contributions made after February 28, 2010.

SEC. 3. BUDGETARY PROVISIONS

(a) Statutory Pay-As-You-Go. —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 issued by the Office of Management and Budget under section 5(a)(2) of the Statutory Pay-As-You-Go Act of 2010.

(b) Emergency Designation.—(1) STATUTORY PAY-AS-YOU-GO.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-Your-Go Act of 2010.
Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous material in the Record.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Illinois (Mr. ROSKAM) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous material in the Record.

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

There was no objection.

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

Mr. Speaker, Ranking Member DAVID CAMP is not here today because of a death in his family. The distinguished gentleman from Illinois is going to be handling the time on the minority side. On behalf of Mr. Camp and the gentleman from Illinois, I ask that the nonpartisan Joint Committee on Taxation be asked to make available to the public a technical explanation of the bill. The technical explanation expresses the committee’s understanding and legislative intent behind this important bill. It is available on the joint committee’s Web site at www.jct.gov, and it is listed under document No. JCX-08-10.

Mr. Speaker, we rise today on this very important bill. It would allow for charitable contributions paid to victims of the Chilean earthquake on or before April 15 of this year, which is the tax return deadline, to be claimed as deductions on taxpayers’ 2009 tax returns. Of course, absent this change, taxpayers would need to wait until next year to claim deductions for these contributions.

In addition—and this is very important—the bill would provide taxpayers with a little more time relating to the victims of the Haitian earthquake so that they could make charitable contributions through April 15, extending it beyond March 1.

So let me, if I might, say just a few words.

I think all of us know graphically what is involved here. I checked, and the catastrophe in Haiti is the largest of its kind on record in the Western Hemisphere. We have also seen the catastrophe in Chile, and I think all of us want to be sure that the American people can join together to express their alliances with the people of Chile and with the people of Haiti.

Like lots of families, our family has had a connection with both countries. My son Andy has been to Haiti many times, and I was concerned with a little more time relating to the victims of Haiti.

Yet I think all of us have had that contact with the people of Haiti since the catastrophe, the worst of its kind on record in the Western Hemisphere, and I think all of us very much want to be sure that we can express our support, our alliance and can give our charitable contributions.

So I come here today on behalf of the committee and, I think, on behalf of all of us. We believe the gentleman from Illinois and I come here today on behalf of all of the American people, and we ask that we have unanimous consent for this legislation.

Mr. Speaker, I yield the balance of my time to a distinguished member of the committee.

Mr. Speaker, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

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

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

Mr. ROSKAM. Mr. Speaker, I want to thank and congratulate Chairman LEVIN for his leadership on this issue, and particularly want to thank him for the gesture of reaching out to the minority on this and hope it is a glimpse of things to come.

As the chairman indicated, this is one of these areas that clearly all of America comes together on. There are ample examples of where we have done this in the past, obviously with the tsunami back in 2005, and most recently you and members of the Ways and Means Committee that were on the floor together urging us to change the Tax Code to accommodate the relief efforts in Haiti.

This also is really worthy of us coming together quickly in this tax season and allowing Americans to make contributions to Chile and, in fact, extending the period of time that they are able to make contributions to Haitian relief efforts, all in the context of completing their 2009 tax returns.

Why is this important? It is important because in order to bring rescue and recovery in times of great crisis, it takes more than simply the American Government working. That is important, but it also takes the American public.

I had an event in my district, Mr. Speaker, a couple of weeks ago, where we brought together folks to discuss relief efforts. My recollection is that there was a Red Cross official who was there, and she said a very interesting thing. She said that the event in Haiti, and I know we are talking about Chile today primarily, but she said the event in Haiti had redefined what it means to be Americans.

I thought, Isn’t that interesting? Here we have folks that have responded incredibly generously, Americans have, at the sight and the sounds and the visuals of real suffering in our part of the world, and what have they done? They have taken their checkbook out. They have written a check. They have donated online. They have donated famously on their cell phones now in overwhelming numbers. But I think it was really poignant that local contributions and the definition of a local tragedy has been redefined. So here we are today, Republicans and Democrats together, saying that this is an area where we need to move forward.

I know that Mr. CAMP, the ranking member from Michigan, would have been here, but, as Chairman LEVIN mentioned, he has had a death in the family and he has that obligation. I know I speak for an overwhelming majority of Republicans when saying this is an area that we should all come together on and move quickly to move this legislation.

I reserve the balance of my time.

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

This has been a particularly difficult period of time for all of us as we witnessed the victims of these two enormous tragedies and particularly want to thank him for the generosity and compassion of the American people being as strong as ever. It is hard to explain, really, the impact that we see of these dedicated volunteers on the ground, moving to provide services that in some cases are not only rivaled that, but was actually stronger than anything I had seen in Banda Aceh or Buket or in Sri Lanka.

Then, just a few weeks later, we had an earthquake even larger, an 8.8, rock the country of Chile.

But through these tragedies, one thing is abundantly clear, and that is that generosity and compassion of the American people being as strong as ever. It is hard to explain, really, the impact that we see of these dedicated volunteers on the ground, moving to provide services that in some cases were not available at all prior to the tragedy.

Then looking at the earthquake in Chile last week, the outpouring of
American support is even more remarkable. It is appreciated by everyone in the Haitian public. It is a reflection of the generosity of the American people, a reflection of the values of our country.

The legislation that we are considering today is designed to encourage this generosity. It will make it easier for Americans to contribute to the relief efforts in Haiti and Chile, by extending the deadline for contributions to April 15, 2010.

The legislation also includes provisions to clarify the tax treatment of contributions to these efforts. It makes it clear that the tax deduction for charitable contributions made to the victims of the earthquake in Haiti and to Chile will be based on the total amount contributed, rather than on the amount contributed by each individual.

As a result of this legislation, we are clarifying that taxpayers making charitable contributions to victims of the Haiti earthquake through the text messaging effort will be able to rely on their cell phone bill when claiming a charitable deduction. To be clear, it is the generous spirit of the American public and concern for men and women around the world who suffer from tragedy, that makes it a top priority for the families who have given of themselves and others, and I would urge my colleagues to support its passage.

I reserve the balance of my time. Mr. ROSKAM. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), a great champion of freedom and hope and rescue in the Americas.

Mr. Speaker, there is no more generous nation in the world than the American Nation, the American people. One sees that generosity time and time again. As Mr. BLUMENAUER mentioned, it is extraordinary outpouring of generosity toward the people of Haiti, and then we have seen another tragedy, and the American people, with regard to Chile, are demonstrating once again that extraordinary generosity.

So I think it is so appropriate, and that is why I rise to commend all of those that have made this resolution possible, to accelerate the deduction for the donations that Americans have made, extend that policy with regard to Haiti and to make it possible with regard to the donations that are being made or have been made or will be made for those who have suffered in Chile. Our hearts and our prayers go out to those who suffer in both of those neighbors, friendly nations. They are wonderful people, great friends of the United States.

Remembering the victims, I think the Congress, by this action today, not only takes a step that is consistent with the generosity of the American people, but I think makes a very commendable act. So I simply wanted to join my voice of commendation for all of those who have made this possible.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, in a nutshell, this bill does three things then: It extends the time period for contributions to Haiti for attribution to a 2009 tax return; it extends the contribution deadline for Haiti and Chile relief efforts for the 2009 tax return; and, as the gentleman from Oregon mentioned, it cleans up this ambiguity as it relates to contributions on cell phones. It is well thought out, it is timely, there is an urgency to it, and I urge its passage.

I yield back the balance of my time.
According to the United States Geological Survey, Concepcion, Chile's second largest city, was 70 miles from the earthquake's epicenter and suffered some of the worst damage. Thousands of its residents initially remained cut-off from the remainder of the country without any food, potable water, running water and electricity. The coastal town of Dichato and its 4,000 residents were among the hardest hit and is 80 percent destroyed. 80 percent of Talcahuano's 180,000 residents living on the Chilean coast were left homeless by the earthquake. Initial estimates of damages are $15,000,000,000, and basic necessities across the country, including electricity, clean water access, telephone access, and communication systems continue to be restored on a progressive basis in many zones.

Chile's stringent building codes, which one local architect called "our proud building standards," as well as the Government of Chile's ability to implement them greatly mitigated the impact of this catastrophic natural event both in terms of casualties and physical damage to the infrastructure of the country. The Government of Chile has taken significant measures to maintain order and public security in the streets in order to prevent more widespread panic and chaos as damage assessments are made and relief is delivered.

America is again responding, and will continue to respond with immediate humanitarian assistance to help the people of this struggling nation rebuild their livelihoods. I send my condolences to the people and government of Chile as they grieve once again in the aftermath of a massive "natural" disaster. As Chile's neighbor, I believe it is the United States' responsibility to help Chile recover, and build the capacity to mitigate against future disasters.

Throughout my time in Congress, I have been highly involved in strengthening the relationship between the U.S. and countries abroad. I have worked to establish positive and productive partnerships with local development officials, nonprofit organizations, and various leaders to establish a strong web of support for countries abroad. In collaboration with the House Rules Committee, I have been a continual advocate of providing assistance to various countries to strengthen their fragile democratic processes, continue to improve security, and promote economic development among other concerns such as the protection of human rights, combating narcotics, arms, and human trafficking, addressing migration, and alleviating poverty.

Once again, I am devastated by the immeasurable tragedy that occurred in Chile. Along with my colleagues, I hope to visit Chile in the near future to meet with their leaders and see what the United States can do to rebuild the shattered livelihoods.

America is responding to the earthquakes in Chile and will continue to respond with immediate humanitarian assistance to help the people of Chile rebuild their livelihoods. I send my condolences to the people and government of Chile as they grieve once again in the aftermath of a natural disaster. As Chile's friend, it is the United States' responsibility to help Chile recover, and build the capacity to mitigate against future disasters.

Financially, 2009 was not an easy year for many Americans. Although thousands of jobs were created and we are back on the road to economic recovery, Americans lived on tighter budgets than usual. This legislation will allow those Americans who have generously donated money to Chile to receive their tax break this year instead of next year.

In January of 2005, Congress enacted this type of relief for individuals that made charitable contributions to the Indian Ocean tsunami that occurred in late December of 2004. That bill (H.R. 241 in the 109th Congress) passed the House of Representatives without objection and subsequently passed the Senate by unanimous consent. Additionally, these same benefits were extended to people who donated to Haiti. As Chile's stringent building codes, which one local architect called "our proud building standards," as well as the Government of Chile's ability to implement them greatly mitigated the impact of this catastrophic natural event both in terms of casualties and physical damage to the infrastructure of the country. The Government of Chile has taken significant measures to maintain order and public security in the streets in order to prevent more widespread panic and chaos as damage assessments are made and relief is delivered.

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

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, H.R. 4783.

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

A motion to reconsider was laid on the table.

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PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 248, AFGHANISTAN WAR POWERS RESOLUTION

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1146 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1146

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider the House Concurrent Resolution of Ratification of the Convention of the United States and the States of the North Atlantic Treaty Organization with Respect to the North Atlantic Treaty (H.C. Res. 248) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan. If called up by Representative Kucinich of Ohio or his designee. The concurrent resolution shall be considered as read. The concurrent resolution shall be batable for three hours, with 90 minutes controlled by Representative Kucinich of Ohio or his designee and 90 minutes divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion.

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

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN Diaz-Balart). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

Mr. MCGOVERN. Mr. Speaker, I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1146. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 1146 provides for the consideration of H. Con. Res. 248, directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan. The rule provides 3 hours of general debate in the House, with 90 minutes controlled by Representative Kucinich and 90 minutes controlled by the Committee on Foreign Affairs. The rule waives all points of order against consideration of the global threat posed by al Qaeda and its affiliates, no matter where they are in the world—Afghanistan, Pakistan, Somalia, Yemen, North Africa, and elsewhere. But I also believe that we have serious choices, real challenges, right here at home. Millions of Americans work hard, pay their taxes, and contribute in many ways to the vibrancy of our local communities. Our economy is just now beginning to emerge from the worst recession in decades. Our schools, our health care, our tax code, our infrastructure—all must be updated for the 21st century if we are to create a better America.

Mr. Speaker, the war in Afghanistan has cost U.S. taxpayers well over $200 billion—none of it paid for. None of it paid for. All of that money has been sent to our debt, and the costs will continue to rise as we fund increasing troop levels and provide the necessary care to our veterans when they return home. Our policy has drastically changed in those 8 years. We are not just good guys. We are engaged in a massive "nation-building" effort in Afghanistan.

Now, I certainly don't believe we should abandon the Afghan people. But instead of nation-building in Afghanistan, I'd like to do some more nation-building here at home.

Our allies in Afghanistan, the Karzai government, do not inspire confidence.
The recent election there was characterized by widespread fraud and corruption. Just 10 days ago, Mr. Karzai unilaterally rewrote the election law to ensure that he can handpick the members of the election monitoring commission that oversees voting irregularities. He even quoted the chicken coop.

Over 1,000 U.S. servicemen and women have sacrificed their lives in Afghanistan. Over 670 more lives have been lost by our NATO military allies. Thousands more have been wounded, many severely, in ways that will affect the rest of their lives. Suicide and post-traumatic stress among our troops and veterans continue to increase at alarming rates.

Mr. Speaker, last summer I authored an amendment to require the administration to develop an exit strategy for our military involvement in Afghanistan. While my amendment did not carry the day, I believe it demonstrated that the administration to its word. We must fulfill our constitutional responsibilities by making sure that taxpayer funds are spent wisely and with complete accountability and transparency for every dime and every dollar. No more Halliburton, Blackwater scandals. No more projects where fat-cat middlemen walk off with all the money while the Afghan people go without hospitals, schools, roads, or food.

Mr. Speaker, I hope that this is just the first—not the last—the debate that we have on the House floor this year over our policy in Afghanistan. The issue is simply too important. The future at stake is too grave. We have sacrificed too much—in the lives and well-being of our soldiers in the cost to our economy—to wait another year or 2 or 3 for Congress to do its job. We must continue to ask the hard questions and demand straight answers.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank the gentleman from Massachusetts (Mr. McGovern) for the time, and I yield myself such time as I may consume.

Mr. Speaker, I believe that now is the time to turn our backs on the Afghan people. It is not the time to counter the mission of our troops, especially when they are engaged in the first major offensive of President Obama's reaffirmed counterinsurgency strategy. Let us send a message to the terrorists that the United States is committed to our mission to prevent the return to power of the Taliban. Let us soundly defeat this resolution.

I reserve the balance of my time.

Mr. Speaker, on Sunday the Iraqi people went to the polls to vote in their latest national parliamentary elections. Millions of Iraqis voted at thousands of voting stations throughout the country. The democratic process is alive and well in Iraq. The people there, despite extraordinarily difficult challenges, are able to express themselves in free elections.

Sunday was a good day for the future of Iraq. Those elections would not have taken place were it not for the decision of President Bush in 2007 to send over 20,000 surge troops to Iraq in order to establish, "a unified democratic federal Iraq that can govern itself, defend itself, and sustain itself." Those elections would not have been possible but for the sacrifices of our troops and their families. Just 4 months ago, Mr. Speaker, President Obama announced a surge strategy for Afghanistan. He committed 30,000 additional forces to a war that Mr. Karzai himself believes will help will help to strengthen the government in Afghanistan's security forces, as the surge did in Iraq.

Since President Obama's announcements, we've achieved results. For example, last month, our troops began what is known as the Marjah offensive. The joint offensive with the Afghan National Army and coalition partners has pushed the Taliban out of Marjah and has allowed the Afghan government to control of significant areas that were previously controlled by the Taliban. This offensive is what General David Petraeus, the commander of the United States Central Command, has described as the "initial salvo" in a 12- to 18-month campaign to defeat the Taliban.

Now I have had and I continue to have, Mr. Speaker, disagreements with policies of President Obama, but I have said privately, I have said publicly, and I said here in this Chamber on Afghanistan since September 11, 2001, that in the case of Afghanistan, President Obama has demonstrated great responsibility and a sense of the national security interest of the United States. He deserves our support.

Just as our military is making tangible progress, like the Marjah offensive demonstrates, just as this is occurring, many of our colleagues in the majority party now feel that it is time to withdraw from Afghanistan. The resolution that we are set to debate today would require the President to withdraw our troops in 30 days. I believe that that would be precipitous. I believe that precipitously withdrawing our troops would be reckless. I believe it would allow the Taliban to regain control of Afghanistan and thereby provide criminal groups such as al Qaeda with carte blanche to run terrorist training camps and plan terrorist attacks against the United States and our allies. I would remind my colleagues that it was the safe harbor and support that the Taliban gave Bin Laden which allowed him to plan the September 11, 2001, attacks from Afghanistan against this country. A reconstituted Taliban will undoubtedly do the same and will pose a significant and grave risk to the national security of the United States.

I believe, Mr. Speaker, that we must never allow Afghanistan to once again fall into the hands of terrorists whose sole purpose is to destroy the United States and to kill innocent civilians. Precipitous withdrawal would not only be dangerous, I believe, to our national security, but would constitute a mortal blow to the Afghan people, who are relying on our supply strategy that I believe will help to strengthen the government in Afghanistan's security forces, as the surge did in Iraq.

Mr. Speaker, I would like to yield 2½ minutes to the gentlewoman from Maine (Ms. Pingree), a member of the Rules Committee.

Ms. PINGREE of Maine. Thank you very much for your kind words from Massachusetts (Mr. McGovern) for yielding me the time, for his excellent opening statement, and for his response to
Mr. Speaker, this Nation does face a very real and immediate terrorist threat. The terrorist threat stems from al Qaeda, which is a stateless menace, a menace that is not rooted in any one location or has any dominion in any one particular area.

In fact, the countries that our Nation continues to occupy, namely Iraq and Afghanistan, are not significant bases of operations for al Qaeda. It’s been recently reported that there are, in fact, only around 50 al Qaeda operatives in Afghanistan, and there could very well be 10 times that number in nations like Yemen and Pakistan.

Yes, there is a very real threat, but the answer is not to continue to indefinitely occupy countries where we only breed more sympathy with those who would do us harm. The correct and more important way to leverage American military might to combat this menace is to have targeted and aggressive intelligence-gathering and targeted special operations against the terrorists no matter where they are.

Some have expressed concerns that if we leave Afghanistan precipitously, al Qaeda could reassert itself there. The answer to that is to go after al Qaeda in a targeted way in Afghanistan if the need arises again. It is not to engage in an indefinite occupation of one or two particular countries. How many more countries would we need to occupy? If they’re in Yemen, do we occupy Yemen? If they’re in Pakistan, do we occupy Pakistan? If we weren’t already in and occupying Afghanistan, would we choose to go in there today? I would submit that the answer is no.

We need to continue our effort to battle terrorists wherever they are and focus on this stateless menace through intelligence-gathering, targeted special operations and a refocused emphasis on homeland security, all of which a very costly and expensive effort in Afghanistan.

I have been much less in favor of pouring into Afghanistan, there is no answer. We have exercised our Constitutional right of the United States Congress to decide whether or not to continue the use of the military force, rarely sees the light of day.

This country has spent over $250 billion, Mr. Speaker, on the war in Afghanistan. The share of my home State of Maine is almost $700 million. And in the next few months, the administration will likely ask this Congress to spend another $30 billion to fund a surge of troops in Afghanistan. At a time when we cannot find $30 billion to create jobs, continue unemployment benefits or help small businesses, we need to ask ourselves, Is the cost of this war worth it? Is it right to spend more money and lose more lives on a strategy that isn’t working?

Can we afford to turn our backs on the challenges we face at home and pursue failed policies abroad?

I am an original cosponsor of this concurrent resolution because I firmly believe this war needs to end. We have asked our men and women in uniform to return to combat again and again. They have fought with bravery and helped to save countless lives. They have risen to meet every challenge and paid every price to defend this country. But the cost of this war is too high. The economic situation in the country is too dire, and the lives of our brave men and women in uniform are too precious for this war to go on and for this issue to be muddied and tucked away in large spending bills.

It is time to end the war in Afghanistan and bring our troops home. It is time for this Congress to demand an open debate on Afghanistan and a clean vote on any future bills that fund this war. I ask my colleagues to join me in supporting this rule and the underlying concurrent resolution.

Mr. CUMMINS of Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank my colleague from Massachusetts.
Congress has to be mindful of our responsibilities under this Constitution, article I, section 8, to claim responsibility for the true casualties, which are now close to 1,000, to claim responsibility for the cost, which is approaching $250 billion and together with the举行 Iraq war over $1 trillion. And this at a great cost to our priorities here at home for housing, for job creation, for health care, for education; to claim responsibility for the casualties to innocent civilians, the human costs of the war.

Congress must claim responsibility one way or another for challenging the corruption that my colleagues have talked about that has engulfed the Afghanistan administration. We must claim responsibility and understand exactly the role the Turkmenistan-Afghanistan-Pakistan-India pipeline has in all of this. We must claim responsibility for debating the wisdom of the counterinsurgency strategies which apparently nothing wrong and claim responsibility for the logistics of withdrawal. I brought this resolution to the floor of the House with the help of the Rules Committee and the support of the leadership, which believes the debate is merited. Having said that, after 8½ years it is time that this Congress be heard from. It is time that we claim our constitutional responsibility under article I, section 8.

The War Powers Resolution of 1973 was adopted to ensure that Congress has a role in the decision to send the United States Armed Forces into hostilities or the continued use of such forces and hostilities. And my legislation, if enacted, would require the President to bring the Armed Forces out of Afghanistan by December 31, 2010. As the U.S. Armed Forces and our allies begin the first in a series of large military operations in Afghanistan, it is up to us to take a pause and our vote felt at this important moment.

Regardless of your support or opposition to the war, this resolution is about ensuring meaningful and open debate. And in the 3 hours ahead, I'm confident that this House will have the opportunity to do that so that people, no matter what their position is, can finally be heard from with respect to our constitutional responsibilities.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. McGovern. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Oregon (Mr. Blumenauer).

Mr. BLUMENAUER. I thank the gentleman from Massachusetts for his courtesy in permitting me to speak on this. I continue to have profound reservations about our troop commitments, first in Iraq and more recently with President Obama's decision to escalate our presence in Afghanistan. History suggests we will not be successful in stabilizing Afghanistan with military force. No one has. I don't think anyone ever will. Afghanistan today is perhaps the most corrupt country in the world, ranked next to last out of 180, according to Transparency International. If you have a culture of corruption, it's hard to plant trees. It's hard to plant alliances and have them stick. And without economic development through roads and water, are not esoteric, abstract issues. These things that make a difference between people being thugs and, in some cases, feeding their families in any way they can. They can be for infidels and drug problems. The magnitude of spending that we're involved with here needs to be put in perspective. Each one of these additional troops that we are sending over costs $1 million a year to support. We are going to be spending as a Nation $7,000 for each of the 14.5 million Afghans in the workforce.

Our military spending per Afghan worker is 20 times what that worker will earn in an entire year in Afghanistan. At the same time, there is a dire need for the most basic of services. In rural Afghanistan, a quarter drink polluted water and only 10 percent have adequate sanitation. I have profound reservations about the course we are on and the ability to generate positive long-term, fundamental change over time. I think it is absolutely essential that we have this debate. While I don't agree with the resolution that somehow we are going to be able to pull the plug and be able to end this in 30 days or 30 weeks, I do think it is important for Congress to focus on what is here, what is possible.

What we need to be doing is redirecting our effort. We need to start reversing the course that we are on there. We need to narrow our focus. We need to take a pause, as the Afghan themselves with water, with sanitation, with education. And we need to make sure that Congress has a voice and is pushing back as the elements come to us.

I don't agree that we are powerless on some of the defense appropriations, for instance. We can in fact push back. We can be heard. And we can start reversing what I think is an inappropriate course. I yield the debate today. While I am not going to support the particular resolution, I appreciate my colleagues bringing it forward. I think it is important to engage and for us to imagine how we can do a better job in that troubled country and in that troubled region. The time to begin the discussion is long overdue. I look forward to continued progress.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I think this has been a good discussion today. And I think it is important that we continue it. I certainly hope that the result is clear, and that this Congress today strongly and in a bipartisan way rejects the resolution that is being brought forth. It would be a grave mistake for us to allow the Taliban to regain power in Afghanistan.

Sometimes the lessons of history may be a little bit more difficult to explain. In this case, however, the Taliban opened the country up to training camps for terrorists to attack the United States. That was in 2001. It is not ancient history. So I hope we don't forget the lessons of history.

As I said before, Mr. Speaker, our Armed Forces with our coalition allies and the Afghan armed forces are in the midst of the first major offensive in President Obama's new strategy. So I think it would be a grave mistake if this Congress does not clearly and emphatically reject the resolution today.

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

Mr. McGovern. Mr. Speaker, there is nothing wrong with demanding our troops come home, including forcing that debate by using the privileges of the war powers resolution. There is nothing unpatriotic in demanding that our troops and their families, their neighbors and their communities be free from the war. And Mr. Speaker, there is every reason to debate how we go after al Qaeda and how we create a flexible, mobile, global strategy able to track, find, counter, and strike al Qaeda cells wherever they may be. And there is no reason to run away from a debate over whether 100,000 boots on the ground in Afghanistan is the best strategy to eliminating al Qaeda once and for all.

I do not doubt that our brave military men and women can and will achieve military successes in battle after battle after battle. But are Afghanistan's tribal disputes going to be solved on the battlefield or at the political negotiating table? And if it is going to be political, why not negotiate? And then there is reason to run away from a debate over whether 100,000 boots on the ground in Afghanistan is the best strategy to eliminating al Qaeda once and for all.

Mr. Speaker, President Obama has said he will begin to bring our troops home next July, but he didn't say when the job will be complete. Representative Kucinich says let's bring them home by New Year's Eve, this year. We must continue to debate this issue, debate today, debate tomorrow, debate in the supplemental, debate it on defense bills.

Let's debate it when we are begging for resources so our kids can go to quality schools, when we are trying to find the money so every American has a decent job and affordable health care, when we are trying to figure out how we create a flexible, mobile, global strategy able to track, find, counter, and strike al Qaeda cells wherever they may be. And then there is no reason to run away from a debate over whether 100,000 boots on the ground in Afghanistan is the best strategy to eliminating al Qaeda once and for all.
Let us continue to ask the hard questions and demand straight answers until we get it right and all our troops are safely home.

Mr. Speaker, I urge a “yes” vote on the rule and on the previous question. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. LINCOLN DIAZ-BALART. Mr. Speaker, on that I demand the yeas and nays.

The vote was taken by electronic device, and there were—yeas 225, nays 10, as follows:

\[\text{[Roll No. 95] YEAS—225} \]

195, not voting 10, as follows:

- AYNS—195
- AYNS—225
- NOT VOTING—10
- NOT VOTING—10

\[\text{[Roll No. 96] YEAS—418} \]

1354

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 11, as follows:

\[\text{[Roll No. 96] YEAS—418} \]

- AYNS—418
- NOT VOTING—10

**RECOGNIZING THE PLIGHT OF PEOPLE WITH ALBINISM IN EAST AFRICA**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1088, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. CONOLLY) that the House suspend the rules and agree to the resolution, H. Res. 1088, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 11, as follows:

\[\text{[Roll No. 96] YEAS—418} \]

1354

**MESSRS. LANGEVIN, ORTIZ, MINNICK, TANNER, PERRIELLO, CHANDLER, CUELLAR, ELLSWORTH, CAMPBELL, RYAN of Ohio, HILL and MARSHALL and Mrs. MCCARThy of New York. Ms. MARKAY of Colorado and Ms. HERSHEY SANDLIN changed their vote from “yea” to “nay.”**

MESSRS. LANGEVIN, ORTIZ, MINNICK, TANNER, PERRIELLO, CHANDLER, CUELLAR, ELLSWORTH, CAMPBELL, RYAN of Ohio, HILL and MARSHALL and Mrs. MCCARThy of New York. Ms. MARKAY of Colorado and Ms. HERSHEY SANDLIN changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.
The Speaker pro tempore (during the vote). There are 2 minutes remaining in this vote.

PRESENT DECEPTIVE CENSUS LOOK ALIKE MAILINGS ACT

The Speaker pro tempore. The unification of the House is on the motion to suspend the rules and pass the bill, H.R. 4621, as amended, on which the yeas and nays were ordered. The Clerk read the title of the bill.

The Speaker pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. Clay) that the House suspend the rules and pass the bill, H.R. 4621, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 14, as follows:

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<tr>
<th>Amendment Number</th>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
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<tr>
<td>97</td>
<td>416</td>
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After 8 1/2 years, it is time that we have this debate.

I reserve the balance of my time.

Mr. BERMAN, Mr. Speaker, I rise in opposition to the resolution, and I yield myself 4 minutes.

Mr. Speaker, first of all, I want to say I have quite enjoyed working with the gentleman from Ohio on this issue and a number of the things we had dealings with since I have become chairman, and I fundamentally agree with him and other supporters of the resolution that it is right for the House to have an open, honest debate on the merits of our ongoing military operations in Afghanistan, and outside, outside, the context of a defense spending bill or a supplemental appropriations bill. This is a good thing to be doing.

By vesting the power to declare war with the Congress, the Founders intended the United States would go to war only when absolutely necessary, and it is incumbent on this body to consider the purpose and ongoing necessity of committing U.S. forces to battle.

Now, as a procedural matter, I take issue with the invocation of section 5(c) of the War Powers Resolution as the basis for this debate, because that section authorizes a privileged resolution, like the one before us today, to require the withdrawal of combat forces when Congress has not authorized the use of U.S. military force.

There really can’t be any doubt that Congress authorized U.S. military action in Afghanistan. The authorization for the use of military force passed by Congress in late September 2001 explicitly empowers the President to use force against the terrorists responsible for the 9/11 attacks and those who harbored them. President Obama is doing just that.

But putting aside procedure, the notion that at this particular moment we would demand a complete withdrawal of our troops from Afghanistan by the end of the year, without regard to the consequence of our withdrawal, without regard to the situation on the ground, including efforts to promote economic development, expand the rule of law, and without any measurement of whether the “hold” strategy now being implemented is indeed working, I don’t think is the responsible thing to do.

Our troops are fighting a complex nexus of terrorist organizations—al Qaeda, the Taliban—all of which threaten the stability of the Afghan Government, and this as not only demonstrated their ability to strike our homeland. If we withdraw from Afghanistan before the government there is capable of providing a basic level of security for its own people, we face the prospect that the Taliban once again gain the road the way in Kabul and provide safe haven to al Qaeda. That would be a national security dis-
I am keenly aware that even if we remain in Afghanistan, and here I want to emphasize this, there is no guarantee we will prevail in this fight. But if we don’t try, we are guaranteed to fail.

President Obama has taken a very deliberative approach. He has examined numerous options over the course of several months and consulted with all relevant military leaders and allies. He really left no stone unturned and no issue unvetted as part of this review. He determined the opportunity now to implement his strategy. He has given us the timeline for when he expects to see results, and there will be a reassessment of our strategy in 18 months.

General McChrystal, the commander of the U.S. and international forces, indicated that we have made progress since the new strategy was announced on December 1. We are witnessing the first major joint NATO-Afghanistan military operation in the city of Marja, consistent with his strategy for rid- ing the region of the Taliban.

Our troops are working side by side with their Afghan counterparts. They retook Marja in 3 weeks of hard and well-executed efforts. They are making the sacrifices, and their number one priority, which is the basis for this counterinsurgency strategy. And to that end, the State Department and USAID have been working very hard to develop a concrete governance and development strategy.

I was here during the frenzied debate following 9/11 when Congress authorized the use of force against those responsible for the horrors of that day and those who chose to provide the perpetrators a safe haven.

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

Mr. HERMAN. I yield myself 30 additional seconds.

And I was here for the vote a year later, as my military force against Iraq. Please don’t confl ate the two. The fight in Afghanistan is the fight against those who attacked us.

I am not endorsing an open-ended commitment. I am not advocating that we remain without assessing our progress. But I do believe this strategy of our President deserves support, and I urge opposition to the resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong opposition to this resolution. As we are all aware, U.S. forces at this very moment are engaged in battle against heavily armed enemy forces in a strategically important region of Afghanistan. Our brave men and women are making steady progress against a deadly foe, and are doing so at great risk to their lives.

This offensive is part of a new strategy in Afghanistan focused on the immediate goals of disrupting, disem- peling, and defeating al Qaeda, denying al Qaeda a safe haven, and reversing the momentum of the Taliban. This off-ensive is already producing dramatic success, including the capture of senior Taliban leaders, the routing of their forces, and the stabilization of key areas.

A winning strategy should be supported. We must not give Taliban leaders and fighters a shield against U.S. forces that they otherwise cannot stop. No enemy was ever vanquished, no victory was ever secured by running away. Those who wish to destroy us would surely follow us, our leaders, and eager to attack us wherever we go, as they would be confident that we can, in fact, be beaten again.

Mr. Speaker, let us dispel any myths or illusions about the consequences of a forced withdrawal. As General Petraeus has warned, “I was in Kandahar. It was in Kandahar that the 9/11 attacks were planned. It was in the training camps in eastern Afghanistan where the initial preparation of the 9/11 attacks took place before they went to Hamburg and flight schools in the U.S. It is important to recall the seriousness of the mission and why it is that we are in Afghanistan in the first place and why we are still there after years and years of hard work and sac- rifice that have passed.”

One of the principal reasons that we have been spared a repeat of those attacks is that U.S. forces quickly toppled the Taliban regime that was protec- tory of terrorists and they dropped al Qaeda out of their safety zone and into the remote mountains. Years of constant U.S. military pres- sure have forced them to turn their atten- tion from planning more attacks against our homeland to fighting for their own survival.

To leave Afghanistan now would pave the way for the reestablishment of a vast and secure base from which al Qaeda and other deadly enemies could strike Americans around the world. Having withdrawn and abandoned our hard-won positions, to our allies and the people of Afghanistan, U.S. credi- bility would be significantly and per- haps irrecoverably damaged. This, in turn, could leave the U.S. alone and more vulnerable than ever to the threats of radical Islamic extremists.

Our retreat would be seen around the world by friends and opponents alike as a surrender, as a sign that America no longer has the will to defend herself. We might even fool ourselves into believing that it was merely a temporary setback, that we have suf- fered no long-term blow, but no one else would be fooled. It would be proof to every group that wishes to attack and destroy us that we can be fought and we can be beaten, that eventually America will just give up, regardless of the consequences.

We should support our troops by sup- porting their efforts to disrupt and dis- mantle and defeat al Qaeda and the Taliban.

As many of you know, my daughter- in-law Lindsay served in Iraq and Af- ghistan. I also have two committee staffers, one in the Army Reserves and one in the Marine Reserves, who are on their way now to Afghanistan. This is not their first time in battle. Both of these gentlemen have served bravely in Iraq, but the prospect of combat never becomes routine. They, like my stepson Douglas, who served as a Marine fighter pilot in Iraq, have re- counted to me how the debates in Con- gress to mandate a withdrawal of our forces in Iraq demoralizes U.S. troops.

The request of my staffers to me as they embark on their mission to Af- ghistan is to provide them with all of the tools and all of the support that they need to do their job and to win. They ask that we strengthen our commitment, our resolve, to the mission in Afghanistan and Pakistan. Our enemies are redoubling their efforts. We must also.

In June of last year, Osama bin Laden noted that U.S. efforts had been, and I quote, “transferred to Afghan- istan and Pakistan. Thus, jihad must be directed at that region.”

Bin Laden later said in September, “Not much longer, and the war in Af- ghistan will be over. Afterwards, not even a trace of the Americans will be found there. Much rather, they will re- treat far away behind the Atlantic. Then only we and you will be left.”

We must do everything possible to deny bin Laden and al Qaeda such a victory.

Mr. Speaker, the Afghan people are also listening to today’s debate. For us to succeed in Afghanistan, we need their support. But the Afghan people will not be giving that support if they believe that we will abandon them.

As Admiral Michael Mullen, the Chairman of the Joint Chiefs of Staff, has said, “When I am in Afghanistan, I get the same question asked as when I am in Pakistan, which is, are you going to leave us alone? And they remem- ber very well that we have in the past. And so there is a trust here. There is uncertainty through Afghan- istan’s eyes as to whether or not we will stay.”

In cooperating with us, in trusting us, they know that they are risking their lives and those of their families. Our troops are listening as well.

This debate today reminds me of the many times that I have come down to the floor to speak against a forced withdrawal from Iraq and the need to support our mission there.

Mr. Speaker, it is an illusion to be- lieve that we can protect ourselves from our enemies by picking and choosing easy battles and turning away from those that require patience and sacrifice. This Congress cannot, must not, turn away from its responsibil- ity to lead our country and our citizens simply because the task seems too difficult. The men and women in uniform who willingly risk their lives to defend our country do not believe that.

Mr. Speaker, as with all of my fellow Members and citizens, I hope for a
world one day without war. But in the world we live in, some wars are forced upon us. And we have no choice but to fight and to win them if we are to survive.

I urge my colleagues to resoundingly defeat this resolution. I reserve the balance of my time.

Mr. KUCINICH. I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. Mr. Chairman, I rise in support of this resolution. I am not convinced that the United States and its allies can end the 35-year civil war in Afghanistan, nor is that our responsibility. We should not use our troops to prop up a corrupt government. It is simply not justifiable to sacrifice more lives and more money on this war. We must rethink our policy. If we do not, we are doomed to failure and further loss of American lives.

In late 2001, we undertook a justified military action in Afghanistan in response to the attacks of 9/11, and with moral clarity and singular focus we destroyed the al Qaeda camps, drove the Taliban from power, and pursued the perpetrators of mass terrorism. I supported it then. Today, moreover, our presence in Afghanistan has become counterproductive. We are bogged down amidst a longstanding civil war between feuding Afghans of differing tribes, classes, and regions whose battle is not to do with their own. Moreover, our very presence in Afghanistan has fueled the rising insurgency and emboldened those who oppose foreign intervention or occupation of any kind, who see us as foreign invaders. In seeking security and stability in Afghanistan, we have supported corrupt leaders with interests out of sync with the interests of ordinary Afghans. By backing the Afghan government, we have further distanced ourselves from the Afghan people and empowered the insurgency.

If our mission in Afghanistan is indeed to prevent the safe harbor of terrorists within a weak or hospitable nation, that mission is largely accomplished, since we are told there are now fewer than a hundred al Qaeda in Afghanistan. In reality, terrorist plots can be hatched anywhere, in any nation, including our own. In fact, much of the planning for the 9/11 attacks took place in Western Europe.

That than we should stop pursuing terrorists. On the contrary. We must continue the multipronged effort to disrupt, dismantle, and destroy their ability to harm the United States. We must continue to track and block terrorist financing across the globe, increase intelligence activities focused on terrorists, increase diplomacy to rally our allies to our cause against terrorism, and, if necessary, use our Armed Forces to attack terrorist targets wherever they may be. But our primary focus must be on using the military to secure a nation so that it can be rebuilt. Rebuilding Afghanistan is beyond both our capability and beyond our mandate to prevent terrorists from attacking the United States. I believe that a short and definitive timetable for withdrawing our troops is the only way to minimize further loss of life and to refocus our efforts more directly at the terrorists themselves.

I also have concerns that the resolution before us seems to leave no room for a military role in Afghanistan under any circumstances. I believe we must reserve the right to use our Armed Forces to attack terrorist targets wherever they may be—a function quite distinct from using the military to secure a nation. I yield 5 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Speaker, I want to thank the gentleman from Ohio, first, for presenting this resolution and, secondly, for fighting for so long to get us to have this debate. I want to say to Mr. Berman, thank you for agreeing to let this be debated.

I want to start by saying that Peggy Noonan has called for this debate in “A Necessary War? And, if necessary, use our Armed Forces to attack terrorist targets wherever they may be. But our primary focus must be on using the military to secure a nation so that it can be rebuilt. Rebuilding Afghanistan is beyond both our capability and beyond our mandate to prevent terrorists from attacking the United States. I believe that a short and definitive timetable for withdrawing our troops is the only way to minimize further loss of life and to refocus our efforts more directly at the terrorists themselves.

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Scared. She should be scared. She doesn’t know what the future is for her son. And then she said to Gene Taylor and myself, after we introduced ourselves, Can you guarantee me that this government will take care of my son 40 years from now? He is 19 years old.

And one of us said to her, This country should take care of your son 40 years from now. But you know what I would do for her today? I’m not sure we can take care of your son.

We need to understand we can’t police the world anymore. It’s time that we protect ourselves from the enemy, the terrorists. But going around the world and trying to police the world doesn’t work anymore.

So I want to thank the gentleman for giving me this time. And I join you in this resolution and hope that these debates will continue and continue so we will win. In 2006, Jarrett married his high school sweetheart, Candice, in a small ceremony before the justice of the peace. She joined him in Alaska, where he was deployed by the Army, to begin their young married lives together. He was a petroleum supply specialist assigned to the 425th Brigade Special Troops Battalion, 4th Brigade Combat Team, 25th Infantry Division Battalion.

Last June, Jarrett was killed at the age of 20 years in Afghanistan. This is his photograph. He is on this board—his photograph. He is on this board—signed to the 425th Brigade Special Troops Battalion, 4th Brigade Combat Team, 25th Infantry Division Battalion.

Last December, I had the privilege to go to Afghanistan and meet Americans like Jarrett and these others who are risking their lives for us here at home. They told me that they missed their families, they missed their kids, but also they believe the work they’re doing is worth it, and they’re eager to finish the job and get back home. They continue to fight, and fight hard, and they want success. And we must remember, Mr. Speaker, they’re all volunteers. America’s finest.

General McChrystal’s new strategy is effective and already leading to key victories. It makes no sense to all of a sudden pick up and leave the country just because our forces are losing. It’s not about the politics of fear with some hypothetical enemy but assessing the enemy is real. It must be defeated. This is not about the politics of fear. It must be defeated.

I’ve heard Mr. POE’s words: Victory is hard. It is always hard. And that’s just the way it is.

And that’s just the way it is.

Mr. POE of Texas. This is about our troops. This is about Americans who have been willing to protect the rest of us when duty calls and in time of war. Army Specialist Jarrett Griemel was one of those noble Americans. He was a patriot. He joined the United States Army right out of high school. He had completed basic training before he graduated from high school in his junior year at La Porte High School in Texas. In 2008, Jarrett married his high school sweetheart, Candice, in a small ceremony before the justice of the peace. She joined him in Alaska, where he was deployed by the Army, to begin their young married lives together. He was a petroleum supply specialist assigned to the 425th Brigade Special Troops Battalion, 4th Brigade Combat Team, 25th Infantry Division Battalion.

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almost 1 million veterans from these wars show up at the VA for injuries received during the war, service-related injuries, hundreds and hundreds of thousands. This is just not a mathematical error by the Department of Defense that they don't do the numbers to keep the cost of war from our people.

We've got hundreds of thousands of people with post-traumatic stress disorder, hundreds of thousands with traumatic brain injury, all of whom were undiagnosed when they left the front. The military doesn't want to know about these injuries. They don't want to tell the American people about these injuries. This kind of war produces those injuries. I didn't hear that from Mr. Pocan. What do we tell the mom? We tell the mom that we shouldn't be sending her child there because of the nature of the war. There is no "Victory is close." I would like to have someone define for me what that victory looks like.

As I said, we have had almost 1 million veterans from these wars already come to the VA. The suicide rate among active duty troops in Iraq and Afghanistan is higher than in Vietnam, which was the highest that we've ever had as Americans. These are our children. These are our children. They come home with these invisible wounds. They may kill themselves from the demons that they got from this war. A third of those who had been diagnosed with PTSD—and that's only a small fraction of those who actually have it—have committed felonies in this Nation, of which several hundred were parent or household neighbors. We must do everything we can to ensure that it will not happen again and be used as a safe haven for those who seek to do us harm.

Last December, after 8 long years with no strategy, President Obama recommitted our Nation to defeating al Qaeda and reminded us that the success of this mission requires us to work with our international allies and Afghan partners, and that the President and we announced that our military commanders in Afghanistan, General Stanley McChrystal, the best we have in this type of conflict, would receive an additional 30,000 troops to implement this strategy. These additional combat troops, combined with those already in theater, would allow our troops and civilian experts to partner with their Afghan counterparts, reverse the momentum of the Taliban and create conditions needed for economic and governance development.

Even with just a fraction of these reinforcement in place, we already see signs of success. Last month Afghan, allied, and U.S. forces launched an operation to push the Taliban out of Marjah, a town of about 50,000 people in central Helmand province that became a new hub of activity for the Taliban and insurgents after our marines drove them out of nearby Garmisir. They successfully pushed the Taliban out of Marjah and are now beginning to reestablish government in that area, the second phase of that operation. A new Afghan administrator has been put in place, and the seemingly endless delays that government has begun. Additionally, in recent days, Pakistani forces made the most significant Taliban captures since the war began, detaining the Taliban's second in command, an Afghan finance minister and two shadow governors of Afghan provinces. This mission will be costly. It will not be easy. Hard fighting lies ahead for our forces. The Afghan people have to recommit themselves to building a government that is mostly free of corruption and capable of providing justice and security, and it is unclear if there will be future captures in Pakistan.

But this counterinsurgency strategy is the best we have to prevent Afghanistan from becoming a safe haven for al Qaeda and those who wish to kill Americans. If we vote to pull out now and abandon those Afghans who have fought bravely alongside our forces and the Taliban, I have no doubt that the Taliban would be able to reestablish their hold on southern Afghanistan, if not the entire country.

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

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. SKELTON. After 8 long years, we finally have a strategy success in Afghanistan, and we have a President who has appointed the right leaders in General McChrystal and Ambassador Eikenberry, who's willing to provide those leaders with the military and civilian experts that they need to be successful in this mission, but passing this resolution guarantees failure in Afghanistan and poses a serious risk that we will once again face the same situation that existed on September 11, 2001. I hope my colleagues will join me in opposition to this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I proudly yield 5 minutes to the gentleman from California (Mr. McKeon), the ranking member on the House Armed Services Committee.

Mr. McKeon. Mr. Speaker, I rise with the gentleman from Missouri (Mr. SKELTON), my chairman, the chairman of the Armed Services Committee. I join with my colleagues from the Foreign Affairs Committee and my colleagues from the Armed Services Committee in opposition to this resolution. I am very disappointed that the House Democratic leadership would allow this resolution to come to the floor at this time for a vote. One only has to look at the headlines to know that our military forces are making progress in their offensive against the Taliban insurgents in Helmand province, even as they face snipers, mines, improvised explosive devices, and a skeptical Afghan population.

The Kucinich resolution does nothing to advance the efforts of our military commanders and troops as they work side by side with their Afghan and coalition partners. Representative KUCINICH's resolution, if enacted into law, would mandate the withdrawal of all U.S. troops from Afghanistan by the end of 2010. Why consider this resolution now? Why second-guess the Commander in Chief and his commander and the announcement of our new strategy? Four months ago, the President reminded us why we are in Afghanistan. It was the epicenter of...
where al Qaeda planned and launched the 9/11 attacks against innocent Americans. The President recommitted the United States to defeating al Qaeda and the Taliban and authorized the deployment of 30,000 additional U.S. forces. A portion of those forces have arrived and others are readying to deploy.

Like most Republicans, I support the President’s decision to surge in Afghanistan. I believe that with additional forces, combined with giving General McChrystal the time, space and resources he needs, we can win this conflict. We do not have a choice. We must defeat al Qaeda and the Taliban. This means taking all necessary steps to ensure that al Qaeda does not have a sanctuary in Afghanistan or Pakistan.

At the end of last year, I had hoped that the war debate in this country had ended, and we would give a chance for that strategy to work, we would give a chance for our men, women, sailors who have been sent there to carry out their mission, to be successful. I had hoped, as a Nation, we could move toward a place of action; we would be in a position of second-guessing before we had a chance to complete that mission. During the debate last year, no one said that it was going to be easy.

The current operation in Afghanistan has been successful but has not come without challenges. However, as we stand here today, the Afghan flag is flying in Marjah city center. The Taliban flag has been removed. This lone flag sends a clear message to Afghans that the central government is there to Russians or others in the past that the war debate in this country had ended, and we would give a chance for that strategy to work, we would give a chance for our men, women, sailors who have been sent there to carry out their mission, to be successful. I had hoped, as a Nation, we could move toward a place of action; we would be in a position of second-guessing before we had a chance to complete that mission. During the debate last year, no one said that it was going to be easy.

However, this debate is not being conducted in a vacuum. Our troops are listening. Our allies are listening. The Taliban and al Qaeda also are listening. And finally, the Afghan people are listening. This resolution sends the message, “Pay no attention to the flag over Marjah. America cannot be trusted to uphold its own values and commitments.”

I will be attending a funeral Saturday. Each of us I am sure here have had to perform duty. But it is not just me looking forward to. I have attended several in the past. But at this point, for me to go to that funeral and tell the Gëligs that their son, Sergeant Gël, lost his life over an effort that we are going to cut and run from is something I cannot do.

Mr. Speaker, I want to send a clear message to the Afghan people and government that our coalition partners, our military men and women, this Congress believes in you, we support you, we honor your dedication and your sacrifice. I urge my colleagues to vote “no” on this resolution.

Mr. Speaker, I just want to say that you can talk about how the Democratic leadership is bringing this up at the time that there is obviously a surge about to begin, but why question the timeliness of the debate when in fact my friend in the minority, their strategy to work, we would give a chance for our men, women, sailors who have been sent there to carry out their mission, to be successful. I had hoped, as a Nation, we could move toward a place of action; we would be in a position of second-guessing before we had a chance to complete that mission. During the debate last year, no one said that it was going to be easy.

It is not true.

Everyone who has been compared our efforts there to Russians or others in the past and have talked about the defeat of other nations in this country. We’re not there to take over this country. We’re there to provide them freedom. That’s why we’re going to be successful.

I yield 5 minutes to the gentleman from Texas (Mr. Paul).

Mr. PAUL. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this resolution. I thank the gentleman from Ohio for bringing this issue up. It is late. This war started 9 years ago. It’s about time we talked about it. It was said earlier on it is hard to quit a war, and we shouldn’t be quitting. I will tell you what the real problem is, it is too easy to start a war. It is too easy to get involved. And that is our problem.

The founders of this country tried very hard to prevent this kind of a dilemma that we are in now; getting involved and nobody knowing exactly who the enemy is. The war was started and justified by quoting and using the war powers resolution written in 1973. That was written after the fiasco of Vietnam to try to prevent the problem of slippping into war. Yet that resolution in itself was unconstitutional because it literally legalized war for 90 days without Congressional approval. It did exactly the opposite.

So here we are, the 90-day permission for war at that time now is close to 9 years. I am afraid that this is too little, hopefully not too late for us to do something about this. Are we going to do it for 10 more years? How long are we going to stay? And the enemy is said to be the Taliban. Well, the Taliban, they certainly don’t like us, and we don’t like them. And the more we kill, the more Taliban we get.

But I want to quote the first line of the resolution that passed in 2001, explaining the purpose for giving the President the power, which was an illegal transfer of power to the President to pursue war at will. It said, “To authorize the use of United States Armed Forces against those responsible for the terrorist attacks launched against the United States.” The Taliban didn’t launch an attack against the United States. The Government of Afghanistan didn’t launch it.

The best evidence is that of those 20 individuals who participated in the 9/11 attacks, two of them might have passed through Afghanistan. A lot of the planning was done in Germany and Spain, and the training was done here in the United States. Oh, yes, the image is that they all conspired, a small group of people with bin Laden, and made this decision. Right now the evidence is not there to prove that. But bin Laden was very sympathetic, loved it, and wanted to take credit for it.

One of the reasons why he wanted to take credit was that it would do three things he wanted: First, it would enhance his recruitment efforts for al Qaeda and his attacks against western powers who have become overly involved in control of the Middle East and have had a plan for 20 years to remove the United States. He also said that the consequence of 9/11 will be that we will bog the American people down in a no-win war and demoralize the people. There is still a lot of moral support, but there is a lot of people in this country now that the country is totally bankrupt and we are spending trillions of dollars on these useless wars that will become demoralized, because history shows that all empires end because they expand too far and they bankrupt the country, just as the Soviet system came down. And that is what bin Laden was hoping for. He also said that the dollars spent will bankrupt this country. And we are bankrupt. And yet there is no hesitancy to quit spending one cent overseas by this Congress.

We built a huge embassy in Baghdad, we built an embassy in Kabul, billion-dollar embassies, fortresses, and it’s all unnecessary. Nobody is really concerned. If people were concerned about the disastrous effect of debt on this country, we would change our foreign policy and we would be safer for it. We are not safer because of our foreign policy. It is a policy of intervention that is going on a long time, and it will eventually end.

This war is an illegal war. This war is an immoral war. This war is an unconstitutional war. And the least you can say is it is likely there is no real purpose in this. The Taliban did not attack us on 9/11. You know, after we went into Afghanistan, immediately the concerns were shifted to remaking the Middle East. We went into Iraq, using 9/11 as a justification. It was nothing more than an excuse. Most Americans, the majority of Americans still believe that Saddam Hussein had something to do with 9/11. And I imagine most Americans believe the Taliban had something to do with 9/11. It is not true.

We need to change our foreign policy and come back to our senses and defend this country and not pretend to be the police of the world.

Mr. KUCINICH. Could I ask, Madam Speaker, how much time is remaining on each side?

The SPEAKER pro tempore (Ms. Loretta Sanchez of California). The gentleman from Ohio has 68 1⁄2 minutes. The gentleman from California has 36 minutes. The gentleman from Florida has 27 1⁄2 minutes.
Mr. KUCINICH. I yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. I thank the gentleman from Ohio.

Let me start at the outset while I am speaking on behalf of the same resolution the gentleman just before me spoke on behalf of, I couldn’t disagree more that our interests do lie in protecting our national security by being in Afghanistan. My opposition is our strategy. My opposition is that somehow we are going to control the ground by maneuvering ourselves militarily to control the ground as if it is a nation-state.

I hear my colleagues talk about the flag of Afghanistan as if Afghanistan is a country. In case anybody has bothered to look at it, it is a loose collection of 121 different sovereign tribes, none of whom get along with each other, and I do think that the notion that our soldiers are over there laying down their lives to secure ground. We ought to be after the Taliban and the terrorists, anybody who is organizing to strike against the United States Armed Forces against those representatives or persons, in order to prevent or opposed to the actual circumstances under which our troops are currently fighting.

Like many others in the House, I was present on September 14, 2001, when the House passed House Joint Resolution 64, to authorize the use of the United States Armed Forces against those responsible for the.then-recent attacks launched against the United States.

The vote, I would remind you, was 420 in favor and one against. I would note that the gentleman from Ohio, along with myself, was present and voted aye, as was the gentleman from Texas, as were 420 of us.

I would like to quote from that resolution which we are seeking to deny existed, which became Public Law 107–40 on September 18, 2001. It says, quote, “That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent or deter or armed. The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KUCINICH. I yield the gentleman an additional 30 seconds.

Mr. KENNEDY. Finally, if anybody wants to know where cynicism is, cynicism is that there are one, two, press people in this gallery. We’re talking about Eric Massa 24–7 on the TV. We’re talking about war and peace, $3 billion, a thousand lives, and no press? No press? You want to know why the American public is sick? They’re sick because they’re not seeing their Congress do the work that they’re sent to do. It’s because the press, the press of the United States, is not covering the most significant issue of national importance, and that is the laying of lives down in the Name of the service of our country. It is despicable, the national press corps right now.

Mr. BERMAN. Madam Speaker, I yield 3 minutes to the chairman of the Middle East and South Asia Subcommittee of our committee, my friend from New York (Mr. ACKERMAN).

Mr. ACKERMAN. I thank the chairman.

Madam Speaker, I rise in opposition to the resolution. I am frankly astonished that this has even come to the floor. I am afraid some of our colleagues either misunderstand the plain text of the War Powers Act or would like the House to initiate a legislative version of the so-called “mem- ory hole” described by George Orwell in his foreboding novel 1984. The War Powers Act provides that in the event U.S. forces are engaged in hostilities without either a declaration of war or a specific statutory authorization, a concurrent resolution can be consid- ered, which becomes the legislative version of the war powers resolution. The President of the United States is a nation for the service of our Nation that isn’t a hero. And no one in this country to do? We have to double down on a bad strategy. My opposition is that some- where we need it most? That should be the question. Because we don’t have the resources to put it every- where. So don’t come and tell me our national security requires that we have it in Afghanistan because that is not the only place we need it. The question of priorities is being asked. And you take it from one place, you have to put it somewhere else.

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

Mr. KUCINICH. I yield the gentleman an additional 30 minutes.

Mr. KENNEDY. I thank the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Madam Speaker, I thank the gentleman for yielding me
America's patience will not be consumed with the possibility of another country, and that is what we have been doing.

Mr. FORTENBERRY. I thank the gentlewoman from Florida for her leadership on Foreign Affairs and for the time.

Madam Speaker, the situation in Afghanistan is complex, and it has been difficult. It has serious ramifications for regional and global stability. Congress understood this in the aftermath of September 11 and authorized the use of force in Afghanistan. The situation is no less serious today.

We would not have our troops come home as quickly as possible, leaving Afghanistan a stronger and better place. And we all deeply care about our troops, particularly those who are now wounded, who have fought so valiantly. But, Madam Speaker, decisions regarding the disposition of our forces in Afghanistan should be made in concert with our commanders in the field who take seriously their responsibility for our troops' success of that mission. I have confidence that General McChrystal, after a thorough and painstaking calculus, has provided a clear plan to increase stability in Afghanistan and allow our troops to withdraw as quickly and as responsibly as possible.

Madam Speaker, I respectfully submit that we cannot afford to risk the tarrying of our troops when there is such a difficult time, and I urge my colleagues to vote “no” on this resolution.

Mr. KUCINICH. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.

Madam Speaker, I was one of those Members who understood the horror of 9/11 and joined with the then-President of the United States to respond to an attack on the United States. Subsequently in the Iraq war, I voted against that war knowing that it had nothing to do with the attack on the United States on 9/11. So I do not stand on this floor with a heart that is not heavy-laden and an understanding of the importance of this resolution. This resolution is grounded in the Constitution and it has merit; for the question is, when we responded to 9/11, it was a war on terror.

Today, we understand that this is a war of insurgents. There is no real documentation that a war exists in Afghanistan. But we do understand that we have lost 1,000 Americans to date—70 in 2010 and 316 in 2009—soldiers that we honor and respect. Never will there be one soldier that we do not call for an honor and respect of the United States. In fact, I am beginning to have a day of honor for all of our returning soldiers. None of them should ever come home to silence. We should always provide great honor for them.

But here is what it relates to the situation in Afghanistan. Today, although he has the right to do so, President Karzai is greeting the President of Iran. I hope they work together for peace. But the questions are: What are our soldiers doing to help impact the governance of Afghanistan? The governance that requires the fighting of corruption; the governance to fight for freedom and for human rights and the right to worship; governance to establish schools for the girls and boys and to allow girls and boys to come home to silence. We should all provide great honor for them.

Yes, we need nation building, but not with our soldiers out walking step by step trying to bypass IEDs, many times missing it and losing arms and legs and eyes. This is the time to give the President of Iran a day of honor for all of our returning soldiers.

It should have come as no surprise, Madam Speaker, that President Karzai of Afghanistan told ABC News recently that the U.S. needs to stay there for 15 to 20 years more, spending mega-billions, of course. He wants our money, and he wants to stay in power.

But listen to what columnist George Will has said. He has now changed his position and has written about Afghanistan, that the budget will not support an expansion there. The military will be hard-pressed to execute it, and America’s patience will not be commiserate with Afghanistan’s limitless demands. This will not end well. Those are not my words. Those are the words of George Will.

George Will wrote in that same column that the neoconservatives are “magnificently misnamed” and that they are really the “most radical people in this town.”

The Pentagon now says it costs $1 billion per year for each 1,000 troops we send there. We can’t afford this. We can’t afford to keep spending hundreds of billions in Afghanistan.

We are not cutting and running. We have been there over 8 years now. If this resolution passes, we will be there 9 years. That is too long. It is not only enough, it is far too long. It is time to do the best thing we can do for our troops and bring our young men and women home without putting Americans first again.

Washington Post columnist George Will has said, “Where there had been skepticism over the war in Afghanistan, there is now, as a result of the president’s plan, a sense of confidence.”

Today, we find that this is a war of insurgents. There is no real documentation that a war exists in Afghanistan. But we do understand that we have lost 1,000 Americans to date—70 in 2010 and 316 in 2009—soldiers that we honor and respect. Never will there be one soldier that we do not call for an honor and respect of the United States. In fact, I am beginning to have a day of honor for all of our returning soldiers. None of them should ever come home to silence. We should always provide great honor for them.

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these young men and women. 165,000 who came home from Iraq, many of whom are suffering from posttraumatic disorder.

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

Mr. KUCINICH. I yield the gentlewoman an additional minute.

Ms. JACKSON LEE of Texas. When we send them into battle, we have the obligation of saying there is a beginning and an end. World War I, World War II, wars that we may have liked or disliked, but we knew as they went into battle that there was an ending. And how brave they were.

As we saluted the women who participated in the Air Army Corps for Women, the WASPS today, some hundreds of them, we know that there is no doubt that they are brave. But I would say to you, end this war with Afghanistan and end this partnership with Pakistan. There are ways to be able to support the strength of both governments without our soldiers losing their lives on and on and over.

This resolution says that if the President finds it necessary to extend, he can do so. But we are asking for the troops to be out by the end of this year. So many of us have spoken to that over and over again.

Madam Speaker, this is not something unusual. This is not a cause of the fearful. This is not a cause of those who are nonpatriotic. This is a cause for every woman and man in red, white, and blue, who stand here today loving their country and believe that our soldiers are owed this respect to bring them home as heroes. We ask that you support this resolution.

Madam Speaker, I rise in solemn opposition to a war that has cost too many American lives and too many American dollars. To date, over 1,000 Americans have lost their lives in the Afghan theatre, including 70 in 2010. In 2009, 316 Americans lost their lives. The war in Afghanistan should end as safely and quickly as possible, and our troops should be brought home with honor and a national day of celebration. I strongly believe that this can and must be done by the end of the year.

This stance is born from my deeply held belief that we must commend our military for their exemplary performance and success in Afghanistan. As lawmakers continue to debate U.S. policy in Afghanistan, our heroic young men and women continue to willingly sacrifice life and limb on the battlefield. Our troops in Afghanistan should end as safely and quickly as possible, and our troops should be brought home with honor and a national day of celebration. I strongly believe that this can and must be done by the end of the year.

Throughout the discussion of the administration’s proposed surge, I expressed my concern for the cost of sending additional troops, as well as the effect that a larger presence in Afghanistan will have on troop morale. The White House estimates that it will cost $1 million per year for each additional soldier deployed, and I believe that $30 billion would be better spent creating new jobs and fixing our broken healthcare system. Many leaders in our armed forces, including Secretary Gates, have said that it is optimal for troops to have two years between overseas deployments; yet, today, our troops have only a year at home between deployments. Expanding the number of U.S. forces in Afghanistan by 30,000 will negatively impact troop morale and will bring us further away from the conditions necessary to maintain a volunteer military.

This is not President Obama’s war and I applaud his thoughtful leadership—the Congress now needs to give counsel to have a time certain for the troops to come home. I very strongly believe that our nation has a moral obligation to ensure that our veterans are treated with the respect and dignity that they deserve. One reason that we are the greatest nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful nation cares about them. Whether or not my colleagues agree that the time has come to withdraw our American forces from Afghanistan, I believe that all of us in Congress should be of one accord that our troops deserve our sincere thanks and congratulations.

It is because I respect our troops that I am voting to bring them home from a war that has strained far beyond its original mandate. The United States will not and should not permanently prop up the Afghan government and its military and intelligence—all more than half of all reconstruction dollars—have been apportioned to build the Afghan National Security Forces. The focus should be on strengthening the civilian government for it to lead. And we should continue to increase the real threat the Taliban has created in Pakistan. We must support governments with a diplomatic surge—more resources for schools, hospitals, and government reform.

U.S. military involvement in Afghanistan will come to an end, and when U.S. forces leave, the responsibility for securing their nation will fall to the people and government of Afghanistan. Governance is more than winning elections; it is about upholding human rights, especially the rights of women; it requires fighting corruption. Governance requires rights for women and girls to exercise their freedom to worship. Governance requires establishing schools that provide education from early childhood through higher education.

Yet, Afghanistan has largely failed to institute the internal reforms necessary to justify America’s continued involvement. The recent elections did not reflect the will of the people, and the government has consistently failed to gain the trust of the people of Afghanistan. The troubling reports about the elections that were held on August 20, 2009 were the first in a series of issues that are clouding the future of Afghanistan. The electoral process is at the heart of democracy, and the disdain for that process that was displayed in the Afghan elections gives me great pause. The Special Inspector General for Afghanistan Reconstruction recently released his quarterly report which detailed our nation’s efforts to work with contractors and the Afghanistan government to prevent fraud and enhance transparency. This is the 8th report by the Special Inspector General, but as a recent series in the Washington Post showed, we are unable to stem the flow of corruption and waste here in Afghanistan, despite our efforts at reforming our own contracting procedures. This money likely comes from the opium trade and U.S. assistance and, the Washington Post estimates, totals over one billion dollars each year.

The task of establishing legitimate governing practices remains formidable. A November 17, 2009 report from Transparency International listed Afghanistan as the second most corrupt country in the world. Multilateralism is vital to ensuring that our operations not only support the structure of both governance in Afghanistan, but also support the structure of both governance and improve the livelihoods of the Afghan people, but if the support of these governments wavers, American troops and Afghan citizens will suffer the consequences.

So many of us have spoken to that over and over again. As co-chair of the Congressional U.S.-Afghanistan Caucus, I have called for policies that allow the United States to provide benefits to the people of Afghanistan. Our effort must enhance our efforts at building both hard and soft infrastructure in Afghanistan. Change in Afghanistan is going to come through schools and hospitals, not through increased trade and exchange. The Afghan people need our help to achieve these objectives, but I am not convinced that our military is the solution. If the Government of Afghanistan can demonstrate a commitment to a non-corrupt commitment to its people, I believe that America should respond with appropriate and targeted foreign assistance.

I am also concerned that the United States is shoulder in to much of the burden in Afghanistan. Although the terrorist attacks on American soil prompted NATO to respond with collective military action, no nation is immune from the threat of terrorism. Although the troops and resources provided by our allies have been invaluable to date, especially regarding development for the people of Afghanistan, questions must be raised about how long other nations will remain involved in Afghanistan. France and Germany, for example have already questioned whether or not to send additional troops. NATO resources must be used with appropriate and targeted foreign assistance. These governments wavers, American troops and Afghan citizens will suffer the consequences.

I agree with your President that a stable Afghanistan is in the best interest of the international community, and I was pleased to see President Obama’s outreach to our allies for additional troops. Currently, 41 NATO and other allied countries contribute nearly 36,000 troops. That number is expected to increase by nearly 5,000 with at least 5,000 additional troops coming from NATO member countries. Multilateralism is vital to ensuring that our operations in Afghanistan succeed.

Madam Speaker, today, we face difficult realities on the ground. The Taliban attacks our forces whenever and wherever they can. Agents of the Taliban seek to turn the people of Afghanistan against us as we attempt to provide them with help in every way we can. This situation is unsustainable. Afghanistan’s history has earned it the nickname, “The Graveyard of Empires,” and I believe that we can only dignify this by coming to an agreement. By including a timetable for our operations in Afghanistan, we focus our mission and place it in a long-term context.
Although development to improve the lives of the Afghan people is important, defeating al-Qaeda and the threat they pose to America and our allies is the most important objective of our operations. To that end, I believe that Pakistan, not Afghanistan, is now the key to success and stability in the region. Over the past eight years, coalition forces have successfully pushed most of al-Qaeda out of Afghanistan and into Pakistan. This has not only put them outside the mandate of our forces, but has also forced Pakistan to address an enlarged terrorist threat.

During this State of the Union Address, President Obama spoke of the importance of Pakistan when he noted “America will remain a strong supporter of Pakistan’s security and prosperity long after the guns have fallen silent, so that the great potential of its people can be unleashed.” As the co-chair of the Congressional Pakistan Caucus, I know, first-hand, of the great potential of the Pakistani people, and I strongly believe that the recently approved assistance package to Pakistan will work to this end. U.S. foreign assistance to Pakistan is four times greater than it was in 2001 to address terrorist networks within its own borders, but I worry that a troop increase will cause even more refugees and insurgents to cross into Pakistan.

Ultimately, we in Congress must decide what is in the best interest of the American people. Pakistan fighting al-Qaeda was in the best interest of the American people in 2001, as it continues to be today. Yet, we are now fighting an insurgency—not al-Qaeda—in Afghanistan. This should not be our mission, and we must bring our troops home.

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

Mr. BERMAN. Madam Speaker, before I yield to the gentlewoman from California, I just want to take 15 seconds to make a point with respect to the gentleman from Ohio that, while the authorization for the use of force in 2001 certainly referenced the War Powers Act and the portion of the administration’s carefully calibrated timetable states that the U.S. would be out of Afghanistan by the end of 2011, this does not mean that the debate makes sense and is appropriate, it is truly not pursuant to the War Powers Act because the War Powers Act says the direction to withdraw comes when there has not been an authorization for the use of military force, and here there was an authorization for the use of military force. I am for the debate; I am against the basis on which the debate is being held.

I yield 2 minutes to the gentlewoman from California (Ms. HARMAN), the chair of the Intelligence Subcommittee of the Homeland Security Committee.

Ms. HARMAN. I thank the gentleman for yielding.

Madam Speaker, our colleague, Mr. Kucinich, should be commended for causing us to debate this issue on the House floor. This is a good and thoughtful debate, and I applaud especially the passionate statement of Patrick Kennedy of Rhode Island.

Madam Speaker, the war in Afghanistan began for 9 years, and the Obama administration continues to rely on the almost decade-old authorization to use military force which Congress passed, as we have heard, by an overwhelming vote a few days after 9/11/2001. Most who voted for it, including me, thought it was limited in time and place, but it became the basis for many actions taken by the Bush administration. In my view, the AUMF has been misused and abused as the basis for policy. It is time for us to consider whether it should sunset, and I believe that it should. But the resolution before us is not, in my view, the right place to address that issue.

After the 9/11/2001 Pakistani short shrift, tolerating rampant government corruption, and standing by as the Taliban reestablished itself, we now have a better strategy. That strategy, developed by President Obama late last year, includes a promised drawdown of our troops beginning in July 2011—or possibly sooner, according to Defense Secretary Robert Gates, who visited there earlier this week.

Let me be clear, I do not support the surge of an additional 30,000 American troops in Afghanistan. I do support multinational, NATO-led efforts to clear, hold, build, and transfer control over parts of that country which are or could become training grounds for terrorists intent on attacking the United States.

The good news is that Pakistan is making greater effort to crack down on Taliban and al Qaeda terror groups on its soil, and those efforts are yielding results which should help stabilize Afghanistan.

The SPEAKER pro tempore. The gentleman from Ohio has expired. Mr. Berman. I yield the gentlelady an additional 30 seconds.

Ms. HARMAN. Like Mr. KUCINICH, I want the U.S. military out of Afghanistan at the earliest reasonable date, but accelerating the Obama administration’s carefully calibrated timetable could take grievous risks with our national security. Mr. KUCINICH’s sentiment, but not his schedule.

Mr. KUCINICH. I want to thank Mr. Berman for agreeing to make this debate possible. I do appreciate it very much. You have been open to that, and I think the country should appreciate that about you.

I also want to say that this CRS study, Congressional Research Study, on the Authorization for the Use of Military Force makes it very clear in that it the War Powers Act is not superseded, and I would like to submit this for the RECORD.

AUTHORIZATION FOR USE OF MILITARY FORCE IN RESPONSE TO THE 9/11 ATTACKS (P.L. 107–40): LEGISLATIVE HISTORY

(From the Congressional Research Service, March 10, 2010. By Richard F. Grimmett)

SUMMARY

In response to the terrorist attacks against the United States on September 11, 2001, the Congress passed legislation, S.J. Res. 23, on September 14, 2001, authorizing the President to “use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons.” This provision of law was also known as the “Authorization for Use of Military Force” (AUMF), which, as Congress stated in its text, constitutes the legislative authorization for the use of U.S. military force contemplated by the War Powers Resolution of 1973. Also included in this statute is the provision which the President and his attorney generals have subsequently cited as an authority to engage in offensive operations against possible terrorists without obtaining authorization of the special Court created by the Foreign Intelligence Surveillance Act of 1978, as amended. This report will only be updated if events warrant. On September 11, 2001, terrorists linked to Islamic militant Usama bin Laden hijacked four U.S. commercial airliners, crashing two into the twin towers of the World Trade Center in New York City, and another into the Pentagon building in Arlington, Virginia. The fourth plane crashed in rural Pennsylvania, near Pittsburgh, after passengers struggled with the highjackers for control of the aircraft. A death toll resulting from these incidents was nearly 3,000. President George W. Bush characterized these attacks as more than acts of terrorism. They were acts of war. He added that “freedom and democracy are under attack,” and he asserted that the United States would use “all of our resources to conquer this enemy.”

In the days immediately after the September 11 attacks, the President consulted with the leaders of Congress on appropriate steps to take to deal with the situations confronting the United States. These discussions produced the concept of a joint resolution of the Congress authorizing the President to take military steps to deal with the parties responsible for the attacks on the United States. The leaders of the Senate and the House decided at the outset that the discussions and negotiations with the President and White House officials over the specific language of the joint resolution would be conducted by them, and not through the formal committee legislation review process. Consequently, no formal reports on this legislation were made by any committee of either the House or the Senate. As a result, it is necessary to rely on the texts of the original draft proposal by the President for a use of military force resolution, and the final bill, S.J. Res. 23, as enacted, together with the public statements of those involved in drafting the bill, to construct the legislative history of this statute. Between September 12 and 14, 2001, draft language of a joint resolution was discussed and negotiated by the White House Counsel's Office, and the Senate and House leaders of both parties. Other participants of both House and Senate suggested language for consideration through their respective party leaders.

On Wednesday, September 12, 2001, the White House gave a draft joint resolution to the leaders of the Senate and the House. This White House draft legislation, if it had been enacted, would have authorized the President (1) to take military action against those involved in some notable way with the September 11 attacks on the U.S., but it also would have granted him (2) statutory authority “to deter and prevent any future acts of terrorism or aggression against the United States.” This language would have seemingly authorized the President, without district or time limitation, to use military action against any nation, terrorist group or individuals in the
world without having to seek further authority from the Congress. It would have granted the President open-ended authority to act against all terrorism and terrorists or potential aggressors, anywhere, not just the authority to act against the terrorists involved in the September 11, 2001 attacks, and those nations, organizations or persons who had harbored the terrorists. As a consequence, this portion of the language in the proposed White House draft resolution was strongly opposed by many in Congress and was not included in the final version of the legislation that was passed.

The floor debates in the Senate and House on S.J. Res. 23 were lengthy and clear that the scope of the military force legislation was on the extent of the authority that Congress would give to the President to use U.S. military force against the international terrorists who attacked the U.S. on September 11, 2001 and those who directly and materially assisted them in carrying out their actions. The language of the enacted legislation, on its face, makes clear—especially in contrast to the White House’s draft joint resolution of September 12, 2001—to what degree to which Congress limited the scope of the President’s authority to use U.S. military force through P.L. 107-40 to military actions against those international terrorists and other parties directly involved in aiding or materially supporting the September 11, 2001 attacks on the United States. The act framed its authority of use of military action against terrorists generally.

On Friday, September 14, 2001, after the conclusion of the meetings of their respective party caucuses from 9:15 a.m. to 10:15 a.m., where the final text of the draft bill was distributed, S.J. Res. 23, jointly sponsored by Senators Thomas Daschle and Trent Lott, the Senate Majority and Minority leaders respectively, was called up for quick consideration under the terms of a unanimous consent agreement. S.J. Res. 23 was then considered and passed by the Senate by a vote of 96-0. As part of the Senate’s unanimous consent agreement that set the stage for the rapid consideration and vote on S.J. Res. 23, the Senate agreed to adjourn and to have no additional votes until after the following Wednesday, September 19, unless acting effectively militarily. It that if the House amended S.J. Res. 23, no further legislative action on it would occur until the middle of the following week. After the House Representatives received S.J. Res. 23 from the Senate, on Friday, September 14, 2001, the House passed it late that evening, after several hours of debate, by a vote of 420-1, clearing it for the President. Prior to passing S.J. Res. 23, the House considered, and then tabled an identical wording joint resolution, H.R. Res. 64, and rejected a motion to recommit by Rep. John Tierney (D-Mass.), that would have had the effect, if passed and enacted, of requiring a report from the President before his actions under the joint resolution every 60 days after it entered into force.

S.J. Res. 23, formally titled in Section 1 as the “Authorization for Use of Military Force,” was thus passed by Congress on September 14, 2001, and was signed into law by the President on September 18, 2001. The enacted bill contains five “Whereas clauses” in its preamble, expressing opinions regarding why the joint resolution is necessary. Four of these are identical to the “Whereas clauses” in the White House draft joint resolution of September 12, 2001. The fifth, which was not in the original White House draft, reads as follows: “Whereas, the President is hereby authorized and directed to take action to deter and prevent acts of international terrorism against the United States. . . .” This statement, and all of the other Whereas clauses in P.L. 107-40, are not part of the language after the Re-solving clause of the Act, and, as such, it is possible to get each provision in interpreting the scope of the authority granted in the law.

Section 2(a) of the joint resolution, authorizes the President “to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.” The joint resolution further states, in Section 2(b)(1), Congressional authorization for the use of military force under statutory authority within the meaning of Section 5(b) of the War Powers Resolution.” Finally, Section 2(b)(2) of the joint resolution states that “[n]othing in this resolution supersedes any requirement of the War Powers Resolution.”

A notable feature of S.J. Res. 23 is that unlike all other major legislation authorizing the use of military force by the President, this joint resolution authorizes military force against “organizations and persons” linked to the September 11, 2001 attacks on the United States. In its past authorizations for use of U.S. military force, Congress has permitted action against unnamed nations in specific regions of the world, or against named individual nations, but never against “organizations or persons.” The authorization of use of force against unnamed nations is consistent with some previous instances where authority was given to act against unnamed states when they became aggressors or took action against the United States or its citizens.

President George W. Bush signing S.J. Res. 23 into law on September 18, 2001, noted the Congress had acted “wisely, decisively, and in the finest traditions of our country.” He thanked the “leadership of both Houses for their role in expeditiously passing this historic joint resolution.” He noted that he had had the “benefit of meaningful consultations with members of the Congress” since the September 11 attacks, and that he would continue to consult closely with them as our Nation responds to this threat to our peace and security.” President Bush also asserted the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States.

He also stated that “In signing this resolution, I maintain the longstanding position of the executive branch regarding the President’s constitutional authority to use force, including the authority of the United States and regarding the constitutionality of the War Powers Resolution.”

It is important to note here that Presidents’ actions under this law that contain provisions or language with which they disagree. Presidents sometimes draw attention to these disagreements in a formal statement at the time they sign a bill into law. While Presidential “signing statements” may indicate that the President views certain provisions to be unconstitutional, they do not themselves have the force of law, nor do they modify the language of the enacted statute. Should the President strongly object to the language of any bill prior to signing it into law, he has the option to veto it, and compel the Congress to enact it through voting to override his veto. Once a bill is enacted into law, however, every President since President Harry S. Truman, the 33rd President, has signed the United States into if.” This joint resolution may be cited as the “Authorization for Use of Military Force.”

Section 2. Authorization for Use of United States Armed Forces.

(a) In General—The President is authorized to use all necessary and appropriate force against those nations, organizations, or
person he determines, planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

(b) War Powers Resolution Requirements.

(1) Specific Statutory Authorization—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) Applicability of Other Requirements—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

I would also like to say that section 4 of the War Powers Act requires the President to report to Congress whenever he introduces U.S. Armed Forces abroad in certain situations. And of key importance is section 4(a)(1) because of the time limit in section 5(b). Section 4(a)(1) requires reporting within 48 hours, in the absence of a declaration of war or congressional authorization, the introduction of U.S. Armed Forces into hostilities or into situations where imminent involvement is clearly indicated by the circumstances.

The resolution that is before us, H. Con. Res 248, therefore directs the President, pursuant to section 5(C) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan.

I yield 4 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Madam Speaker, I read a news article in which Defense Secretary Robert Gates, during a visit to Afghanistan just recently, cautioned against overoptimism about how the military campaign is going over there. Well, no worries there, Mr. Secretary. I can’t muster optimism for a war that’s been going on for 8½ years and hasn’t achieved its objectives, nor has it defeated the enemy. In fact, it’s hard to be optimistic now that we have lost more than 1,000 brave Americans in Afghanistan, nearly one-third of them since this last summer.

Frankly, Mr. Speaker, I am downright pessimistic about the government we are proping up in Afghanistan, which seems to reach a new low for corruption and incompetence every single day. That’s why I enthusiastically support the resolution offered by my friend, the gentleman from Ohio, to bring our troops home from Afghanistan by the end of the year at the latest. The fact is that our military presence is what is fueling the very insurgency we are trying to defeat. You would think we would have learned a lesson of history by now, actually. The Afghan people have always resisted occupation, whether it was Great Britain in the 19th century or the Soviet Union just 30 years ago.

Madam Speaker, ending the war does not mean ending American support. It would be completely irresponsible of us to wash our hands of Afghanistan. There is too much humanitarian work to be done there. I propose that we replace our military surge with a civilian surge as part of a new smart security plan. We can protect America, fight terrorism, and stabilize Afghanistan with half the cost than we can with rockets and guns. So let’s bring the troops home. Let’s replace them with more development workers, democracy promotion specialists, and economic development experts.

It costs, as we’ve all learned, a staggering $1 million to deploy a single soldier to Afghanistan for 1 year. Smart security would not only be more effective and more peaceful, it would be fiscally responsible to do that in the first place. The money we are currently spending in Afghanistan desperately needs to be invested in our struggling families right here at home.

Soon, Madam Speaker, the Congressional Progressive Caucus, of which I co-Chair with Congressman RAÚL GRIJALVA, will release its 2011 budget alternative. It will call for redirecting billions of dollars in military spending into domestic programs that have been the priority too long right here at home, like school construction, affordable housing, transportation and infrastructure, job training, health care, on and on. It is nothing short of appalling that during a crippling recession we have in the United States an anemic and deplorable 4¼ percent unemployment rate while the Pentagon gets a blank check to continue a failed war.

Secretary Gates warns of dark days ahead. Well, I appreciate his refusal to be a Pollyanna about Afghanistan. The fact is that there have been more than 3,000 dark days in Afghanistan already and the patience of the American people is wearing thin.

I encourage my colleagues to support this resolution authorizing then-President Bush to ‘‘use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.’’

I voted in favor of that resolution and to continue to support all efforts focused on achieving that limited and specific mission. That resolution led to our military action in Afghanistan because of the time al Qaeda was using Afghanistan as a safe haven for its terrorist training camps, and the Taliban government in Afghanistan was supporting al Qaeda’s presence within its borders.

As a result of the U.S. combat operations in Afghanistan, the Taliban was driven from power, many al Qaeda operatives were killed, and others fled to nearby Pakistan or other more distant countries. National and local democratic elections have been held, a constitution has been written and ratified by the people, and attempts have been made to establish stability and the rule of law in Afghanistan. Yet, after more than 8 years at war, there is evidence that the democratically elected government in Afghanistan is increasingly unpopular. The government has been unable to exercise control over much of the countryside.

My friend, the gentleman from Ohio, to bring our troops home from Afghanistan, nearly one-third of them since this last summer.

Frankly, Mr. Speaker, I am downright pessimistic about the government we are proping up in Afghanistan, which seems to reach a new low for corruption and incompetence every single day. That’s why I enthusiastically support the resolution offered by my friend, the gentleman from Ohio, to bring our troops home from Afghanistan by the end of the year at the latest. The fact is that our military presence is what is fueling the very insurgency we are trying to defeat. You would think we would have learned a lesson of history by now, actually. The Afghan people have always resisted occupation, whether it was Great Britain in the 19th century or the Soviet Union just 30 years ago.

Madam Speaker, ending the war does not mean ending American support. It would be completely irresponsible of us to wash our hands of Afghanistan. There is too much humanitarian work to be done there. I propose that we replace our military surge with a civilian surge as part of a new smart security plan. We can protect America, fight terrorism, and stabilize Afghanistan with half the cost than we can with rockets and guns. So let’s bring the troops home. Let’s replace them with more development workers, democracy promotion specialists, and economic development experts.

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that. These people who are trying to kill us don’t care how many aircraft carriers we have, how many tanks we have, how many submarines we have. It doesn’t matter.

Therefore, if our military might is no longer our primary defense, what is? I would suggest that it is accurate, timely intelligence to know who, what, when, where, and how they want to try to attack us again so we can stop it.

How do we get that intelligence? We do it through allies. We do it through friends of ours. The French really have the best intelligence network in northern Africa. They are helping. They are helping in NATO.

The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. TANNER. If you look at all of the actions that are now members of NATO, we are in a conflict that is global in nature. NATO is evolving from a static, land-based defense force to a security force that relieves our men and women to the extent they supply troops. It relieves the American taxpayer to the extent they pay for these efforts toward our common defense.

Again, were this just an American expedition, perhaps this debate would be more worthwhile, but it’s not. So in the strongest possible terms, I would urge my colleagues to reject this.

Mr. KUCINICH. I yield 4 minutes to the gentleman from Florida (Mr. Grayson).

Mr. GRAYSON. Madam Speaker, I have good news.

The good news is this: We won the war in Afghanistan. Now, it happened a while ago; so I may be the only person who actually remembers this, but that is now members of NATO. We are in a conflict that is global in nature. NATO is evolving from a static, land-based defense force to a security force that relieves our men and women to the extent they supply troops. It relieves the American taxpayer to the extent they pay for these efforts toward our common defense.

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in San Diego. It reads: “U.S. Representative/Marine.”

I’ve served in Afghanistan once. I was part of the 1st Marine Division. I, for one, don’t appreciate being lectured to, especially from a gentleman like the one from Florida who just spoke, about how I’m brain-injured, about how I might have PTSD, about how I’m less of a person because I’ve served overseas.

This is an ill-conceived resolution. It is a resolution that is hurtful to our troops on the ground who are fighting now, and it is a resolution that is hurtful to their families. If we had passed a similar resolution about Iraq, we wouldn’t have been victorious in Iraq now. We wouldn’t have less than 1,000 marines in Iraq now. They have all pulled out. Why did they pull out? Because we’ve won. Iraq is no longer a threat.

I’ve had friends give their lives for this great Nation in both Iraq and Afghanistan. This resolution is sending a message to their families that their sacrifices and willingness to stand in the gap against the forces of tyranny and destruction and radical Islam were false errands.

This is the wrong message to send. Our message should be one of support and encouragement. As congressional Representatives, we should be standing side by side with our troops in the field, not abandoning our cause when our nation needs us the most. If we were to pull out of Afghanistan, we would be inviting those terrorists and al Qaeda to attack us here again on American soil. We don’t need another 9/11.

This resolution could well be named “the retreat and abandonment of our military resolution.” I don’t believe the purpose of this resolution is to protect our men and women serving in harm’s way. The point of this resolution, I think, would be to make America weak.

I’ll tell you why I believe this: Unlike any other Member of Congress, I have served both in Iraq and Afghanistan. Unfortunately, not any person who is in favor of this resolution has ever come and talked to me. The gentleman from Florida never came to me and asked me what I thought about it.

This isn’t about the military. This is about a political ideology to make America weak and to lose our strength as a great Nation for this resolution.

I would appreciate it if maybe I could be listened to next time. If we are going to work in a bipartisan fashion and if this resolution is truly for the men and women of the military, I’ve been here for 15 months, and I’ve never talked to anybody about it.

We need to make sure that we support our troops and their families and that we not allow al Qaeda to become stronger by passing this resolution.

Once again, I’ve raised my right hand like every other Member of Congress here to support and defend the U.S. Constitution, but I also did that as a United States marine in one of the first officer candidate classes after 9/11. I graduated in March 2002. I deployed in 2003 to Iraq, in 2004 to the battle of Fallujah, and in 2007 to Afghanistan.

My wife and three kids have lived at Camp Pendleton. They’ve lived on the base. I know what families in the military live like. I know what marines on the ground are going through right now.

I know what victory costs. I know what victory takes. What it doesn’t take is a misrepresenting resolution that is going to hurt our military when it needs us the most.

Did I enjoy going overseas? Did I enjoy leaving my family behind? Did I enjoy leaving steak and all the great comforts of this Nation behind? No.

It was worth it because I know, in my heart, that what we are doing in Afghanistan is making my children not have to go over and fight the same Islamofascists that we are over there fighting now. I know that we are going to have a safer country because of me, because of people like me, and because of the men and women who are over there serving now. Because they are over there, fighting, my kids aren’t going to have to.

So was it fun going to war? No. Was it worth it? Yes.

I urge my colleagues to vote “no” on this resolution.

Mr. KUCINICH. I just want to say to the gentleman who just spoke, to Mr. HUNTER, that we honor his service to our country, to our Congress, and in the military, as we honored your father’s service. You have served this country well. You are well-spoken, and we appreciate that you are here.

I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, I rise in strong support of H. Con. Res. 248, and I commend the gentleman, my friend from Ohio, for his introduction of it.

Madam Speaker, I yield to no man, no woman in terms of my support for the heroic sacrifices that our troops in the military make each and every day of their lives and each and every day of our lives. They make sacrifices on the battlefield. They fight the wars. We are elected to be decision makers, and we can decide whether there is war or whether there is peace or, at the very least, whether there is peaceful pursuit.

I support the President’s policy because, as General Gates said in a closed hearing in December, we need to seal that border. So as Pakistan, once united now again with us, moves to North Waziristan through the Taliban on its side of the border to eradicate the danger to us, the safe haven of al Qaeda, that they do not flow back over into Afghanistan whence Pakistan, who created the Taliban, might once again spread its bets.

If Pakistan becomes a failed state and al Qaeda remains, we may get out the nuclear weapons. But there are 2,000 nuclear-trained scientists in that nation who have access to the radiological material and the knowledge in a failed state potentially controlled by the Taliban and al Qaeda that endangers us.

I support this President’s policy in a limited window of opportunity to help Pakistan eradicate, yes, the danger to them, but to us, that al Qaeda.

I strongly do believe that this President still needs to provide this Nation something, however, and that is what he’s missed us. That was an exit strategy. Every warrior knows that when you go into battle, you have an exit strategy, which is merely benchmarks by which you measure success or failure. And if success fails, and if the costs of failure become greater than success, exit to an alternative strategy. I believe that needs to be provided to this
Nation who, after 7 or 8 years of war, deserves to see how its national treasure is being used and if it is being successful.

But as I end, to my colleague from Ohio, I served for 31 years with the wonderful men and women of this Nation.

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

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. SESTAK. And I will always remember what the former Chairman of the Joint Chiefs of Staff said when asked about these debates here: Our men and women in the military are wise enough to know, this is your sacred duty here in the Halls of Congress, to have a debate about the use of their lives. When I led them into war, I would hope my lawmakers would have that debate if we were being wisely.

So I thank you for bringing forth this debate, although I oppose the resolution.

Ms. ROS-LEHTINEN. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. Dent), the ranking member of the Homeland Security Subcommittee on Transportation, Security, and Infrastructure Protection.

Mr. DENT. Madam Speaker, I rise in strong opposition to this House Concurrent Resolution 248 that directs the President to remove U.S. Armed Forces from Afghanistan within 30 days of adoption of this resolution unless the President determines that it is not safe to remove U.S. forces before the end of the 30-day timeline. But even if there is an identified danger, U.S. forces would still have to be removed by December 31.

Really, here is the catch: There is a clear and present danger in removing our men and women from the field while they are engaged in the first major assault of President Obama’s reaffirmed counterinsurgency strategy in Afghanistan.

But there is another danger: damaging the morale of the troops who sacrifice their safety and well-being to fight to protect our homeland, our freedoms, by not providing them with the support and resources they need to complete their mission.

This is a very dangerous business, moving troops out of a country. I have sat with Secretary Gates on more than one occasion over the years talking about withdrawing troops, in this case from Iraq, and how complex a situation this is and how dangerous it is and the logistical realities of moving this many people safely.

But don’t take my word for it. I think we should also listen to the words of former Chairman in Chief, President Barack Obama, who, on December 1 in his address to the Nation, said, “I am convinced that our security is at stake in Afghanistan and in Pakistan. This is the epicenter of violent extremism practiced by al Qaeda. It is from here that we were attacked on 9/11, and it is from here that new attacks are being plotted as I speak.”

President Barack Obama’s words. He goes on. “No hypothetical threat. In the last few months alone, we have apprehended extremists within our borders who were sent here from the border region of Afghanistan and Pakistan to commit new acts of terrorism. It will only grow if the region slides backwards and al Qaeda can operate with impunity. We must keep the pressure on al Qaeda, and to do that we must increase the stability and capacity of our partners in the region.”

General Petraeus has said.

Mr. SESTAK. And I will always remember what the former Chairman of the Joint Chiefs of Staff said when asked about these debates here: Our men and women in the military are wise enough to know, this is your sacred duty here in the Halls of Congress, to have a debate about the use of their lives. When I led them into war, I would hope my lawmakers would have that debate if we were being wisely.

So I thank you for bringing forth this debate, although I oppose the resolution.

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

Ms. ROS-LEHTINEN. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 31/2 minutes to my friend and colleague from Georgia (Mr. Johnson), a member of the Armed Services Committee.

Mr. JOHNSON of Georgia. Madam Speaker, what a dubious situation I find myself in, having to go behind the Honorable John Lewis, my colleague from Georgia, and to be in opposition to his view. But that is the position that I am in, and I will take on the responsibility.

Madam Speaker, I rise in opposition to the Afghan War Powers Resolution which is before us today and give the reason why, although I do want to commend Representative Kucinich for enabling the House to have a debate on such an important issue, and I thank you for that.

But I cannot foresee any good coming out of a situation where we enable the Taliban to regain control over Afghanistan and to thus become a safe haven for terrorist recruitment, development, and employment. I am concerned that passage of this resolution would be an extraordinary usurpation of the power of the Commander in Chief in favor of a Congress where petty, partisan politics have lately been trumping policy. Our strategy in Afghanistan and Pakistan is achieving some promising successes. Pakistan is increasingly cooperating against militants within its
border and our military campaigns in Afghanistan are routing the Taliban from their strongholds while decimating Taliban and al Qaeda leadership. The President clearly stated that he would bring focus to our efforts in Afghanistan that he would seek to improve conditions prior to drawing down U.S. forces. Passage of this resolution would prevent him from implementing that strategy and force a premature withdrawal.

Madam Speaker, let me be clear. My intent is always to oppose war. I believe that the President shares that instinct. However, I oppose this resolution, not because I support war, but because this resolution is ill-timed and ill-conceived. I urge the Congress to start a constitutional turf war. I find the premise of this resolution to be flawed at the outset. Remember, we have authorized ongoing operations in Afghanistan, and we are having trouble managing our ordinary legislative duties as it is. Let the President execute the strategy he said he would implement and which is yielding positive results. Passage of this resolution would send a message to the President and our Presidential authority to conduct foreign policy has weakened in favor of a Congress that bickers over arcane Senate rules when major policy decisions are left hanging in the balance.

After too many years wasted in Iraq, an unfocused deployment of our troops in Afghanistan, this President has finally chosen to use the authority of Congress to provide a focus on the real threat. I'm happy to hear Republicans saying that the President is doing a good job, and I urge my colleagues to oppose this resolution.

Mr. KUCINICH. I would gently remind my colleague from Georgia that Article I of the Constitution of the United States places expressly in the hands of Congress the power to declare war. This resolution does not seek to usurp our Commander in Chief. It seeks to reset the balance in our Constitution. It says that the Founders rightly intended—that the war power be in the Congress and, by reference, that we have the power to determine not just when a war starts, but when a war stops. It is also telling that in this war, in this surge, we're essentially announcing to the Taliban where we are proceeding and when.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I’m so pleased to yield 6 minutes to the chairman of the House Republican Conference and a wonderful and esteemed member of our Committee on Foreign Affairs, the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. I thank the distinguished ranking member of the committee and the chairman of the committee for their words and efforts today.

I think the gentleman from Ohio knows that I respect his passion, but I rise in strong opposition to this resolution today. I believe that it should be opposed because H. Con. Res. 248, directing the President pursuant to the War Powers Resolution to remove United States Armed Forces from Afghanistan, is not supported by the law, is not supported by the facts, and it is not supportive of our troops, and it should be opposed.

Let me speak to each of those issues.

First, with regard to facts. The War Powers Resolution requires the President to notify Congress within a specific time of committing forces. Its constitutionality has been questioned over the years. This is a matter of clear public record. The gentleman cites the Constitution frequently. There is great constitutional debate about the very foundation of that legislation. But specifically, and I believe the distinguished chairman has made this point several times during the debate, the powers that are being cited here open the door, where there has not been a declaration of war or a statutory authorization for use of force.

I was here on September 11th. I was here for debates, Madam Speaker, over the resolution authorizing the use of force in Afghanistan. Therefore, I believe this resolution is out of order. And while I don’t raise a procedural motion on that basis, I think it’s worth noting.

Secondly, I think this resolution is not supported by the facts. I just returned from a bipartisan delegation trip to Kabul and Kandahar. I met with General McChrystal. Stanley McChrystal is the commander of the ISAF forces. I met with our soldiers at Camp Eggers. I went out into Afghanistan. And I have strongly supported President Obama’s decision to send reinforcements into Afghanistan.

The sense that we receive from our military leaders in Afghanistan, from Afghan military and political leaders, and, most importantly, from our soldiers on the ground is that we are leaning into the fight. We are providing our soldiers with the resources and the reinforcements they need to come home safe. So now is not the time for the Congress of the United States to be second-guessing our commanders in the field and second-guessing the Commander in Chief. And so I believe, based on what I’ve seen and heard within the last month and a half in Afghanistan, that we have the right strategy, we have the right tactics, and we ought to continue to proceed on the course that we are proceeding on.

We’re talking about real lives. I can’t help but reflect on the experience of having been just north of Kandahar, where we visited with the governor of the Arghandab River area. He spoke about the Taliban’s being on the run. In Kandahar there’s an odd proverb: He who controls Kandahar controls Afghanistan. The Taliban was in effect born in Kandahar, and this spring there is, as is evidenced on the evening news, an effort by the Taliban to reclaim that historic city. But as I talked to the governor of the Arghandab River area, he simply said that the only thing the Taliban has anymore with the population is threats. They don’t have popular appeal anymore.

But the very idea that U.S. forces or forces in the NATO coalition would precipitously withdraw would leave a vacuum into which the Taliban would readily flow. And as has been discussed here frequently by Duncan Hunter, who wore the uniform in harm’s way, that vacuum would be filled not just by the Taliban but by their evil twin, al Qaeda, to, no doubt, nefarious effects.

So I think this resolution is wrong on the law. I think it’s wrong on the facts. But, lastly, let me just say that I believe it’s also not supportive of our troops. In the many trips that I have made downrange to visit soldiers in Iraq and Afghanistan, I’ve been open for me to meet with those soldiers without being profoundly inspired. And I will acknowledge the gentleman from Ohio has spoken in glowing terms about those in uniform. I do not suggest that I don’t support our troops. But I believe with all my heart that a resolution of this nature in the midst of a moment when we are, in fact, providing our soldiers with the reinforcements and the resources to be successful in Afghanistan has the potential to have a demoralizing effect on the very men and women who, separated from their families and in harm’s way, are doing freedom’s work.

And so I believe this resolution, however intended, should be opposed. It’s not supported in the law. It’s not supported by the facts, and it’s not supportive of our troops. I believe it should be rejected.

Mr. KUCINICH. I yield myself 5 minutes.

To my friend from Indiana, who cited his disagreement based on law and facts and the troops, I would like to respond categorically.

First of all, section 4(a)(1) of the War Powers Act requires the President to report to Congress any introduction of U.S. forces into hostilities or imminent hostilities. When the President reports, he does so consistent with but not pursuant to the War Powers Resolution. That’s because when we’re talking about reporting requirements, because if President Obama did submit a report pursuant to the War Powers Resolution, it would trigger a vote on withdrawal from Afghanistan. Or Congress, that, or support the troops is to keep them in Afghanistan. There are others who believe that the way to support the troops is to bring them home.
Mr. KIRK. I yield 3 minutes to the gentleman from Illinois (Mr. KIRK), a member of the Committee on Appropriations.

I reserve the balance of my time.

Mr. KIRK. I would just say that we probably spend enough time naming post offices in the House of Representatives during the worst economy in our country.

Mr. BERMAN. To reclaim my time, this is not a discussion of post offices. This is not a discussion of suspension legislation, and both parties seem to like naming post offices and introducing other kinds of resolutions. This is a discussion about the decision to send our forces into harm's way. It's worthy of a serious debate. There is nothing wrong with that debate. I don't believe our troops are going to get demoralized by our having that debate. I believe for the country, they are going to say, We are proud to represent a country that is willing to undertake that debate.

Mr. KUCINICH. I want to thank the gentleman from California (Mr. Berman), who, you know, we do have a difference of opinion about this resolution, but we're united in the fact that this House should debate it, and any Member of this House, whatever their opinion is on this resolution, has the right to debate it. And to try to diminish this institution by saying, Well, this is not a proper subject for debate—we're about to begin a surge. This is a proper subject for debate, and this is why we're here.

If we wait 5½ years to debate this, and people say, Well, why are we debating it now? Should we wait another 5½ years to have a debate? Or should we have it now before we commit more and more people into combat?

I yield 5 minutes to the gentleman from New York (Mr. SERRANO). (Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. It is time for us, as a Congress, to have this long overdue discussion on our involvement in Afghanistan. According to the Warner Resolution, we have a role to play; and it is time that we, as a Congress, exercised our authority. Whether you agree or disagree with the escalation in Afghanistan, we need to debate it. We need to vote on it, and we need to make a decision. We must not give up the powers that we were given in the Constitution.

In the wake of 9/11, I did support a military response to the direct threat that Afghanistan posed to the Nation. I believed then that it was the correct response, and I believe now that it was in concert with our NATO allies. Nine years later, I believe that Congress has the duty to reevaluate America's involvement. Notwithstanding that in a war that seems to have gotten bogged down, with very few signs of success. I believe that had we not taken our focus off Afghanistan in order to invade and occupy Iraq, we would not be in the situation we're in today. But pressing ahead without regard to our Nation's best interests and ignoring Congress' war powers prerogatives is the wrong course.
Let us be clear: We cannot tolerate the presence of terrorists seeking to harm our Nation anywhere in the world, but we must ask ourselves if long-term occupations are the correct answer to this threat. We must also be clear in our analysis of our situation in that country. We have a partnership with a government that seems to be increasingly unstable, corrupt and almost completely incapable of maintaining control over vast stretches of the country.

We seem unable to eradicate the Taliban enemy. They scatter before our troops into lawless regions and then return once our troops leave. Without an effective government in Afghanistan, it’s hard to think this matter can be resolved, as the local population cannot count on the Taliban ever being gone for good.

This is a costly war without an end in sight. It’s a costly war to our brave soldiers and to their families. It is costly because resources desperately needed to feed the hungry, to find a way forward on health care reform, and to fix our failing schools are being redirected to an effort whose success is questionable.

Here at home, we have had precious little debate over this war. We have seen our troops’ numbers rise to above those in Iraq, and yet we have no real benchmarks or goals after which we can leave. We continue to spend massive amounts of money to maintain the occupation of both countries; and worst of all, we ask our brave men and women in uniform to continue to sacrifice their lives and bodies for this war without our Nation sacrificing similarly. The least we can do to honor their service is to debate and vote properly on this floor and to ensure that our Nation is not sending them into battle without careful thought and reflection.

Let me conclude by saying that I am from New York City, the place where 9/11 took place; and so I know firsthand the debates about this caused by my own community. Although I supported the effort to confront bin Laden and the perpetrators of that act, I cannot now, 9 years later, agree to an effort which has moved in a different direction with different goals.

To the gentleman from Ohio (Mr. KUCINICH), I commend you for raising this painful subject and allowing our Chamber to engage in an honest and open debate. Your courage is beyond anything that other Members can ever think of. Our troops and our Nation deserve no less, and you’ve given us the chance to debate this, and I thank you.

Ms. ROS-LEHTINEN. Madam Speaker, I rise in opposition from New Jersey (Mr. FRELINGHUYSEN), the ranking Republican member on the Appropriations Subcommittee on Energy and Water Development.

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

Mr. FRELINGHUYSEN. I rise in opposition to the resolution.

My colleagues, this is clearly the wrong resolution offered at precisely the wrong time. Can you imagine being a soldier in Afghanistan hearing of this resolution? Instead of debating a withdrawal from Afghanistan, we should be adopting a resolution praising the all-volunteers of our Armed Forces and their families for their courage, dedicated service, and their continuing sacrifice in the name of protecting Americans everywhere.

Our Nation’s Commander in Chief, our President, McChrystal’s counterinsurgency strategy, that was an important step towards stabilizing Afghanistan. As the President’s reinforcemen of our military and civilians, the so-called surge, helps achieve that objective and does provide additional security. The reinforcements have worked. There is success in Afghanistan. Our troops deserve support, and this resolution deserves to be soundly defeated.

I concur with the administration’s decision to support General Stanley McChrystal’s counterinsurgency strategy. That was an important step towards stabilizing Afghanistan. The President’s reinforcemen of our military and civilians, the so-called surge, helps achieve that objective and does provide additional security. The reinforcements have worked. There is success in Afghanistan. Our troops deserve support, and this resolution deserves to be soundly defeated.

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

One of the things that really doesn’t often get discussion here on this floor with respect to a war is the specifics about how it affects people back home. And because I come from Cleveland, I just want to share with you some things just about my community.

Cleveland, as some of you may know, was the epicenter of the subprime mortgage crisis; foreclosures descended on neighbors in our community and were able to take people into contracts that eventually led them into foreclosure and losing their homes.

Now, I don’t think that even the most powerful camera would be able to pick up the sea of red dots across our metropolitan area that represents foreclosures, but you get an idea that other Members can of ever think of. Our troops and our Nation deserve no less, and you’ve given us the chance to debate this, and I thank you.

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And they go on to say. Here’s what that money could have been spent for instead. It could have been used to provide 209,812 people with health care for 1 year. Or it could have been used to provide 13,404 public safety officers for 1 year; 9,063 teachers for 1 year, or 68,299 scholarships for university students for 1 year. Or it could have been spent for 106,658 students receiving Pell grants of $3,550. Or it could have been spent to provide for 5,521 affordable housing units. It could have been spent for providing 355,972 children with health care for 1 year, or 92,161 Head Start places for children for 1 year, or 662,950 homes with renewable electricity for 1 year.

When we spend money on wars and we spend money expanding the budget for military spending, we may say we are making things safer at home, but there is plenty of evidence to suggest that the shift in allocation of funds and the shift for spending towards wars, wars that are off-budget for quite a while, have put our country in a position where we are not really able to meet our needs.

When you look at this, this is from the Friends Committee on National Legislation, they say for each dollar of Federal income tax we paid in 2009, the government spent about 33 cents for Pentagon spending for current and past wars; 27 cents supporting the economy, which is the recovery and the bailouts; 17 cents for health care; 11 cents responding to poverty; 9 cents for general government, and of that 7 cents goes for interest on the public debt; 2 cents for energy, science and environment; and a penny of the Federal dollar for diplomacy, development, and war prevention.

We are setting our priorities here constantly. When we remain silent about war spending, we actually have put ourselves in a position where we go headlong. And the headlong momentum that occurs from being silent about a war just carries us into all these reshaped priorities, whether we realize it or not. That is why I have asked this resolution to be brought forth, so we could talk about this.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON), the ranking member of the Appropriations Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies.

Mr. KINGSTON. Madam Speaker, I rise in opposition to this resolution, but I do appreciate Mr. KUCINICH for bringing it up. And I think it is proper to debate this. I am a member of the Appropriations Committee. And many years ago in committee we voted to support the Skaggs amendment to an energy bill that put the war powers in effect during the Clinton administration, but I don’t remember what the
skirmish was. So I think it is appropriate for us to debate this. However, I think the timing is not exactly optimal, particularly with troops in the field.

I also want to point out that it does appear to me that if the Democrat leadership was serious about this, they would have allowed hearings in the committee, and they should have had a committee vote rather than just put it on the House floor. But I am glad that you brought it up and I know your absolute sincerity in this.

I also want to point out to you, as somebody who voted “no” on the litany I am about to give on spending, that this has been going on for money, perhaps in May of ’08 we should not have passed a stimulus program of $168 billion; in July of 2008, a $200 billion bailout of Fannie Mae; in August ’08, $85 billion by the Federal Reserve for AIG, which is now up to $140 billion; and in November of ’08, $700 billion for the TARP bailout; and in January of ’09, $787 billion for a stimulus program which was designed to keep us from getting to 8 percent unemployment, and we are already at 10 percent employment. That was followed by a $410 billion omnibus spending bill. And then we had in December of ’09, a $165 billion jobs program. So we’re spending a lot of money. And there’s a lot of it out there.

But I would suggest if we’re looking for money, what we need to do is get out of the bailout business, from General Motors to the banks. And I think we could find a lot of money on a bipartisan basis. And I know the gentleman is one of the strongest critics of corporate welfare, and yet that is what we have spent 2 years doing. Democrats and Republicans alike. I won’t say it started with President Obama.

I do not want to say this about the troops in the field. And I do respect your support of troops. I just got back from Afghanistan. I was there Saturday, and I was in Pakistan Sunday, meeting with General Petraeus, meeting with our leadership on the ground over there. We do have a new strategy. It is shape, clear, hold, build, and transfer. And in our first muscle movement under this, as you know we went to Marja, we went to the Helmand Province, and we had a military victory. But rather than leave it there, we have now worked on a successful civilian transfer to make sure that the Afghans are ready to take on this new conquered territory.

Kandahar was briefed from the beginning on the battle for Marja. One-third of the troops were Afghans. They fought shoulder to shoulder with the coalition forces. The governor of the Helmand province was briefed. There is a network that is coming in there to crack down on the corruption in the Afghan police force, because that is one of the problems.

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

Ms. ROS-LEHTINEN. I am pleased to yield 30 additional seconds to the gentleman from Georgia.

Mr. KUCINICH. I thank the gentleman.

Thirdly, we now have an engaged coalition. One hundred forty-seven thousand troops have closed off the safe havens the Taliban has been running to in an attempt to prolong the fight. Things are happening. And while I support the gentleman’s concept of making sure the War Powers Act is followed, I think the timing is poor. So I will not support it at this time because of the progress on the ground, because of the troops that are on the ground.

But again, I want to congratulate the gentleman in his strong conviction of this. I do think it is something that we in Congress need to look at. We need to look at it carefully. I hope that the committee will have some hearings on this. And I hope that we might have some regular order and have an opportunity for the minority party to maybe even offer an amendment or a motion to recommit or something like that that I think would be very beneficial for us to have this national debate.

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

I want to thank the gentleman from Georgia and the collegiate maven in which he has appeared in this debate, and also to suggest that I think that while this is a very emotional matter, that it is possible for us to talk about it in terms that are clear and logical. I also want to say to my friend that I think he probably joined you in voting against the Wall Street bailouts. That was the fiscal conservative in me.

I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. I thank the gentleman from Ohio for bringing this resolution.

I think it is high time that we actually had this debate here in Congress. While it may seem untimely, there is never enough time to have a debate about the way in which this 21st century war and peace should be engaged in, and not just the actions of any President.

I want to also join with my colleagues in expressing my support for the men and women who serve this Nation. And as a daughter of one who served through Korea and Vietnam and subsequently, you couldn’t find a stronger supporter of our servicemen and women. So I would hope that on both sides of the aisle that we don’t confuse our policy and about a resolution with support for our men and women in uniform. Because that would be unfortunate for them and it would be disrespectful of us.

I believe that this Congress has an obligation to send a strong message to the White House that the war must come to an end. And as others have pointed out, we began this war effort to fight al Qaeda following the tragedy of September 2001. But as National Security Adviser Jim Jones has told us, these al Qaeda are independent of Afghanistan. Who are we fighting? Well, now we are fighting the Taliban. And that just shows you that over the course of this time, this war and its mission and its goals have morphed and morphed to the point that we find ourselves in now.

I have no doubt that our well-trained and brave and dedicated Armed Forces will continue to be victorious on the field of battle. I am humbled by their heroism. But bringing this war to Afghanistan can only happen by rebuilding a truly functioning civil society—forget that, building a truly functional civil society, something that Afghanistan has not had the privilege to enjoy. This won’t come by itself.

The question remains really as to the future capacity of Afghanistan’s military and government to do what is required of them to build their country. We really have little evidence, if any, that this outcome is likely given the levels of corruption in the existing Karzai government that continue as well as the intertribal violence that also changes over time.

I am struck, there was a Time magazine article just this past week on the Taliban, on the fighting in Marja, and the limited success, the success that our NATO forces are having. But as was pointed out there, the take and hold and build strategy only happens if you really can transfer. And it is the transfer that I am concerned about. It is the transfer that actually endangers our troops to the point where we may transfer at one point and then have to go back and start the fight over again because that is the nature of the battle in Afghanistan.

Even more troubling is that Afghanistan shouldn’t be our top national security priority.

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

Mr. KUCINICH. I yield the gentleman an additional 1 minute.

Ms. EDWARDS of Maryland. Our military risk their lives and our Nation spends resources in a country that has so little hope of future success, that international terrorism actually flourishes in so many countries. Estimates are that this kind of terrorism actually flourishes in about 70 countries. And yet we are so heavily invested in Afghanistan that it leaves us little time, opportunity, or resources to really finish the battle that needs to happen. By focusing our military and our energy and our treasury on Afghanistan, we are really operating under the inaccurate Bush era philosophy that the threat we face is both well-organized, centralized, and advanced.

We know that violent fundamentalism often operates with little centralization and little organization. It is part of the reason that it can be so successful. This war is a constant reminder that our response to the quickly evolving threat of international terrorism must be dynamic. And this war and look for ways to more effectively disrupt violent plots to protect our citizens, our national security, our
safety and security, and to build nations in a way that they respect pro-
cesses and people.

Mr. Berman. Madam Speaker, first I would like to yield to the end of the ranking member’s time an additional 5 minutes from our time on the assumption that 5 minutes will be given to someone from California.

The SPEAKER pro tempore. Without objection, the gentlewoman from Florida will control 5 additional minutes.

There was no objection.

Mr. Berman. Second, I would like to now yield 3 minutes to the gentle-
man from Ohio (Mr. Boccieri), one of only two Members of this body who actually have been deployed in our uniformed services in Afghanistan.

Mr. Boccieri. Madam Speaker, as Chairman Berman has said, I am one of very few Members who have served in Afghanistan. I remember serving on the ground there as I was deployed as a tactics officer in Operation Wildfire Sentinel. As a C-130 pilot, they sent some forward-deployed troops there to make sure that our troops got the right supplies, and that the missions that we were doing were safe, and that our crews would come home very honorably and soon.

I have to tell you that I remember that day walking to the chow hall. I had my 9-millimeter strapped to my side, walking in my uniform. And there were soldiers gathered along the streets. Wherever I went, I kind of peaked my head around, and then a Humvee drove by with the flag on it. And everybody was standing at perfect attention. I was asking somebody what that was. And they said, well, that was one of the soldiers who had recently been killed in action, and he is on his journey back to the United States.

I began to think about that soldier. Who were they? What branch of service were they in? How did they meet their fate? Did they know after C-130 pilots would load them, cargos and troops on that very geographic spot, if they knew that they were going to fly home that way. And I remember that anonymous soldier because the mission that we have there is very im-
portant.

Mr. Berman. Madam Speaker, first, I would like to yield the gentleman an additional minute.

Mr. Boccieri. This means that the Afghan Government needs to be fully functional, standing on its own with an army and police force capable of de-
defending the country and sealing the border with Pakistan; an economy that provides its citizens with an acceptable standard of living; and a reliable gov-
ernment and judicial structure that de-
livers critical services and enforces a uni-
form rule of law throughout the country.

Afghanistan needs civilian invest-
ments, comparable if not bigger than our military investment. While secur-
ing Afghanistan is important to our national security, our troops cannot do it alone.

It has been said that we need a for-
xign policy based on realism rather than idealism, and I concur with that.
That’s why I will not be supporting this resolution today. While I do sup-
port the gentleman’s efforts to have this discussion, we need to take a very long-term strategy and find out how we do bring our troops home safely, honor-
ably, and soon.

Mr. Fraser. Madam Speaker, I just would like to talk for a minute about the mission in the context of what is going on with the government in Kabul. The Washington Post did a story on February 25 which talks about "officials puzzle over millions of dol-
ars leaving country, try by plane for Dubai." And I will include that for the

OFFICIALS PUZZLE OVER MILLIONS OF DOL-
LARS LEAVING AFGHANISTAN BY PLANE FOR

DUBAI

KABUL.—A blizzard of bank notes is flying out of Afghanistan—often in full view of cus-
toms officers at the Kabul airport—as part of a cash exodus that is confounding U.S. offi-
cials and raising concerns about the money’s origin.

The cash, estimated to total well over $1 billion a year, flows mostly to the Persian Gulf emirate of Dubai, where many wealthy Afghans now park their families and funds, according to U.S. and Dubai officials. So long as departing cash is declared at the air-
port here, its transfer is legal.

But at a time when the United States and its allies are spending billions of dollars to prop up the fragile government of President Hamid Karzai, the volume of the outflow has raised concerns that it may be di-
verted from aid. The U.S. Drug Enforcement Administration, for its part, is trying to fig-
ure out whether some of the money comes from Afghanistan’s opium trade. And officials in neighboring Pakistan think that at least some of the cash leaving Kabul has been smuggled overland from Pakistan.

“All this money magically appears from nowhere,” said a U.S. official who monitors Afghanistan’s growing role as a hub for cash transfers to Dubai, which has six flights a day into and from Kabul.

Meanwhile, the United States is stepping up efforts to stop money flow in the other di-
rection—into Afghanistan and Pakistan in support of al-Qaeda and Taliban. Senior Treasury Department officials visited Kabul this month to discuss the cash flows and other issues relating to this country’s infant, often chaotic, financial system.

Tracking Afghan exchanges has long been made difficult by the widespread use of tra-
ditional money-moving outfits, known as "hawalas," which keep few records. The Af-
ghan central bank, supported by U.S. Treas-
ury advisers, is trying to get a grip on them by shutting their operations.

In the meantime, the money continues to flow. Cash declaration forms filled at Kabul International Airport and reviewed by The Washington Post show that Afghan pas-
sengers took more than $180 million to Dubai during a two-month period starting in July. If that rate held for the entire year, the amount of cash that left Afghanistan in 2009 would have far exceeded the country’s an-
nual tax and other domestic revenue of about $875 million.

The declaration forms highlight the promi-
ent and often opaque role played by hawalas. Asked to identify the “source of funds” in forms issued by the Afghan central bank, cashier couriers often put down the name of the same Kabul hawala, an outfit called New Ansari Exchange.

Early last month, Afghan police and intel-
ligence officers raided New Ansari’s office in Kabul’s bazaar district, carting away docu-
ments and computers, said Afghan bankers familiar with the operation. U.S. officials de-
clined comment or criticized the raid. New Ansari Exchange, which is affiliated with a licensed Afghan bank, closed for a day or so but was soon up and running again.

The total volume of departing cash is almost certainly much higher than the de-
declared amount. A Chinese man, for instance, was arrested recently at the Kabul airport carrying 800,000 undeclared euros (about $1.1 million).

The cash can be moved easily through a VIP section at the airport, from which Af-
ghan officials generally leave without being searched. American officials said that they repeatedly raise the question of special treatment for VIPs at the Kabul airport with the Afghan government but that they have made no headway.

One U.S. official said he had been told by a senior Dubai police officer that an Afghan diplomat flew in to the emirate’s airport last
year with more than $2 million worth of euros in undeclared cash. The Afghan consil general in Dubai, Haji Rashooud Mohammadi, said in a telephone interview that Kabul Bank had no knowledge of any such incidents.

The high volume of cash passing through Kabul’s airport first came to light last summer when British company Global Strategies Group, which has an airport security contract, started filing reports on the money transfers at the request of Afghanistan’s National Directorate of Security, the domestic intelligence agency. The country’s notoriously corrupt police force, however, complained about this arrangement, and Global stopped its reporting in September, according to a person familiar with that matter.

Afghan bankers interviewed in Kabul said that much of the money that does get declared belongs to traders who want to buy goods in Dubai but want to avoid the fees, delays and paperwork that result from conventional wire transfers.

The cash flown out of Kabul includes a wide range of foreign currencies. Most is in U.S. dollars, euros and to a lesser extent used in Afghanistan.

Last month, a well-dressed Afghan man en route to Dubai was found carrying three briefcases stuffed with $3 million in U.S. currency called Shaheen Exchange, which is owned by Kabul Bank’s founder to individual friends, according to an American official who was present when the notes were counted. A few days later, the same man was back at the Kabul airport, on route to Dubai again, with about $5 million in U.S. and Saudi bank notes.

One theory is that some of the Arab nation’s elite are using funds from Saudi donations that were supposed to go to mosques and other projects in Afghanistan and Pakistan. But, the American official said, we “don’t really know what’s going on.”

Efforts to figure out just how much money is leaving Afghanistan and why have been hampered by a lack of cooperation from Dubai, charitably, “crony capitalism.” In fact, the Washington Post printed an article on February 22, entitled “In Afghan, Signs of Crony Capitalism,” and I include this for the RECORD. (From the Washington Post, Feb. 22, 2010)

In Afghanistan, Signs of Crony Capitalism

(By Andrew Higgins)

KABUL — Afghanistan’s newest private bank — founded by the Islamic nation’s only world-class poker player — celebrated its fifth year in business last year with a lottery for depositors at Paris Palace, a Kabul wedding hall.

Prizes awarded by Kabul Bank included nine apartments in the Afghan capital and cash prizes, worth more than $1 million. The bank trumpeted the event as the biggest prize drawing of its kind in Central Asia.

Less publicly, Kabul Bank’s boss has been historic. The bank’s founder and chairman, Sherkhan Farnood, said in an interview that although he is an American and why, according to data from the Persian Gulf emirate’s Land Department, many of the villa’s names have been changed. “People don’t want to reveal their names.”

Afghan laws prohibit hidden overseas lending and require strict accounting of all transactions. But those involved in the Dubai loans, including Kabul Bank’s owners, said the cozy flow of cash is not unusual or illegal in a deeply traditional system under-plotted progress on late battles than a few others.

The curious role played by the bank and its unorthodox owners has not previously been reported. The bank’s own registration data; public records; and interviews in Kabul, Dubai, Abu Dhabi and Moscow.

Many of those involved appear to have gone to considerable lengths to conceal the benefits they have received from Kabul Bank or its owners. Karzai’s eldest brother and his former vice president, for example, both have Dubai villas registered under Farnood’s name. Kabul Bank’s executives said their bank partners have at least $150 million in registered property in Dubai, including home purchases by Karzai’s cousin and the brother of Moham.

Dubai’s financial problems, said a U.S. official, lack political clout. The country’s notorious half-hearted police force, however, dissatisfaction with the police that some.

The result is that, while anchoring a free-market order as Washington had hoped, financial institutions here sometimes serve as pigs banks for their owners and their political friends. Kabul Bank, for example, helps bankroll a money-lending airline owned by Farnood and fellow bank shareholders that flies three times a day between Kabul and Dubai.

Kabul Bank’s executives helped finance President Hamid Karzai’s fraud-blighted election campaign last year, and the bank is partly owned by Mahmoud Karzai, the Af.

A review of Dubai property data and interviews with current and former executives of Kabul Bank indicate that Farnood and his bank partners have at least $150 million invested in Dubai real estate. Most of their property is on Palm Jumeirah, a man-made island in the shape of a palm tree where the cheapest house costs more than $2 million. Mirwais Azizi, an estranged business associate of Farnood and the founder of the rival Azizi Bank in Kabul, has also invested heavily in Dubai property: He can easily repossess if borrowers run short on cash. A review of Dubai property data and interviews with current and former executives of Kabul Bank indicate that Farnood and his bank partners have at least $150 million invested in Dubai real estate. Most of their property is on Palm Jumeirah, a man-made island in the shape of a palm tree where the cheapest house costs more than $2 million.

Karzai’s family, his government and his sup.

Responsibility for bank supervision in Af.

The central bank’s governor, Abdul Qadir Farnood, including home purchases by Karzai’s cousin and the brother of Moham.

Kabul Bank’s dealings with Mahmoud Karzai, the president’s brother, help explain the money flows into the hands of a tiny minority — some of it through legitimate profits, some of it through kickbacks and insider dealings. The central bank is now the central bank’s President Hamid Karzai’s fraud-blighted election campaign last year, and the bank is partly owned by Mahmoud Karzai, the Afghan president’s older brother, and Haseen Fahim, the brother of Karzai’s vice presidential running mate.

Farnood, who now spends most of his time in Kabul, said he wants to do business in a “normal way” and does not receive favors as a result of his official contacts. He said that putting properties in his name means his bank’s money is safe despite the claims that it is tied to the Dubai property market: He can easily repossess if borrowers run short on cash. A review of Dubai property data and interviews with current and former executives of Kabul Bank indicate that Farnood and his bank partners have at least $150 million invested in Dubai real estate. Most of their property is on Palm Jumeirah, a man-made island in the shape of a palm tree where the cheapest house costs more than $2 million.

Mirwais Azizi, an estranged business associate of Farnood and the founder of the rival Azizi Bank in Kabul, has also poured money into Dubai real estate, with even more unorthodox results. A Dubai real estate developer, Azizi Investments, has invested heavily in Dubai property, he can easily repossess if borrowers run short on cash. A review of Dubai property data and interviews with current and former executives of Kabul Bank indicate that Farnood and his bank partners have at least $150 million invested in Dubai real estate. Most of their property is on Palm Jumeirah, a man-made island in the shape of a palm tree where the cheapest house costs more than $2 million.

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borrowing, he said, is unavoidable and even desirable in Afghanistan because, in the absence of a solid legal system, business revolves around trust, not formal contracts. "Afghanistan is not America or Europe. Afghanistan has to work within the existing rules and regulations,"said Delawari, who didn't know about any property deals by Kabul Bank in Dubai. He said that he, too, bought a house in the emirate for about $200,000.

Farnood said he also provided a "little bit" of money to help Hashim Karzai buy a house on Palm Jumeirah in Dubai. Karzai, in brief telephone interviews, said that the property was an investment and that he had borrowed some money from Farnood. He said he couldn't recall details and would "have to check with my former banker." Noor Delawari, governor of the central bank during Kabul Bank's rise, said Farnood and his lieutenants "were like wild horses" that served the "needs of the rules and regulations." Delawari said he didn't know about any property deals by Kabul Bank in Dubai. He said that he, too, bought a house in the emirate for $200,000.

Fritat, the current central bank governor, has tried to take a tougher line against Afghan money sloshes through the bank, an unusual arrangement, as governments generally don't pump so much through a single private bank.

One of the banks is also spending millions to hire gunmen from a company called Khurasan Security Services, which, according to registration documents, is used to control Fruzi's brother's business.


In an interview at Kabul Bank's headquarters, Khallullah Fruzi, who as chief executive has day-to-day operations, said he didn't know how much bank money has ended up in Dubai. If Karzai's relatives and others buy homes "in Dubai, or Germany, or even Russia that is their private affair," Fruzi said, adding that the bank "doesn't give loans directly for Dubai." Fruzi, a former gem trader, said Kabul Bank is in robust health, makes a profit and is "very peculiar situation. It is hard to comprehend because this is not the usual way of doing business," said Karzai, whose home is in Farnood's name. Karzai bought a 7.4 percent stake in the bank with $5 million he borrowed from the bank. But Gopalakrishnan, the chief audit officer, said Kabul Bank's books include no loans to the president's brother.

Also in a Palm Jumeirah villa registered in Farnood's name is the family of Ahmad Zia Massoud, Afghanistan's first vice president from 2001 until last November. The house, bought in December 2007 for $2.3 million, was first put in the name of Massoud's wife but was later re-registered to give Farnood formal ownership, property records indicate. Massoud, brother of the legendary anti-Soviet guerrilla leader Ahmad Shah Massoud, said that Farnood had always been the owner but let his family use it rent-free for the past two years because he is "my close friend." Massoud added: "We have played football together. We have played chess together." Farnood, however, said that though the "villa is in my name," it belongs to Massoud "in reality." Haseen Fahim, the brother of Afghanistan's current first vice president, has been another beneficiary of Kabul Bank's largesse. Farnood's Dubai-registered hawala, or unofficial bank, "gave him a way of doing business," said Karzai, whose cousin was the former central bank governor. Before last year's presidential election, the bank's central bank governor, Noor Delawari, was re-registered to give Farnood for-}
Flash forward to 2009, and Afghanistan is ruled by Popal's cousin President Hamid Karzai. Popal has cut his huge beard down to a virtual carnival from Kabul to Kandahar, carrying American supplies. What NCL Holdings is most notorious for in Kabul contracting circles, though, is the extortion fees it charges. Where you don't pay the people in the local areas—some are warlords, some are politicians in the police force—to move your trucks through.

Hanna explained that the prices charged are different, depending on the route: "We're basically being extorted. Where you don't pay, you're going to get attacked. We just have to pay our way out of it, and they're going to charge you more. If you have fuel trucks, they are going to charge you more. If you have food, they are going to charge you as much. If you are carrying MRAPs or Humvees, they are going to charge you more."

Hanna says it is just a necessary evil. "If you tell me not to pay these insurgents in Afghanistan, I will not be able to do my job."
an Army veteran with years of Special Forces experience, and he’s not happy about what’s being done. He says that at a minimum American military forces should try to lead the way, or at least get who is getting paid off.

"Most escorting is done by the Taliban," an Afghan private security official told me. He’s a Pashto and former mujahedeen commander who has been on the front line of the military situation and the security industry. And he works with one of the trucking companies carrying US supplies. "Now the government is so weak," he said, "everyone is paying the Taliban.

To Afghan trucking officials, this is barely even newsworthy. One afternoon I met an extraordinary entrepreneur who had built up a trucking business in this male-dominated field. She told me the security of the hired dealers directly with Taliban leaders in the south. Paying the Taliban leaders meant they would send along an escort to ensure that no other insurgents would attack. In fact, she said, they just needed two armed Taliban vehicles. "Two Taliban is enough," she told me. "One in the front and one in the back." She shrugged off the work otherwise. Otherwise it is not possible.

Which leads us back to the case of Watan Risk, the firm run by Ahmad Rateb Popal and Rashid Popal, said retaining Karzai favorites and former drug dealers. Watan is known to control one key stretch of road that all the truckers use: the strategic route to Kandahar along Highway 1. "You drive directly to the road—to the south and to the west. If the Army wants to get supplies down to Helmand, for example, the trucks must make the Karzai's safe pathway. Watan Risk, according to seven different security and trucking company officials, is the sole provider of security along this stretch of highway. It is a dangerous business, of course: until recently there were hundreds of thousands of insurgents along the road.

It is certainly worth asking why NCL, a company with no known trucking experience, and little security experience to speak of, could win contracts worth $360 million. "Plenty of Afghan insiders are asking questions about the US government giving him a contract if he is the son of the minister," one security associate with Westerners. He commands a large group of irregular fighters with no known government affiliation, and his name, security officials tell me, inspires obedience or fear in villages along the road.

To underline the point: NCL, operating as the strategic route to Kandahar, is a US military company with no known trucking experience, and claims its personnel "are diligently making off insurgents? "The American soldier in Afghanistan, for example, the trucks must make the Karzai's safe pathway. Watan Risk, according to seven different security and trucking company officials, is the sole provider of security along this stretch of highway. It is a dangerous business, of course: until recently there were hundreds of thousands of insurgents along the road.

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Mr. FARR. Madam Speaker, I rise to oppose this resolution, which would urge the withdrawal of American troops from Afghanistan, in my opinion, at great cost to America's security and, indeed, the Afghan people. But I want to rise as well to thank my friend, the gentleman from Ohio (Mr. KUCINICH), with whom I work closely. This issue needs to be debated. This issue needs to be raised. The American people have a right to have us debate this issue.

□ 1715

Their young men and young women are in harm's way. They are in harm’s way at our insistence, or at least at our sufferance. So it is right to have this debate. And while I disagree with the President, I appreciate the fact that he provides this opportunity to discuss this very, very important issue.

Madam Speaker, after years in which Afghanistan was a secondary concern, in my view, President Obama has set our policy on a new course which is already showing significant results. I believe that this is not the time to change that policy.

There is vast agreement that an indefinite presence in Afghanistan or Iraq is unacceptable. In Iraq we have reached the transition point of handing over responsibility to the central Government to take care of its own people. We see positive signs, such as the recent Iraqi election in which 62 percent of the voters turned out in the face of terrorist violence. Was it perfect? It was not. Are there concerns yet about who could run and who could not? There are, but appropriate appreciates. But nevertheless, we see progress. Given the increasing stability of the Iraqi Government, President Obama is proceeding with responsible troop withdrawals. Today, 96,000 American troops remain, down from 140,000 troops, and calculated and careful drawdowns continue. All American combat troops are set to leave Iraq by the end of August.

At the same time, the President conducted a comprehensive reevaluation of our Afghanistan policy, one in which all viewpoints were heard. Some thought it took too long; some of us believed it was a careful, thoughtful, and correct attention to an important decision.

The Obama administration came to the conclusion that a failed Afghanistan was the launching pad for terrorist attacks that killed thousands of Americans as well as a source of recruitment and calculated and careful drawdowns continue. All American combat troops are set to leave Iraq by the end of August.

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This is not a war we fight alone. Our allies understand that the threat of terrorism affects us all and have pitched in accordingly. Since the President's December 1 speech announcing his new policy, we have seen a sharp increase in international cooperation with our allies, pledging approximately 10,000 additional troops and more military trainers.

Our new Afghan strategy has already seen increased international cooperation in Pakistan, which demonstrates that this resolution is especially ill-timed. Among the highlights of that success have been the capture of Mullah Baradar, the second-highest ranking member of the Taliban, and most significant Taliban capture since the beginning of the war, and Mullah Abdul Kabir, a senior Taliban leader. Both were captured in Pakistan, which illustrates increased cooperation from the Pakistanis. As The Washington Post put it on February 23, “Pakistanis security forces have hunted or turned a blind eye to Afghan Taliban members seeking sanctuary in Pakistan. The recent arrests seem to mark a change in that attitude.” Clearly, success in Afghanistan will be posited on the success of those in Pakistan to act against sanctuaries. At the same time, the leadership of al Qaeda and Taliban has been severely damaged through strikes in Pakistan. And the new counterr insurgency strategy has been put to work in Marjah. The constant disappointment in Helmand province, where American, coalition, and Afghan troops have worked and fought successfully together to strengthen the central Government against Taliban fighters.

Let me begin by noting that the gentleman has made some comments about the Afghan central Government. All of us share the gentleman’s concerns about the central Government. These are concerns that are properly raised and need to be addressed. There is no disputing that years of war against the Taliban and terrorists have imposed a heavy cost on the Afghan people. Despite those heavy costs, the Afghan people support the coalition’s continued presence in their country, perhaps because they know that reprisals from an unchecked Taliban would be fierce and unforgiving. In fact, our failure to follow through when the Soviets withdrew resulted, very frankly, in the Taliban’s resurgence.

According to a recent poll conducted by the BBC, ABC, and German television, 68 percent of Afghans want American troops to stay in their country and 62 percent of Afghans believe their country is headed in the right direction, compared to just 30 percent last spring. Just since last spring, we have seen almost a doubling of the view that Afghanistan is heading in the right direction on behalf of Afghan citizens.

Madam Speaker, there is no question that our strategy in Afghanistan and Pakistan has suffered from neglect, poor planning, and minimal diplomacy, but passing this resolution would show that we’ve learned the wrong lessons from those years of relative neglect. Abandoning Afghanistan just when a new strategy and new leadership has begun to bear fruit would be a mistake. And although I appreciate the gentleman’s leadership and incisive analysis, which bears listening to, on this issue we disagree.

I would urge, therefore, my colleagues to vote “no” on the resolution before us.

Mr. KUCINICH. I want to thank our majority leader for his participation and also for his cooperation in ensuring that this debate could happen. You and our Speaker and Mr. Berman are appreciated for your willingness to provide for this moment to happen so that the House could be heard from, so thank you.

I would ask, Madam Speaker, how much time remains in the debate? I am sure we’re winding down here.

The SPEAKER pro tempore. The gentleman from Ohio has 13½ minutes remaining. The gentleman from California has 9 minutes remaining. And the gentleman from Florida has 5 minutes remaining.

Mr. KUCINICH. I yield myself 3 minutes.

One of the areas of concern that I have about the presence in Afghanistan is that I haven’t heard much discussion that much deals with the role of oil and gas, particularly in Afghanistan. Paul Craig Roberts, who was an Assistant Secretary of Treasury under the Reagan administration, reported in November of last year on a former British ambassador to Uzbekistan, Craig Murray, who was fired from his job when he spoke out about documents he saw “proving that the motivation for U.S. and U.K. military aggression in Afghanistan is not to do with the natural gas deposits in Uzbekistan and Turkmenistan.” He continues, and these are his words, “The Americans wanted a pipeline that bypassed Russia and Iran and went through Afghanistan. To ensure this, an invasion was necessary.” I did some additional research on that and I found an article by Craig Murray where he claims that Mr. Karzai “was put in place because of his role with Unocal in developing the Trans-Afghanistan Gas Pipeline project. That remains a chief strategic goal. The Asian Development Bank has agreed finance to start construction in spring 2011. It is of course a total coincidence that 30,000 extra US troops will arrive six months before, and that the US (as opposed to other NATO forces) deployment area corresponds with the pipeline route.”

I have a map of the pipeline. It’s probably not easy viewable, but it starts on the west in Turkmenistan, goes through Afghanistan, south to Pakistan and India, and it touches near both Helmand and Kandahar province, which is exactly where our troop build-up is occurring. I will put this article by Mr. Murray into the RECORD.

OBAMA IS WRONG ON BOTH COUNTS

(By Craig Murray)

Obama loves his rhetoric, and his speech on the Afghan surge was topped by a rhetorical flourish: “Our cause is just, our resolve unshaken”. He is of course wrong on both counts, the occupation of a Muslim country by the US and its allies is there to prop up the government of President Karzai. Karzai’s has always been an ultra-corrupt government of vulture warlords and as the CIA have been pointing this out for years, http://www.dailymail.co.uk/news/article-469983/Britain-protecting-biggest-heroin-crop.html#ixzz0VS78HVR1

The CIA is up to its usual tricks again supporting the drug running of key warlords loyal to them. They are also setting up death squads on the Central American model, in cooperation with Blackwater. Fortunately Karzai’s rigging of his re-election was so blatant that the scales have fallen from the eyes of the public and even the mainstream media. Politicians no longer pretend we are promoting democracy in Afghanistan.

Karzai comes directly from the Bush camp and was put in place because of his role with Unocal in developing the Trans Afghanistan Gas Pipeline project. That remains a chief strategic goal. The Asian Development Bank has agreed finance to start construction in spring 2011. It is of course a total coincidence that 30,000 extra US troops will arrive six months before, and that the US (as opposed to other NATO forces) deployment area corresponds with the pipeline route. Nonetheless, Obama claims that the US is just “ultimately rests on the extraordinary claim that, eight years after the invasion, we are still there in self-defense. In both the UK and US, governments are relying on the mantra that the occupation of Afghanistan protects us from terrorism at home.”

This is utter nonsense. The large majority of post 9/11 terror incidents have been by Western Muslims outraged by our invasion of Afghanistan and Iraq. Put bluntly, if we keep invading Muslim countries, of course we will face a violent reaction to the idea that because we occupy Afghanistan a Muslim from Dewsbury or Detroit disenchanted with the West would not be able to manufacture a bomb. We should be working on an infinitely better strategy to make out theoretical Muslim less disenchant with not attacking and killing huge numbers of his civilian co-religionists.

Our cause is unjust. We are responsible for the deaths of tens of thousands of civilians in Afghanistan and Pakistan. It is a direct result of radicalisation of Muslim communities worldwide. That threatens a perpetual war—which is of course just what the military-industrial complex and the arms industry want. They have captured Obama.

Fortunately, our resolve is shaken. The ordinary people of the UK and US have begun in sufficient numbers to see through this perpetual war confidence trick: they realise there is nothing in it for them but dead youngsters and high taxes. That is why Obama made a very vague promise—which I believe in its vagueness and caveats to be deliberate deceit—that those troops will start to leave in 2011.

Today’s promises of 5,000 additional NATO troops are, incidentally, empty rhetoric. I gather from friends in the FCO that this plan goes to date amount.

A well-placed source close to the Taliban in Pakistan tells me that the Afghan Taliban
and their tribal allies have a plan. As the US seeks massively to expand the Afghan forces, they are feeding in large numbers of volunteers. I suspect that while we may see the odd attempt on their trainers, the vast majority will get trained, fed, paid and equipped and bide their time before turning en masse. This is nothing new; it is precisely the history of US military interventions in the region and the purchase of tribal auxiliaries and alliances.

I will also have this article called “Unocal and the Afghanistan Pipeline” submitted in the RECORD because he talks about how “Unocal was not interested in a partnership, but a key component of a broader geostrategic agenda: total military and economic control of Eurasia.” This is supposedly described in Zhigmiew Brzezinski’s book, “The Grand Chessboard: American Primacy and Its Geostategic Imperatives” as “the center of world power.” Capturing the region’s oil wealth and creating a security barrier in order to build a network of transit routes was a primary objective of U.S. military interventions throughout the 1990s in the Balkans, the Caucasus, and Caspian Sea.

As of 1992, six transnational oil companies controlled more than 50 percent of all oil investments in the Caspian Basin, including Unocal, Amoco, Atlantic Richfield, Chevron, ExxonMobil, Texaco, Phillips and British Petroleum.

In “Taliban: Militant Islam, Oil and Fundamentalism in Central Asia” (a definitive work that is cited in this report), Ahmed Rashid wrote, “US oil companies who had spearheaded the first US forays into the region, wanted a greater say in US policy making.”

Business and policy planning groups active in Central Asia, such as the Foreign Oil Companies Group (FOCG) with full support of the US State Department, the National Security Council, the CIA and the Department of Energy and Commerce. Among the most active operators for US efforts: Brzezinski (a consultant to Amoco, and architect of the Afghan-Soviet war of the 1980s), Henry Kissinger (advisor to Unocal and Alcoa oil and gas in Laos, Tibet, Turkmenistan and Dick Cheney (Hali burton, US-Azerbaijan Chamber of Commerce).

Unocal’s Central Asia envoy consisted of former US defense and intelligence officials. Robert Oakley, the former US ambassador to Pakistan and Afghanistan, a powerful US-backed consortium intent on building its own pipeline through the same Afghan corridor would oppose Bridas’ project.

The Coveted Trans-Afghan Route

Upon successfully negotiating leases to explore in Turkmenistan, Bridas was awarded exploration contracts for the Keimari block near the Caspian Sea, and the Yasirb block near the border. By May 1995, Bulgheroni had accords with Turkmenistan and Pakistan granting Bridas construction rights for a pipeline into Afghanistan, pending negotiations with the civil war-torn country.

The following year, after extensive meetings with warlords throughout Afghanistan, Bridas had a 30-year agreement with the Rabbani regime to build and operate an 875-mile gas pipeline across Afghanistan.

Bulgheroni believed that his pipeline would promote peace as well as material wealth in the region. He approached other companies, including Unocal and its then-CEO, Roger Beach, to join an international consortium.

Unocal was not interested in a partnership. The United States government, its affiliated...
By November 1996, Bridas claimed that it had an agreement signed by the Taliban and Dostum—trumping Unocal. The competition between Unocal and Bridas was described by Rashid, “... to reflect the competition within the Saudi Royal family.”

In 1997, Taliban officials traveled twice to Washington, D.C. and Buenos Aires to be wined and dined by Unocal and Bridas. No agreements were signed.

It appeared to Unocal that the Taliban was lacking in additional royalties, the Taliban demanded funding for infrastructure projects, including roads and power plants. The Taliban also announced plans to revive the Afghan gas pipeline. By breaking the contract with the Taliban, and UN sanctions were imposed.

Unocal withdrew from CentGas, and informed the State Department “the gas pipeline would not proceed until an internationally recognized government was in place in Afghanistan.” Unocal continued negotiations and off negotiations on the oil pipeline (a separate project), the lack of support from Washington hampered efforts.

Meanwhile, Unocal understood that it would not need to wait for resolution of political issues, and repeated its intention of moving forward with the Afghan gas pipeline project on its own. Pakistan, Turkmenistan and Afghanistan tried to push Saudi Arabia to proceed with CentGas (Delta of Saudi Arabia was now the leader). But war and US-Taliban tension made business impossible.

For the remainder of the Clinton presidency, there would be no official US or UN recognition of Afghanistan. And no progress on the pipeline.

Then George Walker Bush took the White House. The Mr. ROE-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. ROE), the ranking member of the Veterans’ Affairs Subcommittee on Oversight and Investigation. Mr. ROE of Tennessee. I thank the gentleman for yielding, and I rise in strong opposition to this resolution.

If passed, this would send a terrible message to our troops in harm’s way and only strengthen the enemy’s resolve to see us withdraw from Afghanistan. I have a plan for this or any other war in which I think we are tying the hands of our brave service members.

In my judgment, the strategy devised by our military leaders and being implemented by our Armed Forces is the correct one. I have always said I will support this military plan so long as we do not set arbitrary dates for withdrawal from the country, which will only set a target date for those who would try to kill our young men and women.

It is important that we do not forget why we are in Afghanistan. We are fighting this war because a previous Afghan regime allowed al-Qaeda, the terrorist group responsible for countless attacks around the globe, including the September 11 attacks against the United States, to operate freely within its borders. If the coalition forces leave, the Taliban could regain control of the country and once again provide safe havens for those who hate America and want to destroy our country.

Winning the war in Afghanistan will also help deter a radical Islamic government from taking over Pakistan, a country with over 15 nuclear weapons. It seems that in recent months, since our surge in force has begun, we have seen Pakistan become more willing to fight within its own borders. And while there is much work left to be done, there is no question that our more aggressive strategy against the enemy is having many positive results.

In April of 2009 I participated in a congressional delegation to visit Afghanistan to observe our operations firsthand. I can tell you without hesitation that we have every reason to be proud of our men and women serving in Afghanistan; they’re doing a great job. What they need now is support and a clear signal from Washington that the job they are accomplishing is appreciated and in our national interests. By soundly defeating this resolution I hope we will send such a message. And it is my hope and prayer that we never have to enter another war.

Mr. KUCINICH. Madam Speaker, I yield myself 2 minutes.

I would like to speak for a moment about civilian casualties in Afghanistan.

According to the United Nations, air strikes continue to be a leading cause of civilian casualties. Days into the Marjah military offensive, 12 Afghans were killed when two rockets fired by NATO forces hit the wrong house. Ten of the 12 Afghans killed were from the same family. U.S. military officials initially apologized for the death of the civilians, but later backtracked, claiming they were insurgents. An Italian aid group working at a hospital just outside of Marjah accused allied forces of blocking dozens of critically wounded citizens from receiving medical attention at the hospital. A February 21 NATO airstrike conducted by US Special Forces helicopters killed over 27 civilians and wounded dozens more after minibuses were hit by helicopters “patrolling the area hunting for insurgents who had escaped the NATO offensive in the Marjah area,” over 100 miles outside of Marjah in the southern province of Uruzgan.
I submit for the RECORD an article published in The Nation, written by journalist Anand Gopal, titled “America’s Secret Afghan Prisons,” which reveals the existence of secret detention facilities at Bagram.

The primarily raid and indiscriminate aerial bombings must stop. The alleged torture of Afghans who are accused of supporting the Taliban who are captured in such night raids and the slaughter of innocent civilians in drone attacks only serve to embolden popular support against the United States.

[From the Brookings Institution, Mar. 10, 2010]

DO TARGETED KILLINGS WORK?

[BY DANIEL L. BYMAN]

July 14, 2009 — Killing terrorist leaders is difficult, is often ineffective, and can easily backfire. Yet it is one of the United States’ few options for managing the threat posed by al Qaeda from its base in tribal Pakistan. By some estimates, U.S. drone attacks in Pakistan have killed dozens of lower-ranking and at least 10 mid- and high-ranking leaders from al Qaeda and the Taliban.

Critics correctly find many problems with this program, most of all the number of civilian casualties the strikes have incurred. Source data is weak and numbers are often exaggerated, but more than 600 civilians are likely to have died from the attacks. That number suggests that for every militant killed, 10 or so civilians also died.

To reduce casualties, superb intelligence is necessary. Operators must know not only where their targets are, but also who is with them and who might be within the blast radius. This level of surveillance may often be lacking, and terrorists’ deliberate use of children and other civilians as shields makes civilian deaths even more likely.

Beyond the humanitarian tragedy incurred, civilian deaths create dangerous political problems. Pakistan’s new democratic government is already unpopular for its corruption, favoritism, and poor governance. U.S. strikes that take a civilian toll are a political problem. While this process dismantles these havens. Plans are disrupted when individuals die or are wounded, as new people must be recruited and less experienced leaders take over. Perhaps most importantly, organizations fearing a strike must devote increased attention to their own security because anyombok in that danger. Cells or nodes that are no longer active, or that are deterred by an issue propaganda, they may be exposing themselves to a targeted attack.

The humanitarian and political risks, each of which must be carefully weighed, with the value of the target and the potential for innocent deaths factored into the equation. In addition, the broader political consequences must be evaluated. The same death toll can have vastly different political consequences depending on the context. But every important is the risk of not striking—and inadvertently allowing al Qaeda leaders free reign to plot terrorist mayhem.

We may not pretend the killings are anything but a flawed short-term expedient that at best reduces the al Qaeda threat—but by no means eliminates it. Even as U.S. strikes have increased stag-gering levels of terrorism as groups with few or limited links to al Qaeda have joined the fray. Al Qaeda itself can also itself carry out large-scale attacks in Europe and even the United States. Thanks to the drone strikes, they are just harder to pull off. The real answer to halting al Qaeda’s activities may be the long-term support of Pakistan’s counterinsurgency efforts. While this process unfolds, targeted killings are one of America’s few options left.

[From the Nation, Feb. 15, 2010]

AMERICA’S SECRET AFGHAN PRISONS

[By Anand Gopal]

One quiet, wintry night last year in the eastern Afghan town of Khost, a young government employee named Ismatullah simply vanished. He had last been seen in the town’s bazaar with a group of friends. Family members and ministers scoured Khost’s dusty streets for days. Village elders contacted Taliban command- mands in the area who were wont to kidnap government workers, but they had no idea who their clients were.

Qarar said. ’’Rahman couldn’t even leave the base in a neighboring province for interrogation. The foreign soldiers, most of them American forces released Rahman’s cousin. But Rahman has not been seen or heard from since.

’’We’ve called his phone, but it doesn’t answer,’’ said his cousin Qarar, the agriculture minister’s spokesman. Using his powerful connections, Qarar enlisted local police, parliamentarians, the governor and even the Afghan foreign minister to help find his cousin, but they turned up nothing. Gov-ernment officials who independently investi-gated the scene of the raid and corroborated the claims of the fam-ily also pressed for an answer as to why two of Qarar’s family members were killed. Qarar’s forces issued a statement saying that the dead were ‘’enemy militants [who] demonstrated hostile intent.’’

Weeks after the raid, the family remains bitter. ’’Everyone in the area knew we were a family that worked for the government,’’ Qarar said. ’’Rahman couldn’t even leave the city, because if the Taliban caught him in the countryside they would have killed him.’’

Beyond the question of Rahman’s guilt or innocence, it’s how he died that has left such a residue of hatred among his family. ’’Did they have to kill my cousins? Did they have to destroy our house?’’ Qarar asked. ’’They knew where Rahman worked. Couldn’t they have at least tried to come with a warrant in the daytime? We would have forced Rahman to comply.’’

But to go on TV and declare that people should support this government and the for-eigners,’’ he added. ’’But I was wrong. Why should anyone do so? I don’t care if I get fired for saying it, but it’s the truth.’’

THE DOGS OF WAR

Night raids are only the first step in the American detention process in Afghanistan.
Suspects are usually sent to one of a series of prisons on US military bases around the country. There are officially nine such jails, called Field Detention Sites in military parlance. Bagram is the smallest in the part of just a clutch of cells divided by plywood, and are mainly used for prisoner interrogations. In the early years of the war, these were but a way station in the en route to Bagram prison, a facility with a notorious reputation for abusive behavior. As a spot of international attention fell on Bagram, there was small improvement in how they cleaned up their act, and the mistreatment of prisoners began to shift to the little-noticed Field Detention Sites.

Of the former detainees interviewed for this article, seventeen claim to have been abused at or en route to these sites. Doctors, government officials, and the Afghan Independent Human Rights Commission, an independent Afghan body mandated by the Afghan Constitution to investigate abuse allegations, corroborate twelve of these claims.

One of these former detainees is Noor Agha Sher Khan, who used to be a police officer in Gardizi, a mud-caked town in the eastern part of Paktia. According to Sher Khan, American forces detained him in a night raid in 2003 and brought him to a Field Detention Site in Bagram. "They degraded me the whole night," he recalled, "but I had nothing to tell them." Sher Khan worked for a police commander whom US forces had suspected of aiding the Taliban. He was told he was not wanted in Afghanistan, and an American forces personnel had to escort him to the airport in the city to talk to him. That's where he was held in a windowless concrete room in an airport

In the dusty-swept province of Khost one day this past December, US forces launched a night raid on the village of Motali, killing six people and capturing nine, according to nearly a dozen local government authorities and witnesses. Two days later, the bodies of two of the accused were found on the other side of the country. They had traveled by foot for nearly a mile in the middle of the night, according to one of the attackers. The bodies were found with their hands bound behind their backs—and no evidence. But occasionally a body turns up. Such was the case at a detention site on a US military base in Helmand Province, where possessions wrote in the autobiography of a detainee who died in US custody last month as part of the Freedom of Information Act: "Death certificates have been written for bodies that now lie in the desert, to the lower torso and legs incapacitated by radionuclide release (release of toxic byproducts into the system due to destruction of muscle).

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The interrogators blindfolded him, taped his mouth shut and chained him to the ceiling, he alleges. Occasionally they unlocked a dog, which repeatedly bit him. At one point, he said, he was blindfolded and had his head forced to kneel on a long wooden bar. "They tied my hands to a pulley [above] and pushed me back and forth as the bar rolled across my shins," he screamed and screamed. They then pushed him to the ground and forced him to swallow twelve bottles of water. "Two people held my mouth open, and they poured water down my throat until my stomach was full and I became unconscious," he said. "It was as if someone had inflated me." After he was roused, he vomited uncontrollably.

This continued for a number of days. Sometimes he was hung upside down from the ceiling, other times he was blindfolded for extended periods. Eventually he was moved to Bagram, where the torture ceased. Four months later he was quietly released, with a letter of apology from US authorities for wrongfully imprisoning him.

An investigation of Sher Khan's case by the Afghan Independent Human Rights Commission and an independent doctor found that he had suffered extensive injuries as a result of the abusive treatment he alleges. American forces have declined to comment on the specifics of his case, but a spokesman said that some soldiers had been reprimanded for actions in this part of the country that had been given unspecified "administrative punishments." He added that "all detainees are treated humanely, except for 'incapacitation.'"

THE DISAPPEARED

Some of those taken to the Field Detention Sites are deemed innocuous and never sent to Bagram. Even then, some allege abuse. Noor Agha Ehsanullah, snatched one winter night in 2008 from his home in the southern province of Zabul, was taken to a detention site in Khost. After 200 miles away, his skin scarred by dog bites and with memory difficulties that, according to his doctor, resulted from a blow to the head. American forces had dropped him off at a gas station in Khost after three days of interrogation. It took him ten more days to find his way home.

Others taken to these sites seem to have disappeared entirely. The case of the rupees vandal of the Pashtun south, where rumors grow more abundantly than the most bountiful crop, locals whisper tales of people who were captured and then found nowhere more. But occasionally a body turns up. Such was the case at a detention site on a US military base in Helmand Province, where possessions wrote in the autobiography of a detainee who died in US custody last month as part of the Freedom of Information Act: "Death certificates have been written for bodies that now lie in the desert, to the lower torso and legs incapacitated by radionuclide release (release of toxic byproducts into the system due to destruction of muscle).

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Eventually Muhammad was released, but he has since closed his clinic and left his home village. “I am scared of the Americans and the Taliban,” he said. “I’m happy my father is dead, so he doesn’t have to experience this hell.”

AFRAID OF THE DARK

In the past two years American officials have moved to reform the main prison at Bagram near the city of Kabul. There raids stopped, and prison officials now boast that the typical inmate gains fifteen pounds while in custody. In the early months of this year, the US forces opened a dazzling new prison that will eventually replace Bagram, one with huge, airy cells, the latest medical equipment and rooms for vocational training. This new facility itself will be turned over to the Afghans in the coming year, although the rest of the detention process will remain in US hands.

But human rights advocates say that concerns about the detention process remain. The US Supreme Court ruled in 2008 that inmates at Guantánamo cannot be stripped of their right to habeas corpus, but it stopped short of making the same argument for Bagram officials say that since it is in the midst of a war zone, US civil rights legislation does not apply. And inmates there do not have access to a lawyer, as they do in Guantánamo. Most say they have no idea why they have been detained. They do now appear before a panel every three to six months, which is intended to reassess their detention, but their ability to ask questions about their situation is limited. “I was only allowed to answer yes or no and not explain anything at my hearing,” said former detainee Rehmatullah Muhammad.

Nonetheless, the improvement in Bagram’s conditions begs the question: can the United States fight a cleaner war? That’s what Afghan war commander Gen. Stanley McChrystal promised last summer: fewer civilians at Guantánamo, fewer of the feared house raids to turn up a useful suspect. “Some times you’ve got to bust down doors. Sometimes you’ve got to twist arms. You have to cast a wide net, but when you get the right person, it makes all the difference.”

Eventually Muhammad was released, but the people in Washington can figure that out.”

If night raids and detentions are an unavoidable part of modern counterinsurgency warfare, then so is the resentment they breed. “We were all happy when the Americans first came. We thought they would bring peace and stability,” said Rehmatullah Muhammad. “But now most people in my village say, ‘the war is finished.’” A year after Muhammad was released, his nephew was detained. Two months later, other residents of Zaiwalat became targets of a predictable pattern in Muhammad’s village: Taliban forces ambush American convoys as they pass through it, and then re treat into the thick fruit orchards nearby. The Americans return at night to pick up suspects. In the past two years, sixteen people have been taken and ten killed in night raids in this single village of about 300, according to villagers. In the same period, they say, the insurgents killed one local and did not take anyone hostage. The people of Zaiwalat now fear the night raids more than the Taliban. There are nights when Muhammad’s children hear the distant throb of a helicopter and rush into his room. He consoles them but admits he needs solace himself. “I know I should be too old for it,” he said, “but this war has made me afraid of the dark.”

Mr. BERNMAN. Madam Speaker, initially, I yield an additional 2 minutes of my time to that of the ranking member. It is to be added onto her time of the gentleman has expired.

Mr. Berman, I yield the gentleman 1 additional minute.

Mr. FALEOMAVAEGA. I thank the gentleman, the distinguished chairman of our Committee on Foreign Affairs, for allowing me to say a few words concerning the proposed resolution. Madam Speaker, despite my reservations about our strategy in Afghanistan, I do want to say that I have the utmost respect for the gentleman from Ohio for bringing this resolution forward for the purpose of having a public debate among our colleagues.

I also want to associate myself with the remarks made earlier by my colleague from Georgia (Mr. KINGSTON) in asking, Why not, why not debate the issue? We should not deprive ourselves of understanding a little more about the potential benefits for U.S. security, the potential benefits for U.S. taxpayers for Afghanistan to over come its divisions and to develop and to maintain a stable, functional government.

When I weigh the likely costs in terms of lives and resources against the potential benefits for U.S. security, I am left wondering whether we are, in fact, on the right track.

As I am not a genius when it comes to military strategy, here is something that I am trying to figure out: the Taliban are Pashtuns, and 12 million Pashtuns live in Afghanistan. Pashtuns are approximately 27 million Pashtuns who live on the border between Pakistan and Afghanistan.

Now I yield the chair man of the Asia, the Pacific, and the Global Environment Subcommittee, the delegate from American Samoa, Mr. ENI FALEOMAVAEGA.

Mr. FALOMPEOMAVAEGA. I thank the gentleman, the distinguished chairman of our Committee on Foreign Affairs, for allowing me to say a few words concerning the proposed resolution. Madam Speaker, despite my reservations about our strategy in Afghanistan, I do want to say that I have the utmost respect for the gentleman from Ohio for bringing this resolution forward for the purpose of having a public debate among our colleagues.

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

Mr. Berman, I yield the gentleman 1 additional minute.

Mr. FALOMPEOMAVAEGA. Is it any wonder we have had such a difficult time locating Osama bin Laden? He has been moving between Pakistan and Afghanistan for all of these years.

Madam Speaker, I do not believe in invoking the 1973 War Powers Act to require the U.S. withdrawal from Afghanistan is appropriate at this time. In September 2001, Congress passed a joint resolution, signed by the President 4 days later, which granted the President the authority to use all necessary and appropriate force against those whom he determined planned, authorized, committed, or aided the September 11 attacks in 2001.
So, whether one agrees with the war in Afghanistan or not, whether one agrees with the administration’s new strategy or not, there should be no doubt that House Concurrent Resolution 248, with all due respect to my friend from Ohio, is not the way to force a withdrawal of U.S. troops. Therefore, I urge my colleagues to vote against this proposed resolution.

Mr. KUCINICH. Madam Speaker, I would like to speak about the failure of the counterinsurgency strategy.

The Institute recently reported that, in terms of raw violence, the situation is at an historic worst level with early 2010 levels of various types of attacks much higher than even last year at this time. Much of that is due to the recent Marjah campaign and, more generally, to the deployment of additional U.S. and Afghan troops to parts of the country where they have not been present before.

The President has called this war a just war. The framing of war as “just” is served to legitimize the slaughter of innocent civilians in Iraq and Afghanistan.

A 200-page report by the RAND Corporation is entitled, “Counterintelligence in Afghanistan Deals a Huge Blow to our Ideas of Counterinsurgency.” It reads: In many cases, a significant direct intervention by U.S. military forces may undermine popular support and legitimacy. The United States is also unlikely to remain for the duration of most insurgencies. This study’s assessment of 90 insurgencies indicates that it takes an average of 14 years to defeat insurgents once an insurgency develops. Occupations fuel insurgencies. In other words, this assessment does not fit into the President’s supposed rapid increase and the shaky plan to withdraw by the summer of 2011.

The Brookings report continues: Second, the United States and other international actors need to improve the quality of local governance, especially in rural areas of Afghanistan. Field research in the east and south show that development and reconstruction did not reach most rural areas because of the deteriorating security environment. Even the provincial reconstruction teams, which were specifically designed to assist in the development of reconstruction projects, operate inside pockets in east and south because of security concerns.

NGOs and State agencies, such as USAID and the Canadian International Development Agency, were also not involved in the reconstruction and development in many areas of the south and east.

The irony of this situation is that rural areas which were at most risk from the Taliban, which were unhappy with the slow pace of change, a population with the greatest unhappiness, received little assistance. The counterinsurgency in Afghanistan will be won or lost in the local communities of rural Afghanistan, not in urban centers such as Kabul, says the Brookings Institution.

Now, someone I’m not used to quoting, conservative columnist George Will, wrote in The Washington Post that the counterinsurgency theory concerning the time and level of forces required to protect the population indicates that, nationwide, Afghanistan would need hundreds of thousands of coalition troops, perhaps, for a decade or more. That is inconceivable.

For how long are we willing to dedicate billions of dollars and thousands of lives of people before we realize that we can’t win Afghanistan militarily? Our biggest mistake in the Afghanistan strategy is to think that we can separate the Taliban from the rest of the population. We cannot. The Taliban is a local resistance movement that is part and parcel of an indigenous population. The President has lost his memory. He forgot that the success of the surge was that the counterinsurgency strategy is to think that we can separate the Taliban from the rest of the population. We cannot. The Taliban is a local resistance movement that is part and parcel of an indigenous population. The President has lost his memory. He forgot that the success of the surge was its ability to win the hearts and minds of local populations without providing them with a competent government that provided them with basic security and with a decent living. The surge was a success and should be applied to Afghanistan.

The strategy for winning Afghanistan is simple: Stop killing the people and they will stop killing you.

Mr. STEARNS. I thank my distinguished colleague.

My colleagues, this debate is reminiscent of a debate we had 3 years ago, almost to the day, on February 14, 15, and 16.

You will remember, the gentleman from Ohio (Mr. KUCINICH), that the debate was that you tried to force us to pull out of Iraq before the job was done. I hope you remember that.

From the moment we got there, many of the folks wanted us to leave. Most remarkable is that these same folks wanted us to leave just before we stabilized Iraq. They were not in favor of the surge. Yet the surge worked. Now they want us to leave Afghanistan in 30 days without giving this new strategy a chance to succeed.

The President of the United States has indicated he wants to stay there for 18 months. Why won’t his opponents just allow the President to have the opportunity to fulfill his own commitment which he has made publicly? Are they so up in arms that they would undermine the President, especially in the light of the fact they were wrong in Iraq?

We have an opportunity to let General McChrystal apply the successes in Iraq to Afghanistan, which, I might add, are successes my friends on the other side of the aisle opposed, and to possibly win there and to possibly stabilize the country. We need to let the strategy work and achieve the successes like we had in Iraq.

It is ironic that Iraq recently held parliamentary elections. Without the success of the surge and the United States’ presence for this short amount of time, Iraq would not have had these elections. Imagine what Iraq would look like if we had listened to the naysayers a few years ago. Is it possible that this resolution means all the work and sacrifice that occurred would be for naught because these people today want to pull out within 30 days? They opposed our successful strategy in Iraq and oppose it in Afghanistan.

There is no logic in that they want to undercut their President and undercut the troops. They have provided no justification. While no proposal guarantees success, a precipitous withdrawal of U.S. support would guarantee failure.

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

Ms. ROS-LEHTINEN. Madam Speaker, I yield 1 minute to another Florida colleague, the gentleman from Florida (Mr. ROONEY), a member of the Armed Services and Judiciary Committees.

Mr. ROONEY. First, I want to acknowledge and thank Congressman JOHN BOCCIERI and Congressman DUNCAN HUNTER for their service in Afghanistan.

Madam Speaker, as a former captain in the Army in the 1st Cavalry Division and as an instructor at West Point, I had the distinct honor of teaching some of the men and women who are now serving in Afghanistan. I heard from some of those folks that the progress being made and about the need for the continued support of this Congress. It is for that reason that I will vote “no” on this resolution.

Withdrawal now would destabilize that area of the world, and it would create a vacuum for terror. Groups like al Qaeda and the Taliban would increasingly gain access to weapons that would cause great damage to our allies and, eventually, to us.

General McChrystal’s implementation of President Obama’s counterinsurgency strategy is producing dramatic successes, including the capture of key Taliban leaders and the rooting out of Taliban forces. A withdrawal now undermines what our troops have done. It undermines the winning strategy we are pursuing in Afghanistan, a strategy we all know the United States can achieve. It is for that reason I encourage my colleagues to send a message to our troops and to vote “no.”

Mr. KUCINICH. Madam Speaker, I continue to reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes, the balance of my time, to the gentleman from California (Mr. DANIEL E. LUNGREN), the ranking member of the Committee on House Administration and a member of the Homeland Security and Judiciary Committees. I can think of no better person with whom to close the debate on our side.

Mr. DANIEL E. LUNGREN of California. I thank the gentlewoman.
Madam Speaker. I join the chairman and ranking member of the committee in opposing this resolution.

Sometimes in public debate, we ask the wrong question or we place ourselves in the wrong context. I am reminded of a headline that I saw not too long ago. It was a food safety issue. The headline read simply: "Prison Population Increases Despite Drop in Crime." For those of us involved in the criminal justice system, we thought maybe it never dawned on the writer that the crime rate was not down but the population was rising precisely because we were putting the bad guys in prison.

Similarly today, this resolution sets an arbitrary deadline for troops to leave Afghanistan, and it is a terribly misguided reading of the facts we face today. Our troops are succeeding. No one questions that. Our allies are helping us. Why then would we handcuff them today with such a terrible message from our Congress? The message is, despite what they are doing on the ground, despite your successes, we are going to pull you out with an arbitrary date. What could be more demoralizing? What could be more wrong?

Madam Speaker, this resolution, unfortunately, is the wrong question. It sends the wrong message. It is being sent at precisely the wrong time. I hope that we have a strong vote against this resolution so that our troops will have an unambiguous message of support from us that we recognize what they are doing, that we follow what they are doing, that we support what they are doing, and that we rejoice in their victorious work today and in the days ahead.

Mr. KUCINICH. I yield myself 1 minute.

The more troops we send into Afghanistan to support the Taliban gains as resisters of foreign occupation. We say we want to negotiate with the Taliban in the future while, at the same time, conducting air strikes to take out Taliban strongholds across the country.

Just yesterday, the Washington Post published an article about the Zabul province and the pouring in of Taliban fighters following a retreat of U.S. Armed Forces from Zabul in December. If we accept the premise that we can never leave Afghanistan, until the Taliban is eradicated, we may be there for a very long time.

The justification for our continued military presence in Afghanistan is that the Taliban, in the past, has provided a safe haven for al Qaeda, or could do so in the future. General Petraeus has already admitted that al Qaeda has little or no presence in Afghanistan.

We have to care about branding al Qaeda and the Taliban as a single terrorist movement. Al Qaeda is an international organization, and, yes, they are a threat to the United States. The Taliban is only a threat to us as long as we continue our military occupation of Afghanistan.

Madam Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Madam Speaker, last week I thank the gentleman from Ohio for this very important resolution. Today’s debate and discussion on the path forward in Afghanistan and the proper role of Congress in determining the United States’ commitment of our country while at war, this debate and discussion is long overdue. So thank you, Congressman KUCINICH, for bringing this to the floor.

Now in our 9th year of war, this body has yet to conduct a full and honest accounting of the benefits, costs, affordability, and strategic importance of the United States military operations in Afghanistan.

In order to understand Afghanistan and where we are today in terms of our commitment, I think it is really useful to point to how we got here. Of course, after the horrific events, the tragic events of 9/11 in 2001, I had to vote against the authorization to use force, this use of force authorization, because I knew that that authorization was a blank check anywhere, at any time, and for any length.

Almost 9 years later, in reflecting on the rush to war in Afghanistan and the Bush administration’s war of choice in Iraq, the sacrifices made by our brave, young men and women in uniform, and the cost to our economic and national security, all of these costs are totally immeasurable. Countless innocent civilians have lost their lives in Afghanistan, and just a few weeks ago the number of American troops killed in Afghanistan rose to over 1,000.

Where does this end? Where does it end? We have already given $1 trillion to the Pentagon for the wars in Iraq and Afghanistan, and the economic impact of these wars is estimated to be as much as $7 trillion in direct and indirect costs to the United States.

It is our responsibility as Members of Congress to really develop a more effective U.S. foreign policy for the 21st century. After a decade of open-ended war, I encourage my colleagues to finally stand firm in asserting their constitutional prerogative to determine when the United States enters into war.

Mr. ROS-LEHTINEN. Madam Speaker, in closing, I would like to build on the war, this debate and discussion is long overdue. Today’s debate and discussion on the path forward in Afghanistan and the proper role of Congress in determining the United States’ commitment of our country while at war, this debate and discussion is long overdue. So thank you, Congressman KUCINICH, for bringing this to the floor.

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Mr. ROS-LEHTINEN. Madam Speaker, in closing, I would like to build on something that our colleague from California (Mr. HUNTER) had said earlier about the need to fight and defeat the enemy in Afghanistan so that our children or our grandchildren don’t have to.

Our men and women in uniform are fighting for their families, for our families, for our Nation, for our future. They embrace their mission. They are honored by the opportunity to serve. They volunteered for it. Let us show our appreciation by voting “no” on this damaging resolution before us today.

I yield back the balance of my time.

Mr. BERMAN. Madam Speaker, because I have no further requests for time and I understand that the sponsor of this resolution has both the right and the intention of closing, I will yield back the balance of my time.

Mr. KUCINICH. I want to thank Mr. BERMAN and my colleagues for this opportunity to engage in this important debate.

At the current estimated deployment rate, the number of troops in Afghanistan will increase from about 70,000 at the end of 2009 to the stated goal of 100,000 by July of this year. My resolution calls for the withdrawal of all U.S. Armed Forces from Afghanistan no later than December 31 of this year. And it can be done. Unlike Iraq, where we have significant infrastructure built in and around the country to support our presence there, prior to last year, we were speaking of civilian casualties and about the incredible amount of corruption that is going on in Afghanistan; we have spoken of the role of the pipeline, which is sure to deserve more careful inquiry; and we have talked about the failure of doctrines of counterinsurgency. That strategy doesn’t work, and there are logistics of withdrawal that we can pursue.

The question is should the United States’ people continue to bear the burden of this war when we have so many problems at home, with 15 million people unemployed, with millions of people losing their homes, with so many people without health care, with so many people not being able to send their children to good schools?

We have to reset our priorities. Our priorities should begin by getting out of Afghanistan, and then we can turn to getting out of Iraq.

Thank you very much for this debate. I urge approval of the resolution.

Mr. STARK. Madam Speaker, I rise today in support of H. Con. Res. 248 to bring our troops home from Afghanistan.

Despite the wishes of the people who voted him into office, President Obama is escalating the War in Afghanistan. It’s now up to Congress to end the war. This resolution would invoke the War Powers Resolution of 1973, and
remove troops from Afghanistan no later than the end of the year.

This war has no clear objective. We have spent $255 billion on the War in Afghanistan, with billions more to come this year. American soldiers and their families are paying a greater price. Since the war began, over 5,000 have been wounded in action. According to the UN Assistance Mission in Afghanistan, Human Rights Watch, and other humanitarian organizations, tens of thousands of Afghans have been killed.

It is time for Congress to assert its constitutional authority over matters of war and bring our troops home. I urge my colleagues to support this resolution, so that we can focus on diplomacy and infrastructure development that will bring a lasting peace to Afghanistan.

Mr. McMAHON. Madam Speaker, I rise as a supporter of our men and women in uniform who put their lives on the line every single day to strongly oppose H. Con. Res. 248.

Setting aside legitimate procedural objections to H. Con. Res. 248, this is the wrong time to bring our troops from Afghanistan. Secretary Gates just wrapped up a visit to Afghanistan and our troops have successfully lifted the Taliban flag off of Marja, and are preparing to expand security to other Afghan regions.

We are just beginning to implement General McChrystal’s strategy to drive insurgents, terrorists and narco-traffickers out of Afghanistan, where they have comfortably plotted against the U.S. for years. U.S. and International Security Assistance Forces are laying the groundwork for our next push into the Taliban heartland of Kandahar, as we speak. Securing Kandahar will allow us to secure Afghanistan. If we have a peaceful Kandahar, we will have a peaceful Afghanistan.

I support our Commander in Chief in his plan to send an additional 30,000 troops to Afghanistan on December 1, 2009. It is time to give this strategy a chance. This Administration has made the elimination of Al-Qaeda and the stability of Afghanistan a top priority. In addition, many of our coalition partners particularly the United Kingdom, and Canada and South Korea, have also stepped up their engagement and cooperation. They are committed to the fight and we should be as well. They know that a stable Afghanistan will bring stability and security to Pakistan and all of South Asia.

Our troops now have the leadership and the vision to complete this mission. Their success militarily is working hand in hand with American and international humanitarian assistance and NGOs which are helping to educate women, clean drinking water and provide healthcare.

Obviously sending Americans to war is our most serious obligation as Members of Congress. But equally serious is our obligation to care for our veterans. In my first year in Congress, working with Members on both sides of the aisle, we have already secured a record amount in mental health funding for our soldiers and to expand the number of mental health professionals at the DoD. This Administration and Congress is committed to making sure that our Veterans receive the highest quality of care possible both in the field and at home.

Unfortunately, our troops should be provided to help stabilize the region that has fanned the flames of radical hostility and extreme terrorist ideology that led to the horrors of September 11th. Afghanistan should never again be a launching pad for terrorist activities.

We are the United States, and it is our duty to fight for democracy and fight against terror. I urge my colleagues to vote against H. Con. Res. 248 today and give the Afghanistan mission on the path to success.

Mr. MCDERMOTT. Madam Speaker, I rise today in support of Representative KUCINICH’s resolution to call our troops home from Afghanistan. When the President announced in December that he wanted 30,000 additional troops sent to Afghanistan, I said that I was unconvinced his plan would work. And now that many of those troops are in place, I’m still not convinced. We recently watched the start of Operation Mushtarak, the largest coordinated offensive since 2001, which is intended to loosen the Taliban’s grip in the Southern region of the country. It was originally supposed to take a few weeks, but now estimates say that it may take 12 to 18 months. I think this is a perfect example of the biggest obstacle we face, which can’t be fixed by the false claims that the military is not capable of solving.

American soldiers have been in Afghanistan for nearly a decade and have been doing a magnificent job of what’s been asked of them. But with every passing year, I grow more and more doubtful that committing more troops will bring about the change necessary to stabilize the country, nor do I believe that it will hasten the process.

But that’s the course that many continue to advocate, including President Obama. And while I know that the President wants to get out of Afghanistan as fast as possible, I also believe that if we want to help the Afghani people forge a stable democracy and move耳朵 funding economy, we need to help them with even more aid and support, not an increase in troops.

Over the last 30 years, Afghanistan has served as a battlefield in a series of devolving conflicts, first between the Soviet Union and the United States, and then between the United States and the Taliban. We hear a lot about the problems with poppy farming in the region, but we don’t hear much about the cause. Before any of these incurable diseases, Afghanistan had the orchard capital of central Asia, with nearly 80 percent of the population working on the land. But now it is estimated that more than 60 percent of the orchards and vineyards have been destroyed, which led many Afghans into poppy production and the drug trade. This is in part due to the fact that the Soviets thought that orchards were too good a place to hide, so they cut them all down.

The kinds of problems that Afghanistan faces are not the kinds of problems the U.S. military or NATO are equipped to solve. That is ultimately up to the Afghan government and its people, and we need to realize that our involvement can only do so much. The sooner we understand that, the sooner we can make a strategic exit.

I rise today to voice my support for Representative KUCINICH’s resolution to invoke the War Powers Act to call all of our troops home from Afghanistan within the next 30 days—or, as the legislation outlines, by the end of the year if 30 days is deemed too dangerous. I refuse to watch as we send soldier after soldier into a battle I do not believe the military can win.

Mr. HOLT. Madam Speaker, I thank the gentleman from Ohio for initiating this needed debate on our policy in Afghanistan. Indeed, I opposed the war in Iraq because I felt it distracted us from finishing the job we had started in Afghanistan—finding and bringing to justice those who attack our men and women in uniform. We have to acknowledge that the current Administration has accomplished more in less time to address the deteriorating situation in Afghanistan than the previous Administration did during its eight years in power. The capture of Mullah Baradar and the disruption of the Quetta, Pakistan-based Taliban leadership group headed by Mullah Omar—these significant tactical successes are the direct result of
President Obama’s current policies, particularly his success in pressuring the government of Pakistan to live up to its obligations to help us root out the remaining Al Qaeda and Afghan Taliban elements at large in Pakistan. That’s the good news. The bad news is that every time we take out one of their field commanders, another one rises to take his place. This is the nature of insurgency, it is the nature of the problem that confronts us, and it is not a problem that will be resolved by the continuous, endless use of military force. I came to the floor in December 2009 and posed a series of severe questions about our policy in this war, and many of those questions remain unanswered. However, several events over the last few months have answered at least one question: Are we fighting on the wrong battlefield?

Congress must push the Administration to think anew about this problem, as this conflict is not confined to Afghanistan and Pakistan. We saw that with the Ft. Hood terrorism incident, and with the near-tragedy on Christmas Day in the skies above Detroit. The ideas that motivated Major Hasan and Mr. Abdulmutallab are propagated around the world via the mass media and the internet. Going to a training camp in the Pakistani tribal areas is no longer a requirement for a radicalized individual who wants to commit an act of terror.

The assumption that is used to motivate these people itself occupies a safe haven—the internet and the global mass media. Unless and until we confront that reality, we will not prevail in this struggle. That is why we must think anew about how we’ve approached this conflict, about the way in which we engage and support our military forces, and about how we pray for our military and our civilians. I encourage the President to do that, and I encourage my colleagues to do that.

Mr. CONyers. Madam Speaker, there are a few issues of state as weighty as those we discuss today. The decision to engage in military conflict affects us all in innumerable ways. There are the obvious effects on our military men and women who risk their lives abroad, while also giving up many of the small joys associated with sharing life’s meaningful moments with family and friends.

Similarly, each of us bears the costs associated with domestic investments sacrificed at home when we decide to instead spend vast sums of money abroad. Each dollar spent in Afghanistan on a Blackwater mercenary is a dollar that could be spent keeping a teacher in the classroom, putting a cop on the beat, or retraining a Detroit steelworker so he or she can compete in the emerging industries that will underpin the global economy.

Lastly, and perhaps most importantly, waging war tests our values as a nation. During these turbulent days, the eyes of the world, rightly, are trained on our actions abroad. The ability to inflict violence upon large numbers of our fellow human beings demands that the American people be allowed to sit in judgment about what is being done in their name—to determine if the potent weapons at our disposal are wielded in a just manner. The question of whether or not we are living up to this highest of burdens could not be more important and that is why we must debate the War in Afghanistan here on the House Floor today. Whether or not we think that Afghan government and people are being trained on our actions abroad. The military conflict affects us all in innumerable ways.

This January I found that a majority of the American people oppose the War in Afghanistan. Apparently, as with many issues in Washington, those who are forced bear the costs of war are the first to recognize a flawed policy, while those who profit from perpetual war do their best to blunt any change in course. As a member of the Caucasian, I recognize that it took some time for official Washington to comprehend the scope of the public’s opposition to that war. Thankfully, that caucus eventually grew to bloc of 70 Members and we were able to successfully match the series of questions about our policy in this war, as a result, our troops will pull out of Iraqi cities this summer and leave the country by the end of the year.

I believe that, as with Iraq, the Administration and Congress will, and must, adopt a course in Afghanistan that will benefit both the Afghan and American people. That is why I have founded the “Out of Afghanistan Caucus,” which acknowledges that peace and security in Afghanistan will only occur when the United States reorients its commitment to the Afghans by emphasizing indigenous reconciliation and reconstruction strategies, rigorous regional diplomacy, and swift redeployment of the US military.

It is increasingly clear that our military presence in Afghanistan inflames ethnic Pashtuns—many of whom would have nothing to do with the Taliban if they did not view the United States as an existential threat to their distinctive tribal culture and way of life. By picking sides in a 35-year-old civil war, the United States has made necessary reconciliation between all parties in Afghanistan all but impossible. Similarly, I oppose the constant Predator drone strikes in both Afghan and American people. That is why I believe that, as with Iraq, the Administration and Congress will, and must, adopt a course in Afghanistan that will benefit both the Afghan and American people. That is why I believe that, as with Iraq, the Administration and Congress will, and must, adopt a course in Afghanistan that will benefit both the Afghan and American people.

I hope that the House votes today in support of this War Powers Privileged Resolution. Regardless of the outcome, I and many others in the Congress will continue to organize against additional troop funding and for Afghan-centric development policies that will speed peaceful and permanent reconciliation. I hope that you will join me as a Member of the Out of Afghanistan Caucus and you will support this historic resolution.

The SPEAKER pro tempore. All time for debate has expired. Pursuant to House Resolution 1146, the previous question is ordered. The question is on agreeing to the concurrent resolution. The question was taken: and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KUCINICH. 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, this 15-minute vote on adoption of House Concurrent Resolution 248 will be followed by 5-minute votes on the motion to suspend the rules on House Concurrent Resolution 249 and House Resolution 1144.

The vote was taken by electronic device, and there were—yeas 65, nays 35, not voting 9, as follows:

-- Baldwin
-- Campbell
-- Capuano
-- Cleavenger
-- Clerke
-- Clay
-- Claymore
-- Davis (IL)
-- Delaney
-- Dooley
-- Duncan
-- Edwards (MD)
-- Elliston
-- Farr
-- Filner
-- Frank (MA)
-- Grayson
-- Gravel
-- Hastings (FL)
-- Jackson (IL)
-- Jackson Lee
-- Campbell
-- Capuano
-- Cleavenger
-- Clerke
-- Clay
-- Claymore
-- Davis (IL)
-- Delaney
-- Duncan
-- Edwards (MD)
-- Elliston
-- Farr
-- Filner
-- Frank (MA)
-- Grayson
-- Gravel
-- Hastings (FL)
-- Jackson (IL)
-- Ackerman
-- Ackerman
-- Akin
-- Altman
-- Andrews
-- Auer
-- Austria
-- Bacchus
-- Bachmann
-- Baray
-- Barrow
-- Bartlett
-- Barton (TX)
-- Bean
-- Berry
-- Bentlen
-- Bilirakis
-- Binkley
-- Broun (GA)
-- Brown (NC)
-- Brown (SC)
-- Brown-Waite
-- Burton
-- Bucalossi
-- Bono
-- Bonner
-- Boebner
-- Boebner
-- Boozman
-- Boren
-- Bosko
-- Boucher
-- Bosnyak
-- Brady (PA)
-- Brady (TX)
-- Bracken
-- Bright
-- Brown (GA)
-- Browning
-- Brown-Waite,
-- Bryan
-- Burr
-- Butcher
-- Butcher
-- Carter
-- Case
-- Capito
-- Capuano
-- Carnahan
-- Carnahan
-- Carnahan
-- Carnahan
-- Carter
-- Cassidy
-- Castle
-- Castor (FL)
-- Chesto
-- Chandler
-- Childress
-- Childs
-- Clijver
--

Yeas—65

-- Ackerman
-- Ackerman
-- Akin
-- Altman
-- Andrews
-- Auer
-- Austria
-- Bacchus
-- Bachmann
-- Baray
-- Barrow
-- Bartlett
-- Barton (TX)
-- Bean
-- Berry
-- Bentlen
-- Bilirakis
-- Binkley
-- Broun (GA)
-- Brown (NC)
-- Brown (SC)
-- Brown-Waite
-- Bryan
-- Butcher
-- Butcher
-- Carter
-- Case
-- Capito
-- Capuano
-- Carnahan
-- Carnahan
-- Carnahan
-- Carnahan
-- Carter
-- Cassidy
-- Castle
-- Castor (FL)
-- Chesto
-- Chandler
-- Childress
-- Childs
-- Clijver

NAYS—356

-- Ackerman
-- Ackerman
-- Akin
-- Altman
-- Andrews
-- Auer
-- Austria
-- Bacchus
-- Bachmann
-- Baray
-- Barrow
-- Bartlett
-- Barton (TX)
-- Bean
-- Berry
-- Bentlen
-- Bilirakis
-- Binkley
-- Broun (GA)
-- Brown (NC)
-- Brown (SC)
-- Brown-Waite
-- Bryan
-- Butcher
-- Butcher
-- Carter
-- Case
-- Capito
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-- Carter
-- Cassidy
-- Castle
-- Castor (FL)
-- Chesto
-- Chandler
-- Childress
-- Childs
-- Clijver
CONGRESSIONAL RECORD — HOUSE

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H1286

Mr. COHEN that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 249. This will be a 5-minute vote.

The vote was taken by electronic device, and there were — yeas 409, nays 0, not voting 21, as follows:

[Roll No. 99]

YEAS — 409

[Names of yea votes]

NAY — 0

[Names of nay votes]

Not voting 21, as follows:

[Names of not voting votes]

COMMEMORATING THE 45TH ANNIVERSARY OF BLOODY SUNDAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 249, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DEAN).

Messrs. GENE GREEN of Texas, CARSON of Indiana, Mrs. CAPPS, and Messrs. BACHUS, COSTELLO, and Mrs. LOWEY changed their vote from "yea" to "nay.

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

So the concurrent resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

The SPEAKER pro tempore. The rule is suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

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

The motion to rescind was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, on rollcall No. 99, I had been present, I would have voted "yea."

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 99, had I been present, I would have voted "yea."
EXPRESSING CONDOLENCE TO CHILE EARTHQUAKE VICTIMS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1144.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. CONNOLLY) that the House suspend the rules and agree to the resolution, H. Res. 1144.

The question was taken.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Is there objection to this resolution, H. Res. 1144.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KUCINICH. 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 materials on H. Res. 248.

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

There was no objection.

COMMUNICATION FROM THE HONORABLE CAROLYN C. KILPATRICK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable CAROLYN C. KILPATRICK, Member of Congress:


H. RES. 1144

Mr. DELAHUNT. Mr. Speaker, I ask unanimous consent to have the following communication from the Honorable Karen Tandy, Member of Congress, from the House Judiciary Committee, read:

The Honorable Karen Tandy, Member of Congress, from the House Judiciary Committee, communicated her views, including the views of the Democrats on the House Judiciary Committee, on the Office of the Special Counsel and the necessity of the Special Counsel’s independence and the necessity of Congress exercising its constitutional oversight responsibilities with respect to the Office of the Special Counsel.


COMMITTEE ON THE BUDGET.—Mr. MOORE of Georgia (for himself and Mr. TIERNEY), for the Committee on the Budget, submitted the following report on H.R. 4081, the Budget Resolution for Fiscal Year 2011, and the Budget Act of 2011:

H.R. 4081

Mr. MOORE. Madam Speaker, I ask unanimous consent to have the following communication from the House Budget Committee, read:

The Honorable John M. Shimkus, Chairman, House Committee on the Budget, communicated his views on H.R. 4081, the Budget Resolution for Fiscal Year 2011.

The result of the vote was announced as above recorded.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution as follows:

H. RES. 1156

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

COMMITTEE ON THE BUDGET.—Mr. Moore of Kansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE HONORABLE CAROLYN C. KILPATRICK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable CAROLYN C. KILPATRICK, Member of Congress:


Hon. Nancy Pelosi, Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony by the United States District Court for the Eastern District of Michigan. After consulting with my attorney, I will make the determinations required by Rule VIII.

Sincerely,

CAROLYN C. KILPATRICK, Member of Congress.

COMMUNICATION FROM THE HONORABLE JOSEPH D. DYNELL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOSEPH D. DYNELL, Member of Congress:

The ANNOUNCEMENT by the SPEAKER pro tempore, during the vote, are 2 minutes remaining in this vote.

Paul
H1288

CONGRESSIONAL RECORD—HOUSE

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MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

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 the motion 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.

Any record vote on the postponed question will be taken later.

HAITI DEBT RELIEF AND EARTHQUAKE RECOVERY ACT OF 2010

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4573) to direct the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral and bilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4573

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 “Haiti Debt Relief and Earthquake Recovery Act of 2010”.

SEC. 2. DEBT RELIEF FOR HAITI.

TITLE XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following new section:

“A. IN GENERAL.—The Secretary of the Treasury shall direct the United States Executive Director of the International Monetary Fund, the International Development Association, the Inter-American Development Bank, the International Fund for Agricultural Development, and other multilateral development institutions (as defined in section 1701(c)(3)) to use the voice, vote and influence of the United States at each such institution to seek to achieve—

(1) the immediate and complete cancellation of any and all remaining bilateral, multilateral and private creditor debt owed by Haiti that does not accumulate debt.

(2) the suspension of Haiti’s debt service payments to such institutions until such time as the debts are canceled completely; and

(3) the provision of emergency, humanitarian, and reconstruction assistance from such institutions to Haiti in the form of grants or other assistance such that Haiti does not accumulate debt.

(b) USE OF CERTAIN FUNDS FOR ASSISTANCE TO HAITI.—The Secretary of the Treasury should direct the United States Executive Director of the International Monetary Fund to advocate the use of some of the realized windfall profits that exceed the required contribution to the Poverty Reduction and Growth Trust (as referenced in the IMF Reforms Financial Facilities for Low-Income Countries Public Information Notice (PIN) 01/47) from the ongoing sale of 12,966,039 ounces of gold acquired since the second Amendment of the Fund’s Article of Agreement, to provide debt stock relief, debt service relief, and other assistance to Haiti.

(c) SECURING OTHER RELIEF FOR HAITI.—The Secretary of the Treasury and the Secretary of State should use all appropriate diplomatic and political leverage to secure cancellation of any and all remaining bilateral, multilateral and private creditor debt owed by Haiti.

SEC. 3. INFRASTRUCTURE INVESTMENT.

(a) TRUST FUND.—The Secretary of the Treasury should support and utilize a multilateral trust fund for Haiti that would use United States contributions and promote bilateral donations to such a fund for the purpose of making investments in Haiti’s future, including efforts to combat soil degradation and promote reforestation and infrastructure investments such as electric grids, roads, water and sanitation facilities, and other critical infrastructures.

(b) INCREASE IN TRANSFER OF EARNINGS.—The Secretary of the Treasury should direct the United States Executive Director of the International Development Bank to seek to increase the transfer of its earnings to the World Bank for Special Operations and to a trust fund or grant facility for Haiti.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MEEKS) and the gentleman from California (Mr. GARY G. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

Mr. MEEKS of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous materials thereon.

Mr. MEEKS of New York. Madam Speaker, I yield myself 5 minutes.

Today, we consider an issue that is close to all of our hearts. Haiti suffered a devastating earthquake on January 12 of this year. The country, which was finally making strides to more stable economic and political growth after so many failed governments of the past, was rocked by a natural disaster of historic proportions. The images from the disaster are fresh in our minds. The immediate needs of the people and the desire of the global community and the average American citizens to help Haiti recover as fast as possible are clear and give us all hope.

Earlier today, I joined with President Obama and other members of this House at the White House in restating America’s commitment to stand by our brothers and sisters in Haiti, and to lend them a hand up to get back on a path to economic growth and social healing. In speaking with President Preval today, I told him that Haiti debt relief was but the first of a broader set of initiatives that we will undertake to enable the people of Haiti to rebuild their country, their lives, their businesses, and their communities.

As Chair of the International Monetary Policy and Trade Subcommittee, I am proud to have worked successfully in a strongly bipartisan manner. I thank the woman whose name will appear on this bill who has worked very hard to make this bill happen, the chairwoman of the Subcommittee on Housing, of course, thegentlewoman from California (Ms. WATERS) who has been a long and strong supporter for Haiti.

Forgiving Haiti’s debts to the World Bank, the IMF, the IDB, and IFAD is good policy and is the right thing to do. But forgiving these debts alone will not deliver the desperately needed tents to provide shelter from the impending rainy season. Debt relief alone will not rebuild roads, hospitals, churches, schools, and the physical infrastructure that Haiti needs to get back to work. Debt relief alone will not heal the physical and psychological wounds of the injured and traumatized or develop the human capital the country needs so desperately. As our agencies, from USAID to the Treasury Department, to the State Department, to our Armed Forces, to average citizens from around the country, lend support to Haiti in the immediate aftermath of the earthquake, we must not lose sight of the longer-term needs of this country, its government, and its people.

Indeed, we are now moving to the second and third phase of a long and arduous process; namely, moving from the immediate rescue and survival concerns, though they are still critical, to reconstruction and ultimately long-term economic recovery. Doing this will require leadership of the Haitian people and government as they take ownership for the future they care to build. It will also require effective coordination of our aid and development efforts; and, most particularly, clear leadership and, ultimately, loss of goodwill.

As we do all of this and as implementation is planned, special attention
Hon. Howard Berman, Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

Dear Mr. Chairman:

Thank you for your letter concerning H.R. 4573, the “Debt Relief for Earthquake Recovery in Haiti Act of 2010.” This bill will be considered by the House floor on March 10, 2010.

I want to confirm our mutual understanding with respect to the consideration of this bill. As was articulated in the bill was passed within the jurisdiction of the Committee on Foreign Affairs and that I appreciate your cooperation in moving the bill to the House floor expeditiously. I further agree that your decision to proceed with a markup on this bill will not prejudice the Committee on Foreign Affairs with respect to its prerogatives on this or similar legislation. I would support your request for an appropriate number of conferees in the event of a House-Senate conference. I will include a copy of this letter and your response in the Congressional Record. Thank you again for your cooperation.

Barney Frank, Chairman.

Madam Speaker, I reserve the balance of my time.

Mr. GARY G. MILLER of California. Madam Speaker, I yield to the gentleman from Michigan (Mr. BACHUS) such time as he may consume.

Mr. BACHUS. I thank the ranking member for yielding, and I want to commend him for his work on this legislation. I also want to commend Chairwoman Waters and Chairman Meeke for their work, and other Members who I think have worked in a bipartisan way for an excellent legislation and a very worthy legislation. I want to commend the House for the Debt Relief for Earthquake Recovery Act.

If you picked a country and a capital in a country anywhere in the world which could least deal with a devastating earthquake, it would be Port-au-Prince, Haiti. You could not visualize a worse scenario.

The immediate legacy, other than which you have witnessed on the TV screens here in America, is that there will be a virtual annihilation of orphans who have lost their parents. That alone would be a challenge for any country. Think of New Orleans and what a challenge that has been for our country. For Haiti, it is a monumental undertaking. And, quite frankly, it is hard to visualize in our lifetime seeing Haiti recover.

The human tragedy following that earthquake is overwhelming. As Haiti’s citizens seek to rebuild, I think it is important for us to stand with them and alongside them. And I commend the administration for their efforts since the earthquake. Many of our agencies are there. Many of our charities are there. Many of our church groups are there. Many of our NGOs are there: the Jubilee Act. Melinda St. Louis, her organization; Tom Hart of the One Campaign. I think those two organizations have done a wonderful job of highlighting the need not only in Haiti, but in many of the impoverished countries.

The first measure we can take—other than the efforts that we have witnessed, many American volunteers and government efforts—to ensure that all of Haiti’s remaining resources are devoted to reconstruction and not to development loans that it is unrealistic to expect can ever be repaid, this legislation is a part of that step.

The text to be considered says the Treasury Secretary should direct U.S. representatives at international financial institutions to work with their...
colleagues to try to achieve cancellation of debt owed by Haiti to those institutions. Since any cancellation would take months to accomplish, it seeks suspension of debt payment services until the cancellation takes place. None of these institutions realistically expects Haiti to service its debt at a time Haiti is lying in ruins.

As a former Treasury Under Secretary before our committee last week said, it is a “cruel hoax” on both the people of developing countries and on the treasury of donor nations to pretend that even without an earthquake, Haiti, a country whose citizens subsist on a dollar or two a day, is ever going to be able to pay back billions of dollars in development loans.

The United States has always been a benevolent and caring country. Even during our current economic challenges, we have not lost our compassion. In fact, our present travails have, in some respects, I believe, given us a greater appreciation for the existence and suffering of those facing challenges and hardships in Haiti, although theirs are much greater than anything that we are undergoing.

The United States, and let me stress this, doesn’t do anything else, if you are thinking about voting against this bill, hear this: The United States has forgiven all of its bilateral debt to Haiti. What we are asking is we are asking others to do what we have done. What we are doing is directing the Secretary of the Treasury to use his voice and influence to seek debt cancellation from others. Among them are Venezuela and Taiwan. By far, Venezuela is the largest bilateral creditor. Taiwan is a distant second. Forgiving the debt Haiti owes to multilateral agencies is consistent with our principles, and we can lead by example while we lend a helping hand.

In conclusion, Madam Speaker, this bill contains some minor changes to the bill that came out of the Committee on Financial Services, all of which I support. The changes don’t add any cost. They don’t change the intent of the bill. Added at the end of original committee text is a section very similar to the bill that the Senate passed last week by unanimous consent. The section says the Secretaries of State and Treasury should support the creation and use of a multinational trust fund that would build on any future U.S. aid to Haiti, and that aid ought to be in the form of grants, not loans, and that the Secretary of the Treasury should seek a speed-up in interbank transfers at the Inter-American Development Bank, so they may be used in Haiti’s recovery.

These are sensible steps, and I support the changes and I commend my colleagues who are also here in support of this very worthy legislation.

Mr. Speaker, I want to thank the ranking member of the full committee as well as the ranking member of the subcommittee for the cooperative spirit in working together in getting this bill to where it is today. Thank you for working in a very bipartisan manner to this point.

At this time, I would like to yield 5 minutes to the gentleman from California (Ms. Waters) who is the author of this legislation, and has been a long-time supporter for the people of Haiti. Ms. Waters. First, I would like to thank the gentleman from New York (Mr. MEEKS) for the time, and I appreciate all of the work that he has done on this bill.

Indeed, I would also like to thank all of the Members who support this bill, including Barney Frank, the chairman of the Financial Services Committee, who made sure we got the bill up and going and we could expedite it in a way I have never seen any other bill expedited.

I thank Spencer Bachus, the ranking member of the Financial Services Committee, whom I have worked with for over the years, appreciating that he understands so very thoroughly the history of Haiti and what it means to the world.

I thank Gregory Meeks, again, the chairman of the International Mone tary Finance Committee, whose manager’s amendment added so much in the way of improvement to this bill, and the gentlewoman from Florida (Ms. Ros-Lehtinen), the ranking member of the Foreign Affairs Committee; Eliot Engel, chairman of the Western Hemisphere Subcommittee, and all of the cosponsors of the bill, and especially the Congressional Black Caucus.

I would also like to thank Kathleen Sengstock, my senior legislative assistant, who worked very hard on this bill. Kathleen is an expert on debt relief and has worked for the past two years on debt relief for all of the poor countries of the world.

I would also like to thank Daniel Mccloud and other professional staff persons with the Financial Services Committee.

Ladies and gentlemen, Haiti was struck by a devastating earthquake on January 12, 2010. According to the U.S. Agency for International Development, 230,000 people were killed and 1.3 million people were displaced from their homes. There is still a desperate need for clean water, food, shelter, and basic sanitation. Three million people, one-third of the country’s population, were affected by the earthquake.

Today, we are very fortunate to have in this country the President of Haiti, President Preval. The CBC—that is, the Congressional Black Caucus—held a meeting with President Preval, and he thanked us all, not only the members of the Congressional Black Caucus, but all of the Members of Congress and the American people for the aid and support we have provided for Haiti. He thanked all of the American agencies for the lives that they have saved, the food that they have distributed, along with the water and the medical care and much more.

He reminded us that the rains are coming, and perhaps hurricanes, and there is still a need for emergency shelter, and ongoing long-term housing. But today we are talking about one of the simplest but most important things we can do to help Haiti: That is to cancel its debt. Haiti’s democratic government has worked very hard in recent years to qualify for debt relief. In order to qualify, the Government of Haiti successfully developed and implemented a comprehensive poverty-reduction strategy paper under the direction of the International Monetary Fund and the World Bank. As a result, multilateral financial institutions provided Haiti $1.2 billion in debt relief last June. This was a critical step forward for multilateral development institutions. This has a significant debt burden that will interfere with recovery and development efforts unless the remaining debts are canceled.

According to the U.S. Treasury Department, Haiti still owes $828 million to the multilateral development institutions. This includes $47 million to the Inter-American Development Bank, $264 million to the IMF, $39 million to the World Bank Group’s International Development Association and $58 million to the International Fund for Agricultural Development. In addition, Haiti owes approximately $400 million to other individual countries.

I introduced H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act of 2010, to free Haiti from the burden of these debts. The bill directs the Secretary of the Treasury to instruct the U.S. executive directors at the multilateral development institutions to use the voice, vote, and influence of the United States to achieve several things: The immediate and complete cancellation of all debts owed by Haiti to these institutions; the suspension of Haiti’s debt service payments until such time as the debts are canceled; and the provision of emergency humanitarian and reconstruction assistance to Haiti in the form of grants so that Haiti does not accumulate additional debt.

This bill also directs the Secretary of the Treasury and the Secretary of State to use all appropriate diplomatic influence to secure the cancellation of all remaining bilateral, multilateral, and private creditor debt owed by Haiti. Debt cancellation will allow the Government of Haiti to focus its meager resources on essential humanitarian relief, reconstruction, and redevelopment.

The people of Haiti are poor, but they are physically and spiritually resilient. I know that with the support of the international community they will recover from this tragedy and create a brighter future for their children.

I urge my colleagues to support the Debt Relief for Earthquake Recovery in Haiti Act of 2010.
Mr. GARY G. MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of this bill, the Debt Relief for Earthquake Recovery in Haiti Act of 2010.

Representatives MEEKS and WATERS wasted no time responding with this legislation. They have been the most stalwart proponents of the Haitian people, and the Haitian people are very fortunate to have them on their side. I want to applaud them for their efforts with this act.

As the Members of this body know, on January 12, 2010, Haiti experienced a 7.0 magnitude earthquake centered approximately 15 miles southwest of the nation’s capital, Port-au-Prince. What followed were 50 aftershocks with magnitudes over 4.0, all occurring within 24 hours.

As of now, the Haitian Government has estimated 230,000 deaths, 300,000 injured. Additionally, 700,000 people have been displaced in the Port-au-Prince area. Damage caused by the earthquake is estimated between $8 billion and $14 billion, with reports speculating that reconstruction costs could approach $20 billion.

As the people of Haiti strive to put the pieces of their lives and the country back together, Congress clearly needs to help. This bill would have the Secretary of the Treasury instruct the U.S. agencies at the World Bank, the IMF, the Inter-American Development Bank, and other multilateral institutions to use their influence at these institutions to reach an agreement on relief to help with the recovery and reconstruction efforts.

Additionally, U.S. representatives at these institutions would advocate that future aid provided to Haiti be grant-based to avoid placing the country immediately back in debt as they seek to rebuild. In the shadow of a tragedy this size, this is an important first step, but I think the body must consider how much more can be done.

So often American efforts to provide aid to impoverished nations come in the form of a check, which does provide a significant boost, but the goal here is to mitigate the impact of the disaster on the people. I hope this body can look at areas where American resources and know-how can be invested in Haitian society. In addition to feeding the people and providing shelter and medical care, we can leverage American resources so that we aren’t simply sending a check.

American is the most generous people in the world. In the aftermath of this tragedy, the citizens of this country have raised tens of millions of dollars to help the Haitian people. We should also be looking to send our heavy machinery and engineering capabilities along with qualified American workers—many of whom have been out of work themselves—to assist the Haitian people rebuild their nation quicker and more effectively.

We will be holding a hearing next week in Financial Services to discuss many of these issues, and I look forward to working with my colleagues on a plan that can further leverage our Nation’s great resources.

In conclusion, I want to thank Representatives WATERS and MEEKS for introducing this legislation. You have been strong advocates, and I really applaud you for the efforts. I thank you for allowing me to participate here tonight.

I strongly urge support of this bill. I reserve the balance of my time.

Mr. MEEKS of New York. It is my honor to yield 1 minute to the distinguished Chair of the Financial Services Committee who has led us this far, the gentleman from Massachusetts, the Honorable BARNEY FRANK.

Mr. FRANK of Massachusetts. Madam Speaker, I believe people will take notice of this, as there is no correlation between the importance of what we do and the attention that what we do gets. This is not controversial because it is a product of genuine cooperation.

I am delighted to be on the floor with my friend, the gentleman from Alabama (Mr. BACHUS). A few years ago, along with him and the gentleman from California and our former colleague, the gentleman from Iowa, Mr. Leach, we, frankly, beat the leadership of both parties and the Clinton administration to get debt relief through. They’ve learned, so we don’t have to fight so hard this time for a very important cause.

I am very pleased to be joining in this wholly cooperative way in a morally compelled response to the problems of the people of Haiti. And I join in thanking the gentlewoman from California again, the gentleman from New York, and my colleagues on the other side from California and Alabama for letting us bring this forward.

Various Members and their staffs have been congratulated, as they should be. It’s not as easy to do the right thing as it sometimes seems; you want to make sure you get it done well.

I just want to single out Daniel McGlinchey on the staff of the Financial Services Committee, who has been working around the clock for a long time, in cooperation with the other Members. This is a day in which the House can be proud, even if, because we’re not yelling at each other, the press won’t notice.

Mr. GARY G. MILLER of California. I reserve the balance of my time.

Mr. MEEKS of New York. Madam Speaker, it is my honor to yield 2 minutes to the chairwoman of the Congressional Black Caucus, a longtime fighter for Haiti, the Honorable BARBARA LEE.

Ms. LEE of California. Thank you very much, Chairman MEEKS.

Let me just first say how much I want to support this bill today and thank Chairman MEEKS for his steady and consistent support for Haiti, and also Chairman FRANK.

Also, let me just say, as Chair of the Congressional Black Caucus, I have to extend our thanks to Congresswoman MAXINE WATERS for her long-term leadership on the campaign for debt relief for Haiti and for all countries in the developing world. Congresswoman WATERS has been a friend, an ally of the Haitian people, and was present before this devastating earthquake struck.

Also, to the ranking members, your support and your sense of justice for Haiti is deeply appreciated.

The Congressional Black Caucus has a long history of working with the Haitian and Haitian-American communities, and many of us have traveled to Haiti several times. During the current crisis, the Congressional Black Caucus has and will continue to work closely with the Obama administration, the Government of Haiti, and the non-governmental organizations to provide whatever assistance we can on an ongoing basis to help with the recovery and reconstruction efforts.

Debt relief is not a matter of charity; it is really a matter of economic justice. Over half of Haiti’s debt was borrowed under Haiti’s dictatorial regimes, some of which were brutally repressive. Thus, moneys borrowed by these regimes should not be borne by the Haitian people who had no say whatsoever on how these moneys were spent.

But more to the point, I think that it is obvious that Haiti is not in a position to service debt—nor should it be—while it is struggling to meet the basic needs of its people like food, water, health care, and shelter. It is looking to rebuild from the most devastating tragedy to strike the island nation in its history. I know that the leaders of the financial institutions feel the same way, and they understand this bill and that Haiti should not have to repay its debt. The United States Government and other donor nations must work with these institutions to fashion a plan for it, and this bill offered by Congresswoman WATERS offers a legal framework and mandate to do just that.

Finally, I just want to say that I hope this bill passes on a bipartisan basis.

Mr. GARY G. MILLER of California. Madam Speaker, am I correct that we have 7 minutes remaining?

The SPEAKER pro tempore. The gentleman is correct.

Mr. GARY G. MILLER of California. Mr. MEEKS, I would be happy to yield 4 minutes of our time to you because I see you have numerous speakers, and I think you could probably utilize that time in additional speaking.

I yield myself 1 minute at this point in order to meet with various Members and their staffs.

As I have spoken to my good friends, Mr. GREEN, Mr. MEEKS and Ms. WATERS, about introducing legislation to
help employ American workers in Haiti, we are going to be giving—and other groups are giving—tremendous amounts of money to Haitians and to the Haitian Government to basically rebuild. We all believe that it is important, with the number of American workers, especially construction industries, that we have that are unemployed, to utilize many of our dollars to send the expertise and skills we have in contractors and workers and laborers from the United States to work with the labor of the Haitian people to rebuild their country. I want to commend my colleagues on the other side of the aisle for working with me on this. We are close to having legislation done. Ms. Waters, I spoke to you today, and we will be getting that to all of you to review before I introduce it. Hopefully we can bring this up in committee within a couple of weeks to start implementing American manpower and resources to help the Haitian people and also, at the same time, to benefit those Americans that are out of work. I reserve the balance of my time.

Mr. MEEKS of New York. Madam Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman currently has 7 1/2 minutes remaining.

Mr. GARY G. MILLER of California. I would be happy to yield 4 of my minutes to my good friend from New York (Mr. MEEKS).

The SPEAKER pro tempore. Without objection, the gentleman from New York will control 11 1/2 minutes.

There was no objection.

Mr. MEEKS of New York. It is my pleasure now to yield 1 1/2 minutes of that to the gentlelady from the great State of Florida, the Honorable CORRINE BROWN.

Ms. CORRINE BROWN of Florida. Madam Speaker, I stand in strong support of the Debt Relief for Earthquake Recovery in Haiti Act introduced by my dear friend and colleague, Representative MAXINE WATERS.

Like so many of my colleagues here in the Congress, and particularly in the CBC, we have been working to improve the lives of the people of Haiti for many, many years.

I was in Haiti last October with Chairman OBERSTAR and Congressmen GREGG, GIESECKE, and we met with President Preval and members of the Haitian Cabinet to discuss ways to improve the nation's infrastructure system, which is absolutely vital to Haiti's future economic development.

Haiti is an island filled with good-willed, hardworking people; yet their lives are extraordinarily difficult because their country has been in great turmoil for decades, long before the terrible earthquake that hit Port-au-Prince.

Being from Florida, Haiti has always been very, very near and dear to my heart. In my congressional district of Florida, we worked with numerous area churches, businesses, and non-profit organizations to make about 60 donations of tractor-trailers filled with supplies for the Haitian people.

Mr. MEEKS. I yield 1 1/2 minutes to the gentleman from the great State of New York (Mr. MEEKS) and the leadership of the gentlewoman from California (Ms. WATERS), who is the author of this legislation.

As Representative of the second largest Haitian community in the country, I commend the Obama administration's swift response to the Haitian crisis. Without the President's comprehensive relief campaign, which included food, water, medical, and military assistance, as well as the $100 million in aid, we would not be at the point we are, which is ready to discuss the next step. Thank you, we are.

We must remember that the January earthquake did not create the troubling conditions in Haiti, although it certainly exacerbated them. Haiti is already the poorest nation in the Western Hemisphere. H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act, will achieve three distinct goals which will help to keep the focus on humanitarian assistance.

First, the Secretary of the Treasury would instruct the U.S. executive directors of the institutions which lent money to the Haiti Government to immediately cancel all debts owed to Haiti by the international financial institutions. Next, Haiti's debt service payments would be suspended.

Lastly, grants would be provided for additional assistance so that Haiti would not accumulate additional debts. It is my hope that, as we continue to rebuild, our rebuilding effort will not begin until the relief effort has concluded, and it will be dependent on all allowing Haiti to focus solely on humanitarian aid. To do this, it is imperative that we cancel the debts of the Haitian Government.

Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEEKS of New York. I yield 1 1/2 minutes to the gentleman from the great State of Texas, the Honorable AI GREEN.

Ms. WATERS. It would be the Honorable MAXINE WATERS. It would also be Mr. MILLER, the ranking member on the subcommittee and, of course, the ranking member of the full committee, BACHUS.

Madam Speaker, I must tell you that my comments have been revised because I cannot allow this moment to go by without speaking to the comments that were made by Mr. BACHUS.

He spoke to our hearts and he spoke truth. It’s not easy to stand in the well of the House of Representatives and speak the kind of truth that we heard. A son of the South and a Representative from Alabama stood in the well of the House, and he spoke the truth about one of the greatest atrocities ever imposed upon humankind and about how one country, in an effort to extricate and liberate itself, had to pay the penalty of the liberation that it accorded itself. It meant something to me to hear this son of the South speak this kind of truth in the well of the Congress of the United States of America.

So I commend you and I salute you, Mr. MILLER, I thank you as well.

The two of you deserve to have it said that you truly spoke truth to power tonight, Thank you.

Mr. GARY G. MILLER of California. Madam Speaker, I yield 1 1/2 minutes to the gentleman from Alabama, Mr. BACHUS. Madam Speaker, I would like unanimous consent for an additional minute on each side.

The SPEAKER pro tempore. Without objection, each side will control 1 additional minute.

Mr. BACHUS. Madam Speaker, I now ask unanimous consent to yield our 1 minute to the majority.

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

There was no objection.

Mr. MEEKS of New York. I yield 1 1/2 minutes to the gentleman from the great State of Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. This is a very historic occasion. I would like to thank Congresswoman WATERS for her continued and persistent leadership on debt relief for countries around the world.

I thank the chairman of the subcommittee, Mr. MEEKS of New York, for his persistence and guidance on passing this bill quickly. Mr. BACHUS and Mr. MILLER. Thank you for your commitment and for your interesting and very good idea about putting Americans to work.
Madam Speaker, I rise today to support this legislation to acknowledge that we are talking about a country right now that has only 20 percent of the revenue that it needs to run its nation. They need seed. They need fertilizer. They are living some 80 percent below the poverty line, owing some $709 million in debts to multilateral financial institutions—$447 million to the Inter-American Development Bank—and also to countries such as Venezuela. This legislation will, in essence, help facilitate all of those debts, and it will help us track what the United States has done.

I would like to take this time to thank all of the first responders, USAID and so many who stood tall when Haiti called. Today, in the White House, it was good to be able to acknowledge those first responders from around the world, from around the Nation, in addition to the United States military.

Helping them with this debt relief over all the land will allow the President to focus on building and on rebuilding—rebuilding Port-au-Prince, rebuilding the suburbs in the outlying areas—and to focus on creating jobs for the middle class, on bringing contractors there who will work with Haitians in a joint venture with agencies.

So the relief of this debt, I believe, is an enormous step in making a difference in the lives of Haitians.

I want to thank you and ask support of this legislation.

Madam Speaker, I rise in support of H.R. 4573—the Debt Relief for Earthquake Recovery in Haiti Act of 2010. As, a co-sponsor of this bill, I strongly believe that it is a necessary step to ensure a successful recovery in Haiti.

Haiti’s long term development is currently hampered by its debt burden. January’s earthquake struck Haiti during a time of economic vulnerability. Before the earthquake, Haiti was, by far, the poorest country in the Western Hemisphere.

Before the earthquake, Haiti also has among the world’s lowest levels of gross domestic product per capita. An estimated 80 percent of the population lived under the poverty line with 54 percent living in abject poverty, according to the CIA World Factbook. According to the United Nations Human Development Report, more than two-thirds of the labor force is employed in agriculture.

In fact, according to the New York Times, “Haiti was one of only two Caribbean countries expected to grow in 2009.” There were hopes of a tourism revival, reinforced by the announcement that a new Comfort Inn would open there this May. In a sign of its growing structural specialization, Haiti even recently announced that it is also looking to begin collecting better national statistics, with the help of the International Monetary Fund, so that it could better assess and calibrate its economic policies.

The earthquake on January 12th detailed this progress.

As this legislation states, the Government of Haiti cannot afford to invest in reconstruction and development efforts while continuing to make payments on debts owed to multilateral financial institutions. The International Monetary Fund (IMF), the World Bank, and the Inter-American Development Bank and to other international creditors.

Prior to the earthquake, debt service payments to multilateral financial institutions and Haiti’s international creditors alone were a tremendous burden that interfered with the ability of the Government of Haiti to meet the needs of its people.

On June 30, 2009, the World Bank announced that Haiti qualified for and received $1.2 billion in debt relief from the IMF, the World Bank, and other multilateral financial institutions. In order to qualify for this debt relief, the Government of Haiti successfully developed and implemented a comprehensive Poverty Reduction Strategy Paper, under the direction of the IMF and the World Bank.

According to the U.S. Department of the Treasury, despite previous debt relief, Haiti still owes a total of $709 million in debts to multilateral financial institutions, including $447 million to the Inter-American Development Bank, $165 million to the IMF, $39 million to the World Bank, and $165 million to the International Fund for Agricultural Development.

According to the IMF, Haiti owed Venezuela $167 million and Taiwan $92 million at the end of September, 2008; furthermore, the amounts of these debts may have grown since that time. The cancellation of Haiti’s debts to multilateral financial institutions and other international creditors will allow the Government of Haiti to use its meager resources for essential reconstruction and development efforts.

As important as this legislation is, it is only one part of a much larger American assistance response to the earthquake. America will continue to respond with humanitarian assistance to help the people of this struggling island nation rebuild their livelihoods. I send my condolences to the people and government of Haiti, and I want to commend to the Senate to say, Defeat the Payne-Bachus legislation because it would disrupt the stock market. So I commend you again for the great work that you have done.

Madam Speaker, as we have mentioned, Haiti has had such a tremendous history. Since we know what is in the bill, I might also mention that it was during the Revolutionary War that Haitian soldiers fought in one of the key battles, the Battle of Savannah, which the war ended. And the Lewis and Clark expedition began in Savannah. I spoke at the dedication a year or so ago. It turned the tide of the war.

Haitian soldiers fought in a number of battles to help the original colonies of the United States become independent from Britain. So they shed blood for our independence. Many people didn’t know that.

Then, as you know, with the defeat of Napoleon’s army by Haiti, as was talked about, they had the reparations that had to be paid back caused France to be cash poor and land rich. It therefore forced them to sell the Louisiana Territory to the United States because it had lost the cash that Haiti had produced. Over 50 percent of all the commodities of tea and coffee and sugar in Europe came from Haiti. France lost that and therefore needed the cash from the Louisiana sale to have its treasury boosted. As a result, the Louisiana Purchase and the Lewis and Clark expedition began in St. Louis, and the United States was able then to take the rest of this Nation. Once again, Haiti had a tremendous part of this.

Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEeks of New York. I yield 2 minutes to the Chair of the subcommittee for the Western Hemisphere, the gentleman from New Jersey, the Honorable Donald Payne.

Mr. PAYNE. Let me begin by commending the gentleman from New York and Ms. Waters from California for this very important legislation, H.R. 4573, Debt Relief for Earthquake Recovery in Haiti.

I also would like to acknowledge Mr. Bachus for his very impassioned speech. Yet I am not surprised.

Mr. Bachus, you may recall, when we were fighting the brutal Government of Sudan, we tried to get capital market sanctions. You supported our legislation that brought Mr. Bush to the Senate to say, Defeat the Payne-Bachus legislation because it would disrupt the stock market. So I commend you again for the great work that you have done.

Madam Speaker, as we have mentioned, Haiti has had such a tremendous history. Since we know what is in the bill, I might also mention that it was during the Revolutionary War that Haitian soldiers fought in one of the key battles, the Battle of Savannah, which the war ended. And the Lewis and Clark expedition began in Savannah. I spoke at the dedication a year or so ago. It turned the tide of the war.

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Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEeks of New York. I yield 2 minutes to the Chair of the subcommittee for the Western Hemisphere, the gentleman from New Jersey, the Honorable Donald Payne.
I want to commend my friend and colleague, the gentlewoman from California (Ms. WATERS) for this bill. Madam Speaker, like all of my colleagues, I rise in strong support of H.R. 4573, which pushes for the cancellation of debt owed by Haiti to multilateral financial institutions.

I am the chairman of the Western Hemisphere Subcommittee, and I also have a large Haitian population in my district, Kingsbridge, in the Bronx, New York. I am honored to say that, last Friday, I traveled to Haiti. You can see the devastation in the newspapers; you can look at it on television, but until you are there in person, you cannot imagine how horrible it is.

The other things you see are thousands upon thousands upon thousands of people in the streets with nothing to do and with no place to go—with no place to go to work and with no place to call home. There are rows of tents and shacks and of things put up for people to seek shelter. There are people just in the streets, and they are friendly towards the United States. We have a special obligation to help the people of Haiti.

We met President Preval in Port-au-Prince last Friday. Today, I had the honor and pleasure of meeting him again twice—once at the White House with President Obama and then after that meeting, at a private meeting with Members of Congress. I will tell everyone what I told him and what all of my colleagues are saying:

We must help Haiti. We have a responsibility to help Haiti. It is clear that Haiti faces a very long road of recovery from the impact of the earthquake, and this bill will allow the Government of Haiti to focus its efforts and attention on the present and future recovery of the country and on the Haitian people.

We all know Haiti’s early history and independence. It is tragically marked by the onerous debts it was forced to pay by major powers, depriving Haiti of many needed resources and development. We shouldn’t allow Haiti’s present debts to pose similar obstacles in the wake of this earthquake.

People say that Congress can’t agree on anything and that there is no bipartisan spirit here. What we are seeing now is bipartisanship at its best. We are all working together to help the people of Haiti.

Mr. GARY G. MILLER of California. Madam Speaker, I yield myself the balance of my time.

My daughter, Elizabeth, lived with me here in Washington for about 4 years. She was one of the directors for a group called Witness for Peace, which is a large humanitarian organization. I recall very well a trip she led of a group to Haiti. She spent a week in Haiti with individuals from the United States, looking at the situation that the people were in and trying to come up with ways that we could help the people of that country.

My daughter passed away about 2 years ago, and I am proud to be part of this bill because she believed in this. She believed that there was a lot of good that the American people could do for people in this part of the world. So I am just glad to chair this side of the hearing tonight, I would like to do it in honor of my daughter, if you don’t mind.

I yield back the balance of my time. □ 1930

Mr. MEEKS of New York. Madam Speaker, I yield myself the balance of my time.

Let me just first thank the chairman of the committee, BARNEY FRANK, Ranking Member BACHUS, and again my ranking member on the International Monetary Policy and Trade Subcommittee, Mr. MILLER. We came together because of the hard work and dedication that the gentlelady from California put forward in writing this bill to make sure we did the right thing for the people of Haiti. This is one of those times where you are proud of being a Member of Congress, working together for the good of human beings.

Though oftentimes we say that Haiti is poor, they are rich; rich in spirit, rich in human capital, rich in hope. These are a people suffering the most unimaginable tragedy, which still have the hope and desire of moving forward, who have overcome and survived all of the things that Mr. BACHUS and others have said today, when you think about it, from the very beginning of their independence.

Indeed, the people of Haiti are a rich people, and we are doing the right thing today and sending the right message to the people of Haiti, that we will stand by you, not just for the short haul, but for the long haul.

Madam Speaker, I am proud to be a Member of Congress and proud of my colleagues who have worked so hard to get this bill done, and I am proud that we are doing the right thing by the great people of Haiti.

Mr. HASTINGS of Florida. Madam Speaker, I rise today in strong support of H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act.

It is almost 2 months to the date since the already struggling nation of Haiti was rocked by a 7.0 magnitude earthquake. Approximately 3 million people were affected and an estimated 300,000 people died. Those that survived are facing unimaginable conditions, with a crumbling infrastructure that has hindered the delivery of humanitarian aid.

Out of this destruction, however, the Haitian people have been given the incredible opportunity to right the wrongs of the past and rebuild their nation stronger than ever before.

Though I commend our government’s generous contributions of humanitarian assistance and that from foreign nations, Haiti cannot be self-sufficient and its recovery cannot be sustained without serious attention. Its resources must go to paying debts that were amounting out of desperation or by repressive, irresponsible regimes.

Despite previous debt relief, Haiti still owes a total of $709 million in debts to multilateral financial institutions. Meanwhile, the IDB has estimated earthquake damages to total nearly $14 billion.

How can we in good conscience expect Haiti to stand alone and to reign out its foreign governments and international financial institutions when there are people sleeping in the streets, children going hungry, and schools and hospitals reduced to rubble?

I have long fought for the people of Haiti, both on this island and in our own Nation. On this issue in particular, last Congress, I offered an amendment which passed the House of Representatives unanimously that put Congress on record encouraging the expedited cancellation of Haiti’s international debt.

At a time of extreme instability and crisis, Congress and the United States government must do all within our power to help ensure a long-term sustainable recovery for Haiti.

I applaud Congresswoman WATERS for her long-standing commitment to debt relief for Haiti and for other deserving nations and urge my colleagues to support this bill.

Mr. CONYERS. Madam Speaker, I rise in support of H.R. 4573. This legislation would direct the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank to immediately cancel Haiti’s debts and urge donors to disburse grants. While Haiti is rebuilding, we should allow them to turn a new leaf and not be burdened by overwhelming debt.

Last month I visited Haiti and witnessed firsthand the destruction caused by the massive earthquake of January 12, 2010. It is estimated by the Haitian government that well over 200,000 Haitians have been killed and 3 million have been affected by the natural disaster. It is imperative that this body help its neighbor in its time of need and make a significant long-term reconstruction commitment.

Haiti has had a long history of multilateral institutions distributing aid in the form of loans. At its peak, Haiti had a total external debt of $1.8 billion. In recent years the United States has canceled debt forgiveness and the international community recently responded last summer by forgiving $1.2 billion in debt to multilateral institutions.

I strongly support the legislation, which rightly argues that future aid to Haiti should be in the form of grants instead of loans. This must be kept in mind at the Haiti donor conference scheduled for later this month at the United Nations.

Madam Speaker, I am heartened by the public and private support given to the victims of the earthquake by the American people. I also commend President Obama’s unwavering commitment to alleviate the suffering.

Passing today’s legislation would help free our struggling neighbor from the shackles of debt and offer a glimmer of hope during this time of need.

Mr. JOHNSON of Georgia. Madam Speaker, the earthquake on January 12, 2010, was the worst disaster to afflict Haiti in over two centuries. According to recent estimates, the earthquake has killed 230,000 people and displaced another 1.3 million. The poor Caribbean country is the poorest country in the Western Hemisphere, with a long history of exploitation at the hands of world powers. Now, with severe damage to roads, ports, and hospitals,
and a desperate need for clean water, food, shelter, and basic sanitation. Haiti faces reconstruction burdens that may exceed $14 billion. With such expenses in the future, Haiti is in no position to repay the debts it owes wealthy international creditors.

Madam Speaker, that in mind I urge my colleagues to support H.R. 4573, legislation I cosponsored that would promote debt relief for our Haitian brothers and sisters.

The bill urges the Secretary of the Treasury to instruct the United States executive directors at the International Monetary Fund, IMF, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the "voice, vote, and influence of the United States" to cancel immediately and completely all debt owed by Haiti to such institutions; suspend Haiti's debt service payments to these institutions until the debts are canceled completely; and provide additional assistance from these institutions to Haiti through grants so that Haiti does not accumulate additional debt. The bill also directs the Secretary of the Treasury to instruct the United States executive directors at the Inter-American Development Bank, the IMF, and the World Bank, to suspend Haiti's debt service payments to these institutions until the debts are canceled completely; and provide additional assistance from these institutions to Haiti through grants so that Haiti does not accumulate additional debt.

Despite significant debt relief last summer, Haiti owes a total of $282 million in debt to multilateral financial institutions, including $447 million to the Inter-American Development Bank, $284 million to the IMF, $39 million to the World Bank, and $58 million to the International Fund for Agricultural Development. Haiti also owes about $400 million to other international creditors.

Madam Speaker, it is abundantly clear that extraordinary circumstances render impossible Haiti's timely repayment of this debt. Furthermore, our humanity should compel us to extend a compassionate hand to our neighbors in need:

I urge my colleagues to support this bill.

Mr. MEEKS of New York. I yield back the balance of my time.

SUPPORT NASA'S CONSTELLATION PROGRAM

Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks. Mr. GENE GREEN of Texas. Madam Speaker, I rise today in strong opposition to the President's proposal to cancel the NASA Constellation Program, which covers the Orion Crew capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets. These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses. The spending of the Constellation Program that NASA is currently developing will expand the commercial spaceflight industry to get up to speed to where the level of competence exists in NASA today. Our government has already invested literally years and billions of dollars in this program. We should build upon these investments and not abandon them.

Our country can support the commercial spaceflight industry, but not at the expense of the human spaceflight programs. It is my hope, Madam Speaker, that this Congress will continue NASA's Constellation Program, where together comprises our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses. The spending of the Constellation Program that NASA is currently developing will expand the commercial spaceflight industry to get up to speed to where the level of competence exists in NASA today. Our government has already invested literally years and billions of dollars in this program. We should build upon these investments and not abandon them.

Our country can support the commercial spaceflight industry, but not at the expense of the human spaceflight programs. It is my hope, Madam Speaker, that this Congress will continue NASA's Constellation Program.
The international space station has been built over the last 10 years. It has been built with the genius, the intellect, and the research of the United States. That research and genius is one of the key elements of the story of the United States. It has been built over the last 10 years. It has been a key element of the story of the United States.

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

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

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

TRIBUTE TO THE LATE HONORABLE CHARLIE WILSON
The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. ORTIZ) is recognized for 5 minutes.

Mr. ORTIZ. Madam Speaker, today we are here to honor the life and work of my good friend Representative Charlie Wilson, whom I had the pleasure of serving with in the House of Representatives for 13 years. Charlie was a unique person, one of a kind, and he will be missed dearly by his family, friends, and colleagues in the House.

Charlie had a very special and unique side to him. He knew when to be tough, he knew when to laugh, he knew when to speak his thoughts, but, above all, he knew how to serve the people of this great country and his district.

At the age of 23, after graduating with a bachelor of science degree from the U.S. Naval Academy, Charlie joined the United States Navy, where he attained the rank of lieutenant. After serving as a surface fleet officer for 4 years, he was assigned to the Pentagon as part of an intelligence unit that studied the Soviet Union’s nuclear forces.

At the age of 27, Charlie was elected to the Texas Legislature, and in 1961 he was sworn into office in the State’s capital in Austin, Texas. For more than 12 years, Charlie was known as the tough dog in the State capital, and he was often called the “liberal from Lufkin, Texas.” During his time in the State legislature, he fought for Medicaid, tax exemptions for the elderly, the Equal Rights Amendment, and a minimum wage bill.

In 1972, while I was an elected county commissioner in Texas, Charlie was elected to the House of Representatives from the Second District of Texas near Houston. He served in Congress for 11 terms and did not seek reelection to the 105th Congress and resigned on October 8, 1996.

Charlie was known in the Halls of Congress as “Good Time Charlie,” but it was an appropriate name for him. He was very funny, joyful, and full of life. After he retired from Congress, he settled down, he got married, and he was at peace with himself and looked more comfortable and at ease. Charlie truly enjoyed life.

In 2006, we asked him to come and visit us in Congress, and this was when his book came out, “Charlie Wilson’s War.” He gave time to the people in the district and signed and autographed every book.

I remember one of the stories—and some of the stuff that I know about Charlie we probably wouldn’t be able to say here in the House, but he enjoyed life. He brought a beautiful young lady from Russia to visit the United States, and they asked Charlie, “Are you going to give her secrets?” He said, “The only thing I am going to give her is Victoria’s Secrets.”

That was Charlie Wilson. He was a great guy.

There is much I can say about Charlie—he was one-of-a-kind. I served with him diligently in the House of Representatives. I will miss him dearly, as well as my colleagues from the Texas Delegation. We all loved and cared for Charlie dearly, and I know we will continue to work together in unison for the betterment of our state and country.


I offer my condolences to Charlie’s wife, Barbara Alberstadt. May God bring peace to Charlie dearly, and I know we will continue to miss him dearly, as well as my colleagues from the House of Representatives. I will miss him dearly, as well as my colleagues from the Texas Delegation. We all loved and cared for Charlie dearly, and I know we will continue to work together in unison for the betterment of our state and country.

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

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

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

Mr. JONES. Madam Speaker, today during the debate about Afghanistan, I joined Mr. KUCINICH and several others in our concerns about Afghanistan, and I wanted to further read to the House. I had used a Marine Times article that has a photograph of a marine who is retired now and his son, Joshua, who was killed in Afghanistan. The article says “Caution Killed My Son. Marine Families Blast Suicidal Tactics in Afghan-istan.”

In addition to this article about his son and the tighter rules of engagement, “families voice outrage over new restrictions in Afghanistan,” they also have an article about four marines who were killed that asked the Army to give them cover. The Army didn’t say “no”; they just didn’t even respond.

The rules of engagement are so different for our troops that I think at some point in time in the Congress, particularly on the Armed Services Committee, I am going to ask for a hearing about the rules of engagement.

I want to explain and then read a couple of comments from the father which was in this article, Sergeant Bernard, retired Marine, whose son Joshua was killed. What had happened was the marines had been in a firefight. Then there was an Afghan that came to the marines and said, Listen, there are other Taliban enemy down the road, and if you follow me, I will show you where they are located.

This is where I want to pick up the story by the father’s writing. He said, When the ambush began, the tipster could not be found, and the interpreter took cover, raising questions in Ber- mind about whether they led the Marines into a trap. There’s no ques- tion they did. I further quote Sergeant Bernard, who’s retired now: “Call me cynical if you want, but some rogue element led them there. The bottom line is both of those guys were gone. It’s just another indication of how this counterinsurgency strategy can’t work.”

I further want to read: “In an October 13 letter to Collins, Mullen addressed Bernard’s concerns by saying that ‘the new tactical directive did not change the ROE in Afghanistan, but rather provided more clarification and guidelines regarding the use of force. We have refined our procedures in order to reduce civilian casualties, but at no time have the ROE been modified to place our troops at greater risk,’ Mullen wrote. ‘Our troops still operate under a set of ROE that allows them to protect themselves and very limited enemy actions in balance with the Afghan popu- lace.’”

Sergeant Bernard, a retired Marine who served this Nation, said “the letter is ‘smoke and mirrors’ and overlooks his consistent concern: A coun- terinsurgency strategy won’t work as long as Afghanistan is filled with war- ring tribes that have no empathy for the U.S. and its way of life.”

I further want to read down in his re- sponse in the Marine Corps Times: “I already talked to Collins’ office and said, ‘Don’t let him spin this crap.’ There’s no indication that Afghanistan has changed anywhere. Our mission should be very, very simple: Chase and kill the enemy.”

Madam Speaker, that’s exactly what they should be doing, instead of this other type of strategy.

Bernard said he is frustrated that the senator’s office, one of his home State senators and a member of the Senate Armed Service Committee, has handled his complaints as that of a single con- stituent—and I’m not getting into...
TRIBUTE TO CHARLIE WILSON

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

Mr. GENE GREEN of Texas. I'm proud to follow my colleague from North Carolina. We share his support and his prayers for our men and women serving this country. That's why it's so important tonight to be here to honor the late Member of Congress, Charlie Wilson, from east Texas.

I first met Charlie Wilson in 1972, as a young State representative. He had just been elected to Congress. It was a fundraiser for him at the Intercontinental Airport, The Marriott, in Houston. I was 25-years-old and went out there, and the State senator who was just elected to Congress, and heard Charlie tell the four stories. Charlie is 1972—long before Afghanistan, long before Charlie Wilson became known as “Timber Charlie” because he represented the timber trees of east Texas. But a great Member. He was elected in 1972, like I said, to the U.S. House of Representatives from the Second District. He was elected 11 times. He did not run for reelection in 1996. In fact, he resigned in October of 1996.

Charles Nesbitt Wilson was born in Trinity, Texas, where his father was an accountant for a lumber company, on June 1, 1933, in the depths of the Depression. He attended the Naval Academy in Annapolis and graduated in 1956. He served 4 years in the Navy, from 1956 to 1960, and came back to Texas, where he was elected to the State house and the State senate.

Charlie Wilson died on February 10, 2010, at Lufkin Memorial Hospital in Lufkin, Texas, where he had been taken after collapsing earlier in the day and suffered from a cardiopulmonary arrest. He was pronounced dead at 12:12 p.m. Charlie Wilson received a graveside service with full military honors at the Arlington National Cemetery on Feb. 23, 2010.

Now for some of the stories about Charlie Wilson as a friend. I'm glad my colleague from Texas, JOE BARTON, is here, and Congressman CHET EDWARDS and AL GREEN and SHEILA JACKSON LEE, because Charlie had some stories that we couldn't tell on the floor of the House. But I'm going to try to tell you some of the good ones.

He is survived by his wife, Barbara, the former Barbara Alberstadt, and his sister, Sharon Allison. Charlie told me many times, like he told other Members, that he credited his wife Barbara with saving his life because it got him off a lot of things that he shouldn't have been on to begin with. In having seen him many times after he left Congress, Charlie was still Charlie. Charlie even entered the courtroom as a teenager. He began by running a campaign against his next-door neighbor, a city council member in Trinity, Texas. When Charlie was 13, his dog entered against his next-door neighbor, a city council member—and he retaliated by mixing off a lot of things that he shouldn't have been on to begin with. In having seen him many times after he left Congress, Charlie was still Charlie. Charlie even entered the courtroom as a teenager. He began by running a campaign against his next-door neighbor, a city council member in Trinity, Texas. When Charlie was 13, his dog entered

Mr. BARTON of Texas. I rise in support and honor of the late Congressman Charlie Wilson of the Second Congressional District of Texas. I didn't know Congressman Wilson in his salad days. I didn't get elected until 1984. By that time, he had calmed down, apparently quite a bit. But I can now state it, since the statute of limitations has expired, that I voted for Charlie six times. I lived in east Texas, in Crockett, Texas, in Houston County, in the Second Congressional District, and we didn't have a Republican primary, and I don't recall that we had a Republican opponent against Congressman Wilson in the time that I lived in Crockett. And so my choice was to vote for him or not vote at all. I chose to vote for him.

I never went to one of his town hall meetings, down at the courthouse on the square because I felt like he was doing a very good job for those constituents in east Texas, including myself. He was a strong defender of the military, very strong on what we call Texas values. He worked quite a bit on the Big Thicket in east Texas. He was an environmentalist ahead of his time.

When I got elected in 1984, I made it a point to get to know Congressman Wilson, or Charlie Wilson, because I had been his constituent and I knew of his reputation. I just felt like he would be a good guy to get to know. And he was. He was a really, really good person. When his mother died, I felt as a

whether they did or didn't, but just reading what he said—rather, seeing for what he is: representative of the hundreds of people—hundreds of people—he says have contacted him about this whole rules of engagement. I want to quote, and this will be the close: "You remember the one in the backwoods of Maine mourning his son," he said. 'This is bigger than that.'

So, Madam Speaker, I intend to ask the Armed Services Committee, which is chaired by a wonderful man from Missouri, and the ranking member from California, we need to have this debate on behalf of the families as well as the Marines and the Army. What are the rules of engagement? What can they do and cannot do? When I read these articles about the number that have died just because we could not give them cover in certain situations, that's the way we're supposed to fight a war, then that's a poor way to fight the war.

Madam Speaker, with that, I'm going to close as I always do. I know the gentleman from Texas has a tribute to pay to a former Member who I happened to serve one term with and thought the world of him. My daddy knew him and thought Charlie Wilson was a great guy. Let me get that on the RECORD.

My close is this: I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God to please bless the President, that he will do what is right for this country. And I ask God to please bless America.
courtesy that I should attend the funeral so that there would be some Texas Congressmen at his mother's funeral in Trinity, Texas. As it turned out, I was the only Congressman that attended. I went up to him. And we didn't really know each other that well, but I said, Charlie, I'm here if you need me to do anything. I didn't really know your mother very well, but I know she must have been a good woman if you were her son. And he never would tell me. From then on, if I needed something, I would ask my chief of staff if she could do it, or he did it. But he also asked you things.

I will never forget out on the steps of the Capitol one time he came up to me and he said, Joe, I need a favor. I said, What is it, Charlie? He said, Well, I need a Republican sponsor for an amendment in the Appropriations Committee. I said, Okay. What is it? He said, I can't tell you. I said, Well, how much money is it? He said, I can't tell you. Then he said, Well, how many years is it? He said, I can't tell you. I said, Well, what can you tell me? He said, If you do this for me, I will do almost anything you want in the Appropriations Committee for you. So I didn't know. I didn't know what that amendment was. But after reading some of the history of that time and that era, my assumption is that it was the Republican sponsor of an amendment that got funding for the black box program in Afghanistan for Stinger missiles. Now I don't know that, Madam Speaker, but that's kind of the way he operated.

Another story I can tell you is that I was standing here back behind the rail one afternoon and we had a series of votes going on, and Charlie came up to me and he said, What are you doing in a month or so? I said, I don't know. He said, Well, I'm going to take a little trip. I said, Where are you going? He said, I have to go to Afghanistan, and I have to go to Morocco. And if you'll come with me, after that we'll go anywhere you want to go. I said, Where do you want to go? He said, Well, I have to go to Afghanistan, and I have to go to Morocco. And if you'll come with me, after that we'll go anywhere you want to go. I said, Well, I'll think about it. We'll, I asked my chief of staff and she said no. I asked my wife, and she said no. So then I had to tell Congressman Wilson that I couldn't go. That's the trip that he took the Miss World on where he ended up going to Afghanistan.

Another story I can tell you is that a couple of us Congressmen were walking down the street one day, and we saw Congressman Wilson walking over to the Capitol, and he had this very strikingly beautiful young woman that he was walking with. Congress- man Dan Burton said, Charlie, that woman is as pretty as Miss Universe. And he says, It is Miss Universe. And it was.

He also loved cats—I mean the four-legged cats. They ran all over his office and all over the Rayburn building on the floor. As far as I know, House Administration never chastised him.

When you walked into his office, right after Afghanistan, he had a live Stinger missile. He was very proud of that.

I see that my time is about to expire. So for all of his family members and constituents, there were a lot of Republicans that served Charlie Wilson. He was a great patriot, a great public servant. He was a great neighbor, a great Texas delegate, a great friend of mine. We were first introduced to the Texas legislature where he was known as the liberal from Lufkin, supporting such progressive causes as the minimum wage, Medicaid, and the Equal Rights Amendment.

In 1972, he was elected to Congress where he became known as a champion of a strong national defense, a friend of average working families, and yes, someone who played a key role in bringing down the Communist Soviet Union. Who would have ever guessed, our friends and colleagues from Texas, that Charlie Hazard of Trinity, Texas, many years ago, killing his 13-year-old neighbor's dog, would lead to the mighty Soviet Union falling someday. History is an interesting thing, and Charlie Wilson certainly will always be a part of it, as playing a key role in one of the most monumental achievements in our Nation's history.

Charlie Wilson did what every one of us, Republican or Democrat, would dream to do and would dream that it be said about us at the end of our public service careers: Charlie Wilson made a difference. He made a difference for his State of Texas, for his beloved constituents in east Texas. He made a difference for America, and, yes, he made a difference for the world.

To his widow, Barbara, and to his sister, my dear friend Sharon Allison in my hometown of Waco, Texas, I hope they know that our thoughts and prayers are with them. I thank you and your family for sharing with us and for sharing with the world with the privilege and a joy to know him as a colleague and as a friend.

Most Americans will forever know Charlie Wilson from the movie "Charlie Wilson's War." I have been asked by people who knew that I knew and served with Charlie whether he was really as colorful as he was portrayed to be in that movie. My answer is that that movie was the only time ever that Hollywood had to tone down reality in order to make it believable.

I have no doubt whether Charlie ever read Shakespeare, but whether he did or not, the truth is, he personified Polonius' wise observation in Hamlet: "This above all: To thine own self be true. And it must follow, as the night the day, Thou canst not then be false to any man." It makes me wonder if somehow Polonius didn't know Charlie Wilson.

Charlie Wilson was not false to any man, any person or any constituent, not ever. He was the real thing, and I think in this sometimes cynical world, that is what all of us blessed to know him as a friend found so very endearing about him. In fact, Mr. Speaker, a number of Charlie's former colleagues who had served with him, members of the Texas delegation, have asked that we include their remarks with respect to Charlie, his life and his spirit.

Also, Mr. Speaker, I would like to insert into the Record the remarks of Ralph Hall who also served many years with Charlie, and I would only just summarize it all made by Mr. Hall about his good friend Charlie. He said, He was a courageous and kind man with a strong sense of justice that compelled him to work for the good of others. I think that, more than anything else, will be the enduring part of his legacy. He decided to commit his energy, and the efforts of this country, to helping the Afghani people against the Soviets, not just because of his love of the Cold War, and not just because it was us versus them, but because he saw the atrocities committed against the Afghani people and he knew that the United States could
not sit by and just allow it to happen. It was actions like that and his dedication to American values that ultimately helped President Reagan bring down the wall between East and West and bring democracy to so much more of the world.

Charlie was also known for his ability to party, and it is true that he knew how to have a good time. He was married earlier in his life before coming up here to Washington, and I remember once, he had been dating this Russian beauty, and there were loud talks and rumors in the tabloids that wedding bells were inevitable and then one day I woke up and the headlines read that the marriage was off. So I asked him what happened, and he said to me, “Ralph, you knew I wasn’t going to marry that girl,” and I said, “Charlie, how was I supposed to know that?” And he said, “You ever see a three legged fox get near a trap again?”

Well, he was a wise old fox indeed and managed, himself, to trap the love of his life, the beautiful Barbara Alberstadt, and she blessed the last 11 years of Charlie’s life. We’re all sad that he’s gone, but I for one am blessed the last 11 years of Charlie’s life. Barbara sustained and prolonged Charlie’s life. Barbara loved him. She loved her family. They loved him. And she made a difference in his life, just as he made a difference in this country. Just as Charlie showed what one man can do when he puts his mind to it, this body of people who march to the beat of a different drummer. I admire people who are original, who do things in a very good way, but they do the things that they do in their very own way.

It appears that Charlie Wilson was such a person. While he could easily have been a great Congressman representing the people of his district and not traveling abroad, he took it upon himself to not only help the people of Afghanistan but to go there and be a part of it and to actually take others into Afghanistan as well to help people with a resistance movement. He marched to the beat of a different drummer. He did not allow the circumstances of what we call “the norm” to prevent him from doing unusual things in a most significant way.

I regret that I did not have the opportunity to meet him, because I believe that such a person has a positive impact on the lives around him; and as I listen to his friends speak so highly of what he was able to do here in the Congress of the United States of America, I only can say, Charlie, I didn’t have an opportunity to meet you on this side, but I know that at some point, I’ll have an opportunity to meet you, and I want you to share some of those many stories with me.

You have been a friend of this country, and this country loves you. God bless you, Charlie. I know that wherever you are, there’s a good time being had.

OUR FUTURE IN AFGHANISTAN

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

Mr. CONAWAY. Mr. Speaker, this afternoon we had a serious and earnest
debate about our future role in Afghanistan. I firmly believe that there are respectful differences of opinion on this war, and that support for a war is not a litmus test for one’s support for America. However, I’m grateful that this House has overwhelmingly rejected running from America’s vital interests and the people of Afghanistan.

Our debate today presented a stark choice to Members, quite literally, to stay or to go in Afghanistan. It is one in which there is no middle ground, no hedging, no fudging. In the most unequivocal terms I can muster, I resolutely oppose our retreat from Afghanistan.

Mr. Speaker, more times than I can count in the past few years, we have been reminded that the war in Afghanistan was the good war, that it was the war of necessity over the war of choice. I stand here today to remind my colleagues of their many statements in that regard. We did not seek this war. Our country was not involved. We did not march into Afghanistan for profit or pleasure or plunder. We went to ensure that Afghan soil is never again used to wage war or terrorize civilians.

We did not ask for this war; but now that it’s come, we cannot loosen the amount of responsibility that we have taken up. To be certain, our goals in Afghanistan are difficult. Continuing to forge a partnership with the Afghans will take military might, diplomatic finesse, and our hard-earned taxpayers to succeed.

However, these are costs that we must bear and should bear. The President and our military leadership understand the seriousness of our task. Time and again in speeches and interviews they have repeated that Afghanistan is the epicenter of Islamic extremism, and that defeating al Qaeda in central Asia is key to preventing the growth of a civil society, no cost that can be put on stabilizing Pakistan, and no price that can be put on the recent rapprochement of Pakistan and India. Failure in these developments will hurt our national security, yet a retreat will make them more likely.

I believe, as we all do, that Americans want peace above all else. None of us desires our friends and families to be deployed overseas among the rocks and caves of the foreign countryside. However, peace will not come until our enemies end their drive for our destruction. Until that day, talk of leaving Afghanistan means only that our enemies will bring the fight back to us.

There can be no peace in Afghanistan without a cessation of hostilities. Whether we leave today, tomorrow, or at the end of this year, this war does not end simply because we choose not to be engaged in it. The Taliban will return. With their return, they will expand their efforts to destabilize our ally Pakistan, and again provide sanctuary for radical Islamic jihadists who will continue to try to murder Americans in the name of their faith.

Mr. Speaker, I hope and pray fervently for a day when our Armed Forces do come home. However, until our enemies lay down their arms and give up their fight to destroy our civilization, our military must remain out there on the wall, doing their duty to uphold America’s democracy and our safety.

That we have spent so much time today discussing abandoning our allies deeply saddens me. Halfway around the world I know that our Afghan partners were watching what was said and trying to divine our intent by holding this debate. It is my firm hope that they see today’s vote for what it is, the unqualified, overwhelming voice of the House of Representatives announcing that we will not abandon our friends in their deepest hour of need.

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

Mr. GONZALEZ 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 Texas (Mr. CUellar) is recognized for 5 minutes.

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

HONORING CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to celebrate the life and honor the accomplishments of Congresswoman Charlie Wilson who passed away on February 10, 2010.

Charlie Wilson was a remarkable Congresswoman, and in his time in the U.S. House of Representatives, he worked diligently for his constituents in East Texas. During his tenure in the House, he gained a seat on the House Appropriations Committee and through his position on the Subcommittee on Defense, he helped to fund the Afghan Mujahideen during the Soviet War in Afghanistan. Additionally, his support for progressive policies led him to be an advocate for the Equal Rights Amendment, a minimum wage bill, and Medicaid.

All of these actions have garnered Congresswoman Wilson a place in the history books, but it was his personality that earned him a place in the hearts of so many people across Texas. When he talked, we knew that his deepest concern was for the people of his district in East Texas, and as a fellow Texas Democrat, I am privileged to have served with him. His love for life will reverberate through the halls of Congress for years to come, and he will be truly missed by his fellow Texans, and especially me.

Mr. Speaker, Texas has lost a great leader and legislator with the passing of Congresswoman Wilson, and I ask my fellow colleagues to join me today in honoring his memory.

ECONOMIC RECOVERY

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

Under the Speaker’s announced policy of January 6, 2009, the gentleman from Ohio (Mr. BOCCIERI) is recognized for the remainder of the hour.

Mr. BOCCIERI. Thank you, Mr. Speaker. Sorry for the confusion this evening.

Tonight I am joined by several of my colleagues from around the country to speak about the economy and how we are working hard here in Congress to set the record straight, but also, more importantly, to put our people back to work.

If you remember when we took office, Mr. Speaker, we were suffering from one of the worst recessions since the Great Depression. In fact, many have called this the Great Recession. And ironically, of all commodities, there is a contemporary insurance commercial that says, “How will we remember this time and our experience? Will we remember this time as the great recession or the recession that made us great?” I think...
tonight you are going to hear from my colleagues who say that we are going to be remembered for the recession that will once again make this country as great as it has been in the past by focusing on real things, real challenges, and real solutions.

When we took office, Mr. Speaker, the economy was in freefall. We didn’t know where we were going to land. Record job losses were across the airwaves, people were standing in lines waiting for unemployment checks, and we found out that it was the most significant job loss since the Great Depression.

Record job losses. We didn’t know where we were going to fall. Two undeclared, unfunded wars. A banking system in chaos. Greed on Wall Street. It was a perfect prescription for a perfect storm, and one that has led us to where we now have enormous challenges. It was the largest job market was losing 750,000 jobs a month, and unemployment was climbing just as fast. The economy was contracting at a rate of over 6 percent, the worst in decades. Foreclosures were at record levels, home prices had plummeted by 30 percent. The decline of home prices, stock values, pensions and other retirement plans had cost American households over $10 trillion in wealth.

In fact, since the Great Recession had started, Mr. Speaker, since 2007, Americans’ wealth had plummeted by $17.5 trillion according to the Federal Reserve. Seventeen and a half trillion dollars of loss of wealth since the recession started in June of 2007. It didn’t start to pick up until the American Recovery and Reinvestment Act.

Now, we have heard a lot of hype about the American Recovery and Reinvestment Act. We heard a lot about the fact that it was the largest investment of capital in our Nation’s history. We have heard a lot about the fact that this was the largest tax reduction in our country’s history. Faced with this economic meltdown that we were facing, we walked into the door here in the 111th Congress, it required swift action.

Mr. Speaker, I believe that Members of Congress will be judged by two measures: by action or inaction. And the Congress took swift action to act as a backstop against further job loss, to create some jobs along the way. That is what the stimulus was about. And every economic expert you speak to today says that this brought us back from the brink of a great depression.

So I want to tell those detractors today that it wasn’t until we enacted the stimulus, the American Recovery and Reinvestment Act, that Americans’ wealth started to grow again. Around the world over the last century the typical financial crisis caused jobless rates to rise almost 5 years, according to the economist Carmen Reinhart. Over the timeline our rate could rise up to 20 percent. And as Ben Bernanke and Henry Paulson, who were both Republicans, said, that many others warned in 2008 if dramatic action was not taken to break back the recession, the United States could spiral into another Great Depression. These are experts. These are economists. These are people who have distinction and recognition all around the world. It is important that we recognize that we had to take swift action here.

In the fourth quarter of 2009, the economy grew by almost 6 percent. Six percent. Job losses for the fourth quarter in 2009 were one-seventh of what they were when we took office, Mr. Speaker. The nonpartisan Center for Budget and Policy Priorities said that the American Recovery and Reinvestment Act kept more than 6 million Americans out of poverty and reduced the severity of poverty for more than 33 million more.

Can you imagine what it would be like if we didn’t enact a robust policy to extend unemployment benefits, to extend coverage for health care so folks could keep their health care during this time of great need? Could you imagine if we didn’t help people what kind of condition we would find the people that we represent?

Well, it is disappointing because the challenges that confront us, Mr. Speaker, aren’t Democrat or Republican challenges, nor conservative or liberal challenges. They are not even moderate challenges. They are American challenges. And it is so frustrating to me that we have got to find the courage to stand up and confront these together. That is why I am so disappointed in my colleagues who didn’t lend their support to help America recover in her greatest time of need.

A few more facts before I ask some of my colleagues to be recognized here.

According to economists polled in a recent USA Today survey, unemployment would have hit 10.8 percent high had it not been for unemployment without the Recovery Act. The difference would have translated into another 1.2 million jobs lost. These problems were years in the making, and they are not going to be fixed overnight. In fact, I can argue it is a decade of failed economic policies that have led us here.

A lot of our colleagues on the other side like to talk about the national debt. You know, when President Clinton left office, our country was facing a $5.6 trillion surplus, a $5.6 trillion surplus, and when President Bush left office, we were facing almost a $13 trillion deficit. So it is very clear that after two tax cuts to the wealthiest Americans, two unfunded wars and a prescription drug plan that left a huge doughnut hole for average working families and seniors, we have a deficit now that has put us on the brink. And that’s why we had a stimulus that protected the American middle class which we passed the American Recovery Act.

Now I want to call on my colleague from California, because she is going to talk about how this has impacted one of the largest States in the country, and I yield to the gentlewoman from California (Ms. Chu).

Ms. Chu. Mr. Speaker, I am proud to be a member of the Democratic Congressional Jobs Working Group. Together, we are proposing solutions to job crisis. In fact, one of those proposals is H.R. 4564, the Emergency Jobs Program and Assistance for Families Act. This bill extends an extremely successful employment program that we call Jobs NOW. It has created over 12,000 jobs over 29 States and is still developing more.

In Palmdale, California, Jobs NOW helped Jody, a single mother of two, find a job at a local coffeehouse working as a barista. The regular paycheck she received on the job was helping her get through a rough patch. Her boss is impressed with her work and plans to permanently hire her and the other three subsidized employees they brought in. It is this kind of success story that makes Jobs NOW such a model for job creation. Without it, the coffeehouse would not have been able to grow its business or take on new employees. Jody would not have had a chance to learn new skills and support her family.

I first learned of this innovative program in Los Angeles County. One of the supervisors, Don Knabe, created 11,000 jobs over the last year, using stimulus funds to create subsidized jobs.

How does it work? Eligible participants are placed into subsidized jobs in all sectors of the economy, from nonprofits to government agencies to private businesses, and are matched with jobs that complement their employment goals. The employer must provide supervision equal to 20 percent of the wage cost and ensure that the job does not displace an existing employee or replace someone who was to be promoted. This means the county is paying $4 per hour for up to 40 hours per week. Jobs NOW allows businesses to succeed and the employee to succeed.
I have spoken to countless people in my district about this program, and I keep hearing about how this program is a win/win. It works for both workers and businesses. Workers benefit beyond the paycheck by getting hands-on experience. Wages develop, new skills, and enhance existing skills. Businesses benefit by getting the help they need to grow or expand while temporarily reducing payroll costs. Companies may ultimately hire these subsidized workers permanently as the economy improves. The jobs generated by this program can help businesses expand in these difficult times by reducing their economic risk and need for expensive loans.

California is leading the Nation in creating these subsidized jobs. For instance, a V-Cube, a high-tech firm in Torrance, California, hired two subsidized employees with autism. She has been living on her own for the past three years, and last week she moved into her own apartment. She told California Social Services, "You people were saying 'No, not this time.' Without this program, I could not have paid my rent, and my babies and I would be on the street."

California has been programs like this. We need more of these programs. The Jobs NOW program allows more States to help residents get back on their feet and into a job.

In Tennessee, the State focused on rural Perry County, which was hard hit by a plant closure. The unemployment rate was 27 percent. The Governor brought local workforce development and human service agencies and the business community together and developed a subsidized employment program for over 500 individuals.

In Mississippi, the State has developed the Steps Program, which uses Jobs NOW money to create private sector jobs that transition into permanent employment. The State begins by funding all of the wages of a new employee and steadily reduces its commitment until the business can support the employee on its own.

As you can see, 29 States across the country have implemented programs that created subsidized jobs, and even more want to jump on the bandwagon. That's why the House is in support of this proposal. President Obama is a strong supporter. Besides its funding in the Recovery Act, he has proposed a $2.5 billion increase and a year-long extension for this upcoming budget.

But it is not just the President who thinks this is a good idea; there is deep bipartisan support. The American Enterprise Institute's Kevin Hassett recently wrote in Business Week that the program should be renewed and said, "Given the state of the labor market, it is hard to imagine how any sensible person could oppose such a move."

Jobs NOW allows States to be in the driver's seat for this program, and that is why the National Governors Association also supports this, urging Congress to pass an extension because of the outsized benefits to the States.

The human cost of the recession has been high. It is easy to think of unemployment in terms of numbers and statistics, but numbers cannot describe the anxiety and fear a person feels when they are unemployed. Numbers can't show the hope and pride a person feels when they find a job.

I was moved by the words of Ms. Taylor in Los Angeles about the Jobs NOW program and its effect on her life. Ms. Taylor is a mother of two children, one with autism. She has been living on her Social Security checks and she couldn't find work. Because of a job through Jobs NOW, she was able to get back on her feet and into her own apartment. She told California Social Services, "You guys gave me a chance when the whole world seemed like they were saying 'No, not this time.' Without this program, I could not have paid my rent, and my babies and I would be on the streets."

She is not the only one. There are millions economically disadvantaged people on the front lines of this economy. They are struggling every day. The Jobs NOW emergency fund gives them a chance to find work and start moving towards a future. It helps businesses expand in these tough times.

I strongly urge the House leadership and my colleagues not to forget the thousands of people who need this help. We must pass H.R. 4561 for Jobs NOW.

Mr. BOCCIERI. I thank the gentleman from California for his leadership in bringing us together to make sure that we can discuss the importance of creating jobs. As we discuss jobs, I think it is important that we put our job efforts in perspective, because a little over a year ago when this administration came into office, we were losing jobs at the rate of over 700,000 per month, every month; 700,000 jobs a month. And we reacted to it by passing the American Recovery and Reinvestment Act.

With that, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentleman from Ohio for his leadership in bringing us together to make sure that we can discuss the importance of creating jobs. As we discuss jobs, I think it is important that we put our job efforts in perspective, because a little over a year ago when this administration came into office, we were losing jobs at the rate of over 700,000 per month, every month; 700,000 jobs a month. And we reacted to it by passing the American Recovery and Reinvestment Act.

While we are joined by several of my colleagues tonight, let me just say a little bit about what we are doing to create jobs in Ohio.

In Ohio's 16th Congressional District, we have had some good news recently. Rolls Royce, an international company, has announced that they are going to move their fuel cell research from Singapore to Stark County, Ohio. They are going to expand their fuel cell research and development activities, investing $3 million in equipment, creating up to 60 jobs and retaining 32, while offering apprenticeship and training programs with the local colleges.

Barbasol Shaving Cream invested $7.2 million to buy land and a new plant in Ashland, Ohio; a 78,000-square-foot plant to start, 30 new employees, and grow up to about 75.

Scotts Miracle-Gro is opening a manufacturing plant in Orrville, where they are expected to create nearly a hundred jobs in the next several months.

Shearer's Foods, they make potato chips, and they are mighty good, I might add. They broke ground earlier this summer to build a new production facility in Massillon's Northeast Commercial Park. They will hire as many as a hundred employees in the first phase of development. These are the type of success stories that have been hard to not augment efforts of the American Recovery and Reinvestment Act.

With that, I yield to the gentleman from Virginia (Mr. SCOTT).
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We are also shooting at a moving target. Just this week, the Virginia Legislature, my home State of Virginia, will pass a budget that will cut approximately $4 billion out of the budget. Virginia is about 2 percent of the population. If the $4 billion and California is cut, it’s $20 billion out of their budget, a little over 10 percent of the population. If you extrapolate that nationally, that is about $200 billion that the States will be cutting out of their budgets this year on top of about $300 billion to $350 billion that they cut last year. So that is $500 billion that would have been cut out of budgets in the last 2 years. So the first $500 billion of job creation that we do will do nothing but just hire the people who have been laid off on the State level.

So as much as we are doing on the Federal level, it is obvious that we are shooting at a moving target. States are laying off people as fast as they can, and our job is to make sure that we try to create jobs as quickly as we can. Part of the Federal investment will help States retain some of their critical employees, particularly the public safety first responders and teachers. The American Recovery and Reinvestment Act made significant reinvestments in States and is helping with their health care and other critical needs so that they would not have to lay off as many as they were doing.

But obviously some of the major investments I think that are doing the most good are those that were made in infrastructure and transportation. We still have 10 percent unemployment rate, so obviously a lot has to be done. And it’s those investments in infrastructure and transportation that can be the most effective in creating jobs.

When responding to a recession, we use the three Ts: We want the response to be timely, targeted, and temporary. Timely because sooner or later the recession is going to be over even if we don’t do anything, so we want to make sure we take timely action. Targeted—you want to put the money where it’s most needed, people that are out of work and people that will actually spend the money to help stimulate the economy. So it has to be targeted. And it is temporary. When we recover from the recession, we don’t want to be stuck with ongoing programs and expenses that we will have to continue to fund.

Transportation and infrastructure projects fulfill the three Ts for a successful stimulus plan: they are timely, targeted and temporary. They’re timely. We are aiming at programs that are shovel ready, ready to go, no environmental needed, nothing else needed, no architectural anything, ready to go. We are targeted at industries that are most in need. The construction industry had unemployment rates of 25 percent or more. And it’s temporary. When you fund a project, when the project is completed, you stop spending the money. When you finish building the school, you don’t have to spend any more money. It’s not like you would set up a program where you would have to continue paying salaries on and on and on.

The Miller jobs bill is a good example, for example, put money into transit systems. Throughout the Nation, transit systems are cutting back on employment. St. Louis, for example, eliminated 25 percent of its workforce and cut services by 17 percent. Chicago laid off 1,000 workers. And so investments in the transit systems are areas where we can make timely and targeted investments.

Across the Nation these are necessary projects. Across the Nation, 78 metropolitan areas have identified over $240 billion in needed transit investments that need to be done. These jobs not only put people back to work, they complete needed projects. Now, these investments are also very effective in creating jobs. For every $1 billion the Federal Government puts in infrastructure, the economic activity is about $6 billion and about 35,000 jobs are created.

Now, we need these projects, and we found that a lot of them are ready to get started now. The Transportation Association identified $15 billion worth of projects that are ready to go. As soon as we fund them they are ready to go. Highway associations across the country identified 7,000 ready-to-go highway projects, each almost $50 million ready to go. As soon as we come up with the money, they can go. And so not only are these projects needed, they can be timely and they can put people to work. We have found that when we fund a construction project, when it’s ready to go, the contractors can hire the employees within a couple of weeks, and they’re on the job right then. So we have timely projects that are ready to go. We have put money into it. Two-thirds of the projects that have been funded, the construction has already started.

We have more work to do. We still have a 10 percent unemployment rate because the States are still laying people off, so we still have to keep creating jobs. I am happy to report that today the gentleman from California (Mr. MILLER), the chairman of the Education and Labor Committee, has introduced a bill with significant new investments in infrastructure and transportation. The Miller jobs bill will create jobs quickly and efficiently. As States continue to lay people off, we need to make sure that projects, creating as many jobs as we possibly can on the Federal level. We should give the Miller jobs bill quick consideration so that jobs can be created when they are needed, and that’s right now.

So I thank you, Mr. BOCCHIERI. I would like to thank the gentleman from Ohio for bringing us together, for talking about jobs and encouraging us to continue doing what we need to do to create jobs and end the unemployment problems that we’re having today.

Mr. BOCCHIERI. Well, I thank the senior gentleman from Virginia. I want just to be clear about your chart, Mr. BOCCIERI. It looks as if we haveionalized all the job losses in this country and started to grow them again after the Recovery Act was passed.

Mr. SCOTT of Virginia. The Recovery Act was passed right down here, and since the Act, we have been tracking progress. But losing fewer jobs is not good enough. We need to continue this chart. In short order, we will be creating hundreds of thousands of jobs, putting people back to work. Those who have lost their jobs need to be rehired. We need to create about 100,000 jobs a month just to keep up with the population growth. So this chart is just the beginning. By the middle of this year we hope to be well into the plus, creating jobs, hiring people, and bringing the economy back from the unemployment lines.

Mr. BOCCHIERI. Well, these are exciting numbers. We have got to get people back to work. And I concur with the gentleman from Virginia. The Miller jobs bill is what moment exactly what the Recovery Act and the stimulus bill included.

Thirty-seven percent of the package was tax cuts. $288 billion was given to small businesses so that they could hire, helping workers and in the economy. In my opinion, that is going to be our investment in Energy. $288 billion was invested back so small businesses could start growing again and investing back.

Largest tax cut in America’s history, largest tax cut for working middle class families. In fact, 95 percent of middle class families in our country got some tax relief through their employer. $144 billion, or 18 percent of the Recovery Act, was allocated to State and local fiscal relief. More than 90 percent of the State aid is going to help folks who are finding themselves on Medicaid rolls. Fighting to make sure that we didn’t have double-digit increases in tuition across State universities and so that our local school districts could keep teachers hired and we could keep custodians in the building. This is very important, Mr. Speaker, that we understand that we help the economy back from the brink of a great recession.

As that contemporary commercial says today, How will we remember this time? How will we remember it? Will we remember it as the great recession or as the recession that made us great? I think we responded in our new economy in our people, into our workforce, and into our country, we are definitely making our country stronger.

I want to take a moment to recognize a distinguished gentleman that I have a lot of respect for. Not only do we share a common heritage, but we share a common belief that we should invest in our people, in our country, and in...
our way of life. Congressman PASCARELL from New Jersey is a man who I have a lot of respect for, and I would like to yield him some time so that he can talk about exactly what we’re doing to help put America back to work. Congressman PASCARELL, my friend, you have the floor.

Mr. PASCARELL. I thank the gentleman for yielding.

Mr. Speaker, if you look at the data, it is clear that since the start of the Obama administration and the passage of the Recovery Act—which you’ve heard depicted by the three former speakers—we are stemming the number of job losses per month; there is no doubt about that. But we need to do everything we can to actually start gaining jobs instead of just losing fewer. It would seem like the charts, it would seem by the facts that in the next several months we will see, finally, for the first time in several years a plus in terms of the creation of jobs.

The water is disrepair. The problem we are facing is how to address the shortfall in employment opportunities and articulate a new strategy for construction and engage our small businesses and American workers. Mr. Speaker, we simply need jobs.

Which brings me to what I think is the most obvious answer. It was obvious many years ago, it’s obvious now: Our infrastructure is in disrepair. And it’s not just our roads, and it’s not just our bridges that are falling down. Earlier this year, the American Society of Civil Engineers gave the Nation’s wastewater systems and water systems the lowest grade of any infrastructure category, a D-minus. I want to have our viewers in the House see this. This is a rotted water main pipe, much like the pipes in many of our districts and many of our communities I like to call to this out-of-sight, out-of-mind pipes: you don’t see them until you have a problem with your water main. But as we have learned over the last couple of years, just because our infrastructure needs are not visible does not mean that they are not deteriorating.

A quick look at the recent news headlines across the country illustrates the state of our water infrastructure, and I can only list a few because I could permit: “Franklin Water Main Break Closes Roads and Schools”; “Boil your water,” says Franklin, New Jersey”; “Lancaster Water Main Breaks”; “Sinkhole Swallows Car in California”; “Water Main Break in Manhattan Causes Evacuations in Traffic, Subways, Disruptions in New York City”; “Water Main Break Cuts Off Water Service to the Medical Center in West Virginia.”

Here we have an illustration of the water main break on River Road in Bethesda, Maryland, watching people airlifted out of their cars. We’re not making this stuff up; this is real. In metropolitan D.C. on Christmas Eve, 2008, it was quite a spectacle. One headline actually read, “Water main break forces dramatic rescue of nine.” The road literally exploded.

We cannot turn a blind eye to two realities: America needs jobs, and our infrastructure cannot put people to work fast enough. As a former mayor of Paterson, New Jersey, I understand the significance of local water and wastewater systems. A strong water infrastructure is essential to the public health and economic vitality.

The Environmental Protection Agency and the General Accounting Office estimate that community water systems will require $500 billion above their expected rate of investment in order to meet safe drinking water standards and sanitation needs just over the next 20 years.

As Congress struggles with historic deficits, I believe that we must leverage private capital investment and look at options for public-private partnerships. That is what we are talking about this evening.

In order to seize this possibility, I introduced the Sustainable Water Infrastructure Investment Act, H.R. 537, which will generate significant investment through the use of tax-exempt bonds for water infrastructure, and that is water and wastewater projects.

Congress already exempts airports, intercity rail, and solid waste disposal sites from those bond caps. My bill would remove water infrastructure projects from that wall. By exempting water projects from the bond cap, we can get people working on the very projects to my right in 90 to 120 days. This isn’t hot air; this is real relief. This is real jobs. Standard & Poor’s estimates that $100 billion in new money infrastructure is available for investment. This capital cannot be deployed until a private activity bond cap exemption is crested.

This legislation aims to repair our crumbling water infrastructure while leveraging private capital to create jobs. Every dollar invested in public water and sewer infrastructure will add $8.97 to the national economy. This is a win-win situation. Economists estimate a $1 billion investment in water infrastructure will create 28,500 local jobs. You cannot in any manner, shape or form ignore any other job plan that is going to do what this can do, because these are our needs. These need to be done because things are only going to get worse.

That pipe, which I showed you before, is not going to use itself. It has led that pipe and many other pipes like it to this particular situation of people being airlifted, to rescue workers having to go to a particular community and, of course, to vehicles that have been raised in the air because of the explosion of our water mains.

This would be 28,500 jobs in 1 year. This is bipartisan legislation. Both sides of the aisle have signed onto this. It could put Americans in every State to work within 120 days of its enactment. It is time to focus on creating jobs and on building a strong infrastructure for future generations. Let’s stop talking about what needs to get done and let’s get the done.

There are huge economic benefits that come with water and wastewater infrastructure projects. In fact, a recent study found that every $1 billion invested in water and wastewater infrastructure creates 15,500 jobs with average annual earnings of more than $50,000. Each $1 billion invested generates approximately $82.4 million in State and local tax revenue at a time when States and localities need it most.

This chart shows how construction dollars ripple through local communities. Right here, an estimated 20,000 to 26,669 jobs can result from a national investment of $1 billion in water and wastewater infrastructure spending. From construction, to real estate, to retail, to legal services, to the management of companies and enterprises, to private households, and to maintenance and repair. This chart shows how these construction dollars ripple through our entire communities.

Let’s face it: as of this unemployment situation that we are in today, 40 percent of those jobs will never return, and 40 percent of those jobs that have been lost—get this—people who have been out of work for more than 6 to 8 months. They will not return to those jobs. We need to invest with the private community in order to do things that must be done that communities cannot afford. We have found that every $1 billion invested in these projects creates jobs in 325 other industries, and they are listed.

I urge all of my colleagues on both sides of the aisle to take action to support this legislation and to push its passage for measures that will empower American workers and that will provide them with opportunities.

Eligible and essential public health and environmental projects approved for 2010 are waiting for funding. They are waiting for private and public investment, which we can leverage with a very small amount of money. The resulting jobs are important. In California, 285,000 jobs can be created and, in Illinois, 123,050 jobs. In New Jersey, $1 billion in new money infrastructure is available for investment. It is time to focus on creating jobs and not hot air. We have had a lot of hot air in Washington. I think this legislation is what we need.

My good friend, Mr. BOCCHIERI, I thank you for bringing us together tonight.
America needs jobs. This is our priority. I have presented an idea which, I hope, will be accepted. I hope that America can get back to work again. Our people need jobs—jobs that will be needed and that are needed so that we don’t have to make work. Renewable school? Make work. Keep the kids busy. These are things we need. We understand this, but we don’t look at it because these waterworks, whether they are sewers, whether they are water or whether they are waterworks, are, mostly under the ground. It’s not a romantic or a sexy thing to talk about, but I have presented to the House a way to put people to work. These jobs need to be done, and the private and public sectors must be brought together.

With that, I yield back. I thank you for allowing me to share in this important evening.

Mr. BOCCIERI. The gentleman from New Jersey has some very good ideas, which he wants to look at very seriously, about putting our country back to work and about long-term investments.

You know, I have often said that we have got to be the producers of wealth, not just the movers of wealth, and that we have got to build things here.

In 1950, over half the jobs in our country were in manufacturing. Today, one out of 10 of our jobs is in manufacturing. We are actually building. Some of the Gentlemen who have the passion and the vigor and the energy to put Americans back to work.

I want to yield some time before we close today, Mr. Speaker, to a good gentleman from Ohio. I appreciate that, Mr. Perrilli, enlighten us for a few moments, sir.

Mr. PERRIELLO. Grazie to my Co-sponsor from Ohio. I appreciate that, Mr. Boccieri. Let me begin with my remarks on where we are with this economy, both with where we have come and with where we have to go.

I think both the present statistics in the history books will make clear that we have a depression, which is no small feat; but I am not satisfied until we see robust economic growth that reemploys America. We should be willing to look back and say, Here is an opportunity, when we were going off a cliff into a depression, where we said, Unfortunately, we are not going to see the housing starts pick up which many would like to see, but we know we can still build things. We can build our infrastructure, and we can retrofit our existing building stock. We have had a tool belt recession, and it is time to see growth in the tool belt sector.

These may not be the sexiest jobs to bring about in Washington or on Wall Street, but the fact is we must rebuild America’s competitive advantage, and the time, one commonwealth at a time, one country, together, rebuilding our competitive advantage and putting people back to work. We have a chance to do that.

Most of the Gentlemen on the other side of this building, down in the Senate, may be through this recession. The media elites may be through this recession, but working class America and middle class America are not through it. We have prevented the worst from happening, but we will not be satisfied until we see the kind of robust economic growth that will bring us back together. We will rebuild that competitive advantage, and we will need to do it in time for the summer construction season.

I appreciate all that you have done to keep that focus on jobs, jobs, jobs in Ohio, in Virginia, and around this country. We must be deadly focused on jobs, and we must do it with the urgency that does not miss the construction season ahead.

Mr. BOCCIERI. I agree with the gentleman from Virginia. We have seen almost a flip from a 6 percent job loss, when we began the 111th Congress in January of 2009, to nearly a 6 percent job growth in our gross domestic product. Yet we know that this is not about the GDP. This is about the j-o-b-s. We have got to put people back to work. That’s why we are focusing on doing that.

There are some things that we have done for our small businesses, to help struggling small businesses stay open: There is the net operating loss carryback. We have also extended tax credits for renewable energy production because, as my colleague and I know, the cheapest energy is the energy we never use. Small businesses can save a lot by writing that off. They can save by weathering their businesses and by working to give us a chance to have the children go back to work. We are also going to give bonus appreciation, which extends to businesses and in our future, and that we also lay the groundwork for future prosperity by investing in energy.

Energy is a key component of our Nation’s economy, but it is very troubling when we import 66 percent of our oil from oil-producing countries from the Middle East. We see that the largest user of energy in our country is our Nation’s military. The Department of Defense is the largest user of energy in our country. So it is very key, not only to our economic interests but to our military. That is why it is so key, not only to start exporting some of their goods to our economy, but because they don’t want to work. Are they kidding me? We have millions of people out of work in this country who are now just being called back to work. In fact, some of my friends on the other side voted against an extension of unemployment benefits which would have helped 11,600 Ohioans who have found themselves struggling just to put bread on their tables for their families.

To me, we have got to invest in our people. If we can spend $1 trillion on war, we can spend money to invest in our people. In our country, and we can put Americans back to work.

I want to yield some time before we close today, Mr. Speaker, to a good friend of mine from Virginia, a gentleman who has the passion and the vigor to take on the challenges of our great country, Tom Perrilli.

The Gentleman from Ohio, Mr. Boccieri, enlighten us for a few moments, sir.

Mr. PERRIELLO. Grazie to my Co-sponsor from Ohio. I appreciate that, Mr. Boccieri. Let me begin with my remarks on where we are with this economy, both with where we have come and with where we have to go.

I think both the present statistics in the history books will make clear that we have a depression, which is no small feat; but I am not satisfied until we see robust economic growth that reemploys America. We should be willing to look back and say, Here is an opportunity, when we were going off a cliff into a depression, where we said, Unfortunately, we are not going to see the housing starts pick up which many would like to see, but we know we can still build things. We can build our infrastructure, and we can retrofit our existing building stock. We have had a tool belt recession, and it is time to see growth in the tool belt sector.

These may not be the sexiest jobs to bring about in Washington or on Wall Street, but the fact is we must rebuild America’s competitive advantage, and the time, one commonwealth at a time, one country, together, rebuilding our competitive advantage and putting people back to work. We have a chance to do that.

Most of the Gentlemen on the other side of this building, down in the Senate, may be through this recession. The media elites may be through this recession, but working class America and middle class America are not through it. We have prevented the worst from happening, but we will not be satisfied until we see the kind of robust economic growth that will bring us back together. We will rebuild that competitive advantage, and we will need to do it in time for the summer construction season.

I appreciate all that you have done to keep that focus on jobs, jobs, jobs in Ohio, in Virginia, and around this country. We must be deadly focused on jobs, and we must do it with the urgency that does not miss the construction season ahead.

Mr. BOCCIERI. I agree with the gentleman from Virginia. We have seen almost a flip from a 6 percent job loss, when we began the 111th Congress in January of 2009, to nearly a 6 percent job growth in our gross domestic product. Yet we know that this is not about the GDP. This is about the j-o-b-s. We have got to put people back to work. That’s why we are focusing on doing that.

There are some things that we have done for our small businesses, to help struggling small businesses stay open: There is the net operating loss carryback. We have also extended tax credits for renewable energy production because, as my colleague and I know, the cheapest energy is the energy we never use. Small businesses can save a lot by writing that off. They can save by weathering their businesses and by working to give us a chance to have the children go back to work. We are also going to give bonus appreciation, which extends to businesses...
that are buying equipment, such as computers. It speeds up the appreciation through 2009. That is helping our small businesses write off those losses so that they can get folks back to work.

Mr. PERRIELLO. This is an opportunity. What we have made is the down payment on America’s future. We know that jobs of the future are going to come in the energy sector and that they are going to come in research and development. We need the strong universities, and we need the strong infrastructure.

A year ago, we made a down payment, which is starting to pay off now in the fund that we are starting to see; but we cannot be satisfied, and we cannot take that foot off the gas. This is the time. Americans are ready to build.

Again, this should not be a partisan idea. We all have construction companies in our districts. We all have roads and bridges and water and sewer systems in our districts. We all have small businesses that help supply that construction sector. We must see that this can be a chance to come together and to understand the urgency of this moment.

We have made that down payment. Now it is time to start seeing that growth. We are going to do that, not by saying “no” to everything but by saying “yes” to America’s future, by saying “yes” to America’s competitive advantage. There are many in the top echelon of this country who have stopped believing that America can manufacture, that it can grow things, that it can be strong again.

Those include elites on the left and elites on the right. Well, they are wrong. America’s working and middle class is still strong. If we invest in them, they will outcompete every country on Earth.

We can outcompete the rest of the world, but only if we invest in education and workforce development, if we get a 21st century infrastructure, and we understand that two out of three new jobs in this country come from small businesses. Instead of bailing out the biggest businesses, it is time to reward and support the small businesses. They are the engine of innovation and growth. They are the civic leaders in our community.

That agenda needs to be about. It is what we started on. It is what we must push forward, regardless of party line, and get America growing again.

Mr. BOCCIERI. Well, Mr. Speaker, he is exactly right. The gentleman from Virginia is exactly right that we have got to invest in our people, in our country, in our way of life. As that contemporary commercial says on the airwaves, Is this going to be remembered as the great recession or the recession that makes us great?

I believe that we can do this if we work together, if we invest in our people. Again, if we can spend $1 trillion on war, we can certainly spend money to make sure that we invest in our people and do the things that are going to set us on the track towards prosperity.

We are starting to begin to see the glimmer of light. We are starting to see the glimmer of hope that people once again are going to be on a path of prosperity.

I want to thank the gentleman from Virginia, because he believes that our greatest strength is still very much alive. We will be stronger, we will be more robust, and we will be smarter on how we handle these future downturns. This is the time that we cannot let go away from us. We have got to invest in our people, in our country, and that is why I am so proud of the gentleman from Virginia, who stands with me saying that we will again be the producers of wealth, not just the movers of wealth.

THE QUESTION OF HEALTH CARE

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Mr. Speaker, it is a pleasure to join you here once again as we get a chance to take a look at Special Orders, and also I am joined by some of my distinguished colleagues. We are going to be looking once again at a subject that has really absorbed the attention of Americans now for almost 9 months, the question of health care. It is still before us.

Today was a little bit of a unique day for me because the President came to my district in the St. Louis area, and he wanted to deliver speeches and tell everybody that they should vote for the health care bill.

He and I have a difference of opinion on the bill. My opinion is that if people just know more about this bill, they will like it. My opinion is the more we have looked at it, the more that people have taken a look at it publicly, the uglier they think it gets and the more they hate it. Fortunately, the poll data seems to be on my side, and the more you look at the bill, the more it seems it has problems with it.

We have, today, joining us some distinguished colleagues from all over the country. We have two doctors and an attorney, and, just, I think, a businessman and an engineer. It almost sounds like the start of some sort of a joke. But this isn’t a joke, unfortunately. This is a very serious subject, indeed.

So I am going to recognize Dr. BROWN from Georgia, a gentleman who has spent a lifetime practicing medicine and then got elected to Congress, and now he is trying to straighten things out. I am going to have him, followed by Dr. Fleming as well.

Dr. BROWN. Thank you for joining us tonight. Let’s talk a little bit about this health care bill.

Mr. BROUN of Georgia. Well, thank you. Mr. AKIN. You have been a stalwart friend in this fight to try to stop the government overtakeing of the health care system. I, as a medical doctor, have been fighting for my patients for their economic well-being for years.

I just wanted to come tonight and bring up a few things.

The Wall Street Journal yesterday, there was an editorial written, co-authored by Scott Rasmussen, the famous pollster. The title of it is “Why Obama Can’t Move Care Numbers.” One of the lines in there right at the end is basically giving the bottom line. It says most voters believe the current plan will harm the economy—they are right about that—cost more than projected—absolutely raise the cost of care—without any shadow of a doubt—and would lead to higher middle class taxes—and that is just undeniably a fact.

The American people get it. And one thing that the American people do get is that it is going to cost millions of Americans their jobs if this is put into place.

I thank you for bringing this forward tonight so we can talk about jobs and health care. I look forward to this discussion as we go along.

Mr. AKIN. I really appreciate your bringing that up. I am just thinking, picture yourself instead of being a doctor as being a salesman, and you are given an assignment that you are supposed to go out and sell something.

Say you are the President and your job is to go out and make this case. We have three huge entitlements that are destroying the solvency of our country. One of them is Medicare, one of them is Medicaid, both methodical things, and the government is running these things that are destroying the economy because they are out of control, they are spending so much money. So your assignment is to go out and sell people that we ought to have the government take over the rest of the medical part. That is a little counterintuitive. You could be a good salesman, and it is hard to make that case. We have it messed up in this and this area, so give us the whole thing. It takes a little bit of courage to even try to do that.

Dr. FLEMING, please.

Mr. BROWN of Georgia. Well, thank you. Mr. AKIN. I want to thank the gentleman again, faithful virtually every week to have this leadership hour and talk about such weighty issues as health care.

But to follow up on your very point, and that is today, the big question is why all these increases in private insurance rates. Well, there are several reasons, but the main reason is that private insurance premiums help subsidize Medicare and Medicaid. Why? Medicare and Medicaid underpay the providers, the gap is getting larger, and providers have banded together in order to survive in business on the private insurance which has to escalate in relation to that.
So that is something you will not hear from Speaker PELOSI or the President. He wants to demonize the insurance companies. As a physician, I am no big friend of the insurance companies. But fair is fair. If we are going to fix this problem, we have got to start, in my perspective, by looking at cost drivers. We are going to have to be real about and realistic about where the real costs are coming from.

Again, you are right. Half of medicine is paying for government control, and that is the part that is bankrupting the system.

Mr. AKIN. That is interesting. What I think I am hearing you say is, as much as you want to knock the insurance companies, the fact that people have insurance and the insurance pays claims, in a way they are the ones that are helping to balance out the cost of health care, because Medicare and Medicaid are underpaying the actual costs of care, that is a misnomer. Rec-onciliation. What a misnomer. Rec-onciliation today is under government control, and that is the part that is bankrupting the system.

Mr. AKIN. I would like to just run over to our good friend from Pennsylvania, Congressman THOMPSON, and I just wanted to get your perspective on what you are seeing. It has been almost 9 months, and people have been looking more and more into the details of the bill. The more they see it, the more they don't like it. They don't like it. Yet the majority, it seems to be determined, they have the pedal to the metal, they have the battleship at ramming speed, and they are going to just try and drive this thing through.

What is your impression of where we are?

Mr. THOMPSON of Pennsylvania. Well, first of all, I want to thank my good friend from Missouri for providing the leadership for this evening. It is just so important.

The American people, I have to tell you, I am very proud of the American people on this issue. During this past 15 months, I think they fulfilled the responsibility that our Founders intended. Our Founders have to be smiling right now, because the American people have woken up and are paying attention and engaging on this issue.

When it comes to health care, I think the large majority of Americas share the same perspective. I do, and it is a perspective I developed as a health care professional. I started out as a therapist, and I never had a real doctor-patient relationship in my life. I think I am hearing you say is, as much as you want to knock the insurance companies, the fact that people have insurance and the insurance pays claims, in a way they are the ones that are helping to balance out the cost of health care.
list a number of things that they see as problems with the bill. Among these include undermining the patient-physician relationship and empowering the Federal Government with even greater authority. It’s unsustainable from a financial standpoint. The Federal Government is already unprecedentedly in charge of programs with authority to change the Medicare program through these new boards without Congress or the courts or anybody having any oversight to that. It’s devoid of proven medical liability reform.

The other concern is that there are so many things that aren't in this bill, two of which are: it takes away the right to make a private contract between two individuals, particularly doctor and a patient or any provider and patient. Another one is, there's nothing to stop the sustainable growth rate formula that is killing physicians.

But we don't do anything about that. What that's going to do to the American public, and particularly Medicare patients need to understand, if this bill is passed, is even more difficult for a senior to find a doctor who's going to accept their government insurance. It already is a problem, but it's going to be even more much of a problem and exceedingly difficult because the Federal Government is going to be in charge of paying for it, and doctors just can’t afford to do that.

Mr. AKIN. So this is going to be a good deal. Everybody is going to have medical insurance, but you just won't have any doctor to go to see.

Dr. FLEMING. Mr. AKIN, where doctors are being underpaid. We have a sustainable growth rate formula, that needs to be thrown out. And that if we were to put this bill on a scale of all the legislation I’ve seen since I’ve been in Congress—and I’m getting close to the tenth year—that this bill is more than twice as bad as the next worst bill that I’ve ever seen. So this bill is altogether in another category.

I spoke before a group this last weekend, and there were a lot of other legislators I’d served with in the State of Missouri. I said, We’ve all served in the minority, we’ve served in the majority. But I said, The last year and a half, we’ve served in the wilderness. I said, The difference of the wilderness is that I walk up as though I were walking up to the edge of the Grand Canyon and contemplated what happens if you go over that abyss. It appears to me tonight, gentlemen, and tell me if I’m not overstating this, that we are standing on an abyss. And if that we step off the edge by passing this bill, America will not be the same country she’s ever been in the past, and we will not be able to recover from that.

Mr. BROU of Georgia. Will the gentleman yield?

Mr. FLEMING. Absolutely. You're correct about that. In fact, we’re at a tipping point where this country is either going to be totally socialistic—government controls everything in everybody’s life from Washington, D.C. And that’s what this health care bill is designed and geared to do. Or, we are going to walk away from that and start fighting for freedom and cutting down the size of the Federal Government and let people live their own lives without all the government intrusion. That’s exactly where we are.

Mr. BROU of Georgia. Absolutely. Absolutely. You’re correct about that. In fact, we’re at a tipping point where this country is either going to be totally socialistic—government controls everything in everybody’s life from Washington, D.C. And that’s what this health care bill is designed and geared to do. Or, we are going to walk away from that and start fighting for freedom and cutting down the size of the Federal Government and let people live their own lives without all the government intrusion. That’s exactly where we are.

I wanted to bring up another issue to throw this out then: That people should understand that this bill that we are supposedly going to vote upon—I guess we will, the Senate bill, H.R. 3990—the CBO, the Congressional Budget Office, said that it will increase premiums for everybody who’s buying private insurance today by $2,100 per family. So not only is it going to destroy the Federal budget, it’s going to destroy the State’s budget, but it’s going to destroy everybody’s family budget. It’s going to be horrendously expensive, and it’s also going to destroy jobs. There are going to be over 5 million people that are going to lose their jobs if this bill ever becomes law.

Mr. AKIN. You know, when we’re running at whatever it is—and these numbers, I don’t really believe them, because these numbers are worse—but 10 percent unemployment, and you dump 5 million more jobs lost on a bill that is already going to cost trillions of dollars that we don’t have, this thing, it just seems like somebody has to have some sort of blind faith to have their good down on the pedal of the battleship and just try to drive the battleship through the dock.

In my district, this is a working day today. We rented a facility at the St. Right behind you, and that is, Reconciliation is therefore the wrong place for policy changes. In short, the reconciliation process appears to have lost its proper meaning. A vehicle designed for deficit reduction and fiscal responsibility has been used to mitigate reckless deficits and unsustainable debt. The President called that exactly right.

Mr. GOHMERT. Well, I think there’s actually great wisdom in what President Obama said that’s on the chart right behind you, and that is, Reconciliation is therefore the wrong place for policy changes. In short, the reconciliation process appears to have lost its proper meaning. A vehicle designed for deficit reduction and fiscal responsibility has been used to mitigate reckless deficits and unsustainable debt. The President called that exactly right.

I need to ask my friend, I can’t see the date there. Was that last week that he said that? When was that?

Mr. AKIN. You know, that’s the ironic thing about this quote and the reason why we put it on this chart. The President has been saying a lot of things. I think that what he said was that, I’m going to bring you change. I think he’s been fair in doing that. Not much else that I’ve heard that doesn’t seem to have some contradiction.

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Mr. GOHMERT. Oh, I thought it was supposed to be for—deficit reduction, fiscal responsibility. It’s been hijacked.
I'm glad you asked that question because the date here says December, 2006. So I don't think he really wants us to remember what he said in 2005, because if you were to take this today, this would mean that they aren't going to pay for it.

Mr. GOHMERT. That's right.

Mr. AKIN. So it kind of depends whether its your bill or my bill, I guess.

Mr. GOHMERT. And as we understand now, in 2005, Senator Obama was moving forward, campaigning, moving toward a Presidential run. But I tell you, it just blessed my heart to hear President Obama say in the summit at the Blair House, when he said to Senator McCaIN, We're not campaigning anymore. I said, Hallelujah. The President's going to stop campaigning. I tell you, that was such good news to me because that means the President's going to quit campaigning and just try to govern. If he were to go to campaign, I would have given up to who knows where—Missouri or somewhere today—and given another speech. The fact that we're not campaigning anymore means he's back here trying to figure out how we can reform health care without causing it down the throats of 60 to 70 percent of Americans that don't want this bad medicine that's about to be rammed down their throat.

Mr. AKIN. I appreciate your perspective and particularly calling attention to the fact that this reconciliation is hijacking the entire legislative process. He is willing to do this, to pass this particular piece of legislation.

My good friend from Pennsylvania, somebody said that if you've got a busted faucet or sink in your kitchen, a smart thing to do is to fix the faucet or the sink, not to remodel the whole kitchen. Does it appear to you that the difference between the two political parties is that the Democrats have really decided they're going to remodel the kitchen, whether you want it or not, and the Republicans, we have a lot of different health care bills as Republicans, but ours are all fix the sink or fix the drain. We're taking a look at what we have, seeing what needs to be fixed to make it better, and we're selectively doing that, whereas it seems the Democrats have the concept we're selectively doing that, whereas it needs to be fixed to make it better, and look at what we have, seeing what sink or fix the drain. We're taking a smart thing to do is to fix the faucet or sink in your kitchen, somebody said that if you've got a busted faucet or sink in your kitchen, a smart thing to do is to fix the faucet or the sink, not to remodel the whole kitchen. Does it appear to you that the difference between the two political parties is that the Democrats have really decided they're going to remodel the kitchen, whether you want it or not, and the Republicans, we have a lot of different health care bills as Republicans, but ours are all fix the sink or fix the drain. We're taking a look at what we have, seeing what needs to be fixed to make it better, and we're selectively doing that, whereas it seems the Democrats have the concept they're just going to re-create everything. Take one-sixth of the economy, they're just going to re-create every-thing.

Mr. GOHMERT. That's right. That's the other counterintuitive thing. This whole bill seems to be counterintuitive, doesn't it?

Let me ask a question. We have two of you who are medical doctors here, one who's a judge, one's a former medical professional. I'm an engineer by training, and we're Congressmen. And one of the things that we have to do and we should pay attention to is our constituents. We get calls from people saying, Hey, I've got a problem with this, Congressman. You need to help me. And they ask us to do some work and some times. Like, I remember the first time they asked me to get them a job. And I'm thinking, Hey, I'm not a job agency. I'm a Congressman. But we're asked to do a lot of different things, and we try to help out.

Now, my question to you is, let's say we jump off the abyss, and now we've got this mess, and we have people back home calling us saying, My mom, my mom is sick. She got it bad, and she's going to need help right away. So I went to get some health care for my mom. They said I have got to wait 6 months. What I'm asking you is this question: How, as Congressmen, are we going to get through this mess to try to help our constituents? And even worse, how are our constituents ever going to get from here over to get their medical care? Does that concern you? Congressman GOHMERT, do you want to take a shot at that? This doesn't look friendly to me.

Mr. GOHMERT. Well, it's because it's not friendly. I was privileged back in 1973 for the summer to be an exchange student in the Soviet Union. I saw socialized medicine firsthand, and that's where I'm going to go back to. It's medicine where the government controls it. I don't want the insurance companies between me and my doctor, and that's means I also don't want any of that just massive amount of government be-tween me and my doctor, but that's where this takes us.

And you wonder, Why would a group risk losing the majority in Congress to pass a bill like this when they know what's at stake politically? And the fact that they're in the government that once it's in place, it won't matter which party is in the major-ity. It's kind of like the Department of Education or other things that are not enumerated powers in the Constitution. Once it's there, you can't do anything about it. The school districts lose billions of dollars over the years that have been usurped by just a bureaucrat in Washington. It's going to happen with health care. And you wonder, Why would a group risk losing the majority in Congress to pass a bill like this when they know what's at stake politically? And the fact that they're in the government that once it's in place, it won't matter which party is in the majority. It's kind of like the Department of Education or other things that are not enumerated powers in the Constitution. Once it's there, you can't do anything about it. The school districts lose billions of dollars over the years that have been usurped by just a bureaucracy in Washington. It's going to happen with health care.

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Mr. AKIN. So remodelling the kitchen.

Mr. THOMPSON. They're burning the entire house down and taking it from a system that has been a model for the world, actually. I give you one example. One of the issues we talk about—and we agree we need to improve access to quality health care. I would have been much happier if this whole debate, when we started it—in fact, I came to Congress thinking that we would have that debate—how do we improve access to quality health care. No. What are we debating? We're debating insurance. Not even the right topic.

I want to put it in the perspective of probably an example that I think touches all the colleagues here on the floor. I'm from a very rural district. I have probably four or five rural hospitals in my congressional district. Those hospitals, in addition to the economic engines, they're incredibly important to those communities. They're the source of positions. They're really good jobs. They purchase resources. They're good neighbors. They purchase resources in the community. So they're good for the community. But beyond that, having those in those rural communities provides access to quality health care.

You never want to see a hospital close. I don't believe that. But if you close one in the city, probably within about a six-block radius you're going to find another hospital that's going to be able to provide you access to life-saving care.
choice. You want to keep having Medicare, you want to keep having Medicaid, or do you want us to give you cash you control and get the insurance company and the government out between you and your doctor? And I think people, when you give them that voluntary choice in their lives, they will make the choices that will save us from bankruptcy that Medicare is driving us to. I yield back.

Mr. AKIN. Now wait a minute. You have this Mark Follman story in the Congressional Study Committee members to re-examine the impact of Medicare to keep people in their homes. You know, I know my colleagues, just to say this: I know a lot of people kowtow to CBO. Let me tell you that in this Congress—and the director has called me and said, Oh, we are very objective. And I know they do the best they can to be objective. But I'm telling you, Mr. GOHMERT, that makes it kind of interesting.

I notice we're joined by some other good friends of mine. Congressman SCALISE from Louisiana is here, and I just wanted to let you have a chance. You know, you have, that is, if you had, that is, if you had, since he got woodshedded at the White House, let me tell you, there have been choices that will save us from bankruptcy that Medicare is driving us to. I think it was the late part of spring of this last year.

I remember Mr. GOHMERT had the same sense of persistence, and he got this idea that maybe if we're going to vote on a bill that it ought to be here some time. In other words, that the bill that we're debating and voting on is supposed to be in the Chamber. I remember just asking, is it north, south, east or west? It was like a kid looking for a button that's hidden in a room somewhere. And he's back and forth and back and forth. Finally they said, The bill is right up there in that desk. He went up and looked for it. And guess what? It wasn't there.

So I don't know, people like to hide things on you, Congressman. I don't know if you're interested in the Republican approach or the Democratic approach is moving forward. But they have two real concerns. One is, they don't want abortion funding, and they want a conscience clause protection. On being going to read a few quick sentences.

First on human life: "Disappointingly, the Senate-passed bill in particular does not meet our moral criteria on life and conscience. Specifically, it violates the longstanding Federal policy against the use of Federal funds for elective abortions and health plans that include such abortions." It goes on to say: "We believe legislation that fails to comply with this policy and precedent is not true health care reform and should be opposed until this fundamental problem is remedied." This is the United States Conference of Catholic Bishops.

And then one other I'm going to read for you is National Right to Life, a very respected organization, a bipartisan organization. National Right to Life also addresses the Senate language as it relates to taxpayer funding of abortion: 'Any House Member who votes for the Senate health bill is casting a career-defining pro-abortion vote.' This is National Right to Life. And the final sentence I will read: "The Senate health bill is a 2,407-page labyrinth strewn with the legislative equivalent of improvised explosive devices—disguised provisions that will result in Federal pro-abortion mandates and Federal subsidies for abortion." That's National Right to Life.

So as the American people are contemplating all of this, they're going to have to ask themselves, who do they believe as this information and misinformation is out there? Do they believe Speaker PELOSI who says, Don't worry, taxpayer funding of abortion is not in this 2,407-page bill? Or do they believe the United States Conference of Catholic Bishops and National Right to Life who both clearly state that the Senate bill does contain taxpayer funding of Medicare in this bill, things that would devastate medical care in this country as people know and enjoy it. We want to reform health care. We want to fix real problems to lower costs, to address pre-existing conditions. They don't want to do that. They want a government takeover.

But there are some great things in this bill that also show some of their real intentions. And the issue of abortion funding, taxpayer funding of abortion has been one of those at the core of you, Mr. GOHMERT, and to my colleagues who believe what are the myths. And of course you've got Speaker PELOSI out there saying, Oh, don't worry. Abortion funding won't be in this bill. There are two pieces of information I want to point out, and I think a lot of people have started to see all of this, but it really clarifies what's going on. This first letter I want to read from is from the United States Conference of Catholic Bishops. Catholic bishops, they don't have a political agenda. This is their statement. National Right to Life also states that Senate-passed bill in particular does not meet our moral criteria on life and conscience. Specifically, it violates the longstanding Federal policy against the use of Federal funds for elective abortions and health plans that include such abortions. It goes on to say: "We believe legislation that fails to comply with this policy and precedent is not true health care reform and should be opposed until this fundamental problem is remedied." This is the United States Conference of Catholic Bishops.

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abortion? Yet one of just many big points of opposition we have to this government takeover of health care.

Mr. AKIN. I certainly appreciate the gentleman making that point. And it is usually presented as a pro-life position that we don’t want the government funding abortion. It almost struck me as kind of two different things almost. One, do you think it’s a good idea to abort little children? But the second question is a conscience question. Do you think it’s a good idea to force people to spend more money (taxes) for something that they believe is the destruction of a human life?

You know, one of the things that has really encouraged me—you just talked about that election in Massachusetts. You know, in America there’s always been a few people that say they’re agnostic or an atheist. And what really encouraged me about that election is that nobody can claim they’re an atheist or agnostic anymore in America because we could have elected a Republican in the State of Massachusetts. I mean, it couldn’t have been done by anybody else. So I’m glad at least we won’t have too many of those kicking around.

I am joined here also by the gentlewoman from Minnesota (Mrs. Bachmann), and you have been a voice for conservative values and so strong on this bill, and I am so thankful we have the A-Team out here this evening as we are coming down to the finish line, and that is the bill will be finished. I appreciate your giving us a northern perspective as well as some other perspectives as well.

Mrs. BACHMANN. Thank you so much. Congressman AKIN, you were also involved with the Declaration of Health Care Independence. I believe every Member here was involved with putting together the petition together. The weekend I was with Congressman Goins, and one of his constituents walked up to me and handed me another thousand signatures that she gathered to sign the Declaration of Health Care Independence. Just in her sphere in east Texas, she got a thousand people to sign. I thought one voice that hasn’t been heard real loud in the health care debate is that of the American people. She gave me not only a thousand signatures, she also took 1,200 people to come to our town hall meeting today. We should have had our Declaration of Health Care Independ-
But I want to talk about the consequences of that chart, of this Senate bill which is being shoved like a freight train through Congress and on the American people. Over a hundred different mandates, well over a hundred different new bureaucracies are being created in our health care. I will just come back to one that was created, and the practical impact of that, under President Clinton the Health Insurance Portability and Accountability Act, HIPAA.

Everyone wants privacy when it comes to health care. It is a very intimate subject. That is why we don't want a bureaucrat involved in our health care. The portability part, I have to say, if that worked back in the 1990s, we would all be better if we could take our insurance with us where we went. But it didn't; it failed. But what it did do is put a layer of bureaucracy in our health care system that has just piled tons and tons of layers and money on top of that that is required to be spent to implement and execute that bureaucracy.

And you know where that money comes from? It comes from direct care. That is money that goes into—and when they talk about waste in health care, government mandates are a tremendous waste. That is how I got involved in public policy, actually, out of frustration, because I saw what the Medicare regulations, many of them, were doing to add cost and decrease access to cost-effective health care.

Mr. AKIN. So what you are talking about isn't exactly a surprise to us. You've been there, and what you are saying is health care is just what you expect. When the government does it, it is inefficient and it is a tremendous waste. And so to try and say, Now we have got Medicare and Medicaid that have gone bankrupt, and so give us the rest of health care to take over, there is a problem with that line of reasoning somewhere.

Mr. THOMPSON of Pennsylvania. Absolutely. And what we are talking about today goes well beyond Medicare. I thought Medicare and Medicaid were complex. This new proposal, this Senate bill that is being pushed at us, HIPAA, the impact of costs on health care just from HIPAA were significant. If you multiply that times a hundred new Federal mandates on health care, and you multiply that by 150 new bureaucracies within the health care system, the ultimate cost of what this will cost our country, our citizens, and our health is just devastating.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. AKIN. I think a lot of Americans have come to the same conclusion, government is the problem, and they want a whole lot less of it down here threatening them from D.C.

Mr. GOHMER. What you are talking about is exactly what Thomas Jefferson talked about when he said the natural course of things is for liberty to yield and government to gain. And I thought Steve Moore from the Wall Street Journal made a great point this morning, in talking with him, when he said, people inherently know in America that if you add 30 million people to the same health care coverage you're making it cheaper by saying you were to save money by adding 30 million people to our health insurance or Medicare, then, as he said, we might as well say, you know what? We'll insure everybody in China, and that will get us out of the debt. It's not true work. We've got to be practical and stop government from taking over where liberty is yielding.

Mr. AKIN. Now I've got a question: Do you think that the guy that came here the other day before our Speaker, Speaker Pelosi, made this comment, she said, We're going to have to pass this bill in order to find out what's in it. Now, we're talking about one-sixth of the entire economy here, and our Speaker has the audacity to say that we need to pass this crazy $750 billion just to find out what's in it? And with that she's referring to reconciliation.

Mr. AKIN. That's an amazing quote, isn't it? We have to pass the 3,000-page bill just to find out what's in it.

Mr. FLEMING. All special deals. And today we find out that yesterday or the day before our Speaker, Speaker Pelosi, made this comment, she said, We're going to have to pass this bill in order to find out what's in it. Now, we're talking about one-sixth of the entire economy here, and our Speaker has the audacity to say that we need to pass this crazy $750 billion just to find out what's in it? And with that she's referring to reconciliation.

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Mr. AKIN. Well, there does seem to be some parallelism here, but it seems like it is close to the same.

We've got just a minute or so left, and MICHELE, I wanted to give you the last minute or two here.
Thanks, everybody.

Mrs. BACHMANN. Thanks, I appreciate it.

I want to go back to a little sign that LOUIE GOHMERT held up at the State of the Union speech, or something, the joint session, that read, “What plan?”

Remember the President, at the 7-hour infomercial that was supposedly a summit on health care, he had a 12-page proposal. There was no legislative plan, there were no words on paper, and we didn’t know how much it cost.

We’re still in the dark, and I don’t know if the American people know that. There is still no bill out there that we’ve been able to see. All these backroom deals that my good friend, JOHN FLEMING, is talking about, they’re being cut on a bill not one of us has ever had a chance to read. Nobody has read the bill that these deals are being cut on. Every bit of this, every word in this bill is all behind closed doors, and these backroom deals. And no one but the President knows that all these deals are until it goes through.

But just to give the American people a chance, let me read a couple more. Judith Kaminsky: “To force unwanted, expensive, unconstitutional health care laws on the United States is not only a blow to capitalism, but a dismembering of our way of life and our rule of law. It’s criminal to push so hard for something as unhelpful, unsafe, unpopular, and uneconomical as the current administration’s want list. There is no way to achieve a desirable outcome for the changes that might be necessary.”

Mr. AKIN. Let’s elect her to Congress. That’s a good idea.

I think we’re about out of time here. I just want to thank the A team for coming out tonight, just a great discussion.

PRESIDENT’S BUDGET ON NASA

The SPEAKER pro tempore (Ms. CULI). Under the Speaker’s announced policy of January 6, 2009, the gentleman from Texas (Mr. OLSON) is recognized for 60 minutes.

Mr. OLSON. Madam Speaker, tonight, my colleagues and I would like to share with you and the American people our deep concern with the effects of the President’s budget on NASA.

By overwhelming concern with the decision to cancel the Constellation program, there are several reasons why this is bad for America, about which my colleagues and I will go into more detail over the next hour. 2220

Madam Speaker, Constellation was and is the right path forward to maintain America’s leadership in space.

Just this past week, the Constellation program successfully completed its preliminary design review. This is a milestone towards future development. This is a major programmatic milestone that should be noted and appreciated by all of us in addition to the successful test launch of the Ares I-X rocket back in September.

Madam Speaker, I am going to talk tonight about a couple of issues: national priority; national security and the importance of human spaceflight; and the sentimental national priorities that are agreement on how our limited resources must be allocated to achieve a desirable outcome for the changes that might be necessary.

Mr. AKIN. Let’s elect her to Congress. That’s a good idea.

I think we’re about out of time here. I just want to thank the A team for coming out tonight, just a great discussion.

Is human exploration worth the cost? If Americans question this, then we should ask why other nations are desperately ramping up their human space exploration.

What do China, India, Japan, and Russia know that we don’t know? They clearly know what America has known for years, which is that the direct investment alone is worth the cost and that the indirect benefits have provided economic drivers and scientific discoveries that have far exceeded expectations.

Think about what human spaceflight has done for America. There is the Hubble space telescope, one of the greatest pieces of technological advancements in our society. Unfortunately, when it was launched, it was launched in a flawed vehicle. It had a flawed refractory mirror on it. It was basically a $2 billion piece of junk that was just able to go into orbit.

Yet, because we had a human spaceflight capability and because we had space and women who were willing to take the risk to go into space, they went and repaired the Hubble telescope. They came back, and made it one of the most incredible pieces of technology in our society. They brought back images from across the solar system and the universe. It would have happened without human spaceflight.

We risk losing this with the President’s budget. The President’s decision of NASA’s role in human spaceflight is not only a step back for America; it is a calculated decision that says we aren’t up to the challenge.

Yes, our Nation is in a fiscal situation that should force us to examine our spending priorities. We may disagree on how our limited resources should be spent, but there are fundamental national priorities that are worth the investment. Abandoning human space exploration isn’t the tough decision that America needs.

We need leadership that clearly states we will not cede our leadership in human spaceflight to any other nation on Earth. We should not hand over space to the Russians, to the Chinese, or to India. If we stay on the path the President’s budget lays out, the United States faces the very real and very human prospect of paying billions of dollars to Russia for years to hitch rides to the international space station, which has been largely built by American taxpayer funds.

We used to pay the Russians just over $20 million to take one of our astronauts to the space station. They have learned capitalism very well; and now, this year, it is going to cost us $50 million, which is more than double the price that it was last year. That contract only extends through 2013. So, in all honesty, we are going to have to renew another contract with them in the future. They have got a monopoly. They are going to charge us whatever...
they want, and we are going to have to pay it if we want access to the space station, which, again, the American taxpayers have largely funded.

This is unacceptable. We need to stay the course with the Constellation to make sure that we minimize that gap and that eventually, we can have our astronauts delivering our people to the space station and beyond—to the Moon and beyond.

Even more unsettling is knowing, when we finish our ability to get there on our own, we may find the Chinese are already there and working it. Their goal is to be to the Moon by 2023. The United States’ goal: question mark. We don’t know when we’re going to be back to the Moon, if at any time in the near future. Americans have rightly grown accustomed to serving as the global leader in human space exploration. Sadly, we will be in for a huge shock when reality sets in that we no longer hold that title.

NASA has long been a cradle for innovation. Without human spaceflight, where is the incentive for future scientists and engineers to take up these careers?

Human spaceflight is so much more than the basis for an inspirational movie. It is the heart of American ingenuity; and in our pioneering nature as Americans, we say, Place our Nation at the forefront of technology and science. Madam Speaker, we must make the commitment that America will always stay number one.

I urge my colleagues to look closely at what our Nation has achieved through our leadership on human space exploration and to think about what is at stake if we walk away.

I have some of my colleagues here tonight whom I would like to recognize. One is my good colleague from Louisiana, Congressman Cao.

Thanks for coming tonight, Ann. I look forward to your comments.

Mr. CAO. Thank you very much, PETE. I know that the NASA program is extremely important to your district, and I know that it is very integral in providing good jobs to your people in your district. It is also the same with mine. I have a NASA facility in New Orleans East, a facility that is called Michoud.

Earlier this year, President Obama released his full budget. To my surprise and to the surprise of many other Members—I’m pretty sure you’re included—the President recommended canceling NASA’s Constellation human spaceflight program. During a time when our space shuttle program is phasing out, I am very concerned that this decision will leave our Nation with no means of transporting our astronauts to and from the international space station. It could set the U.S. space program back decades.

Needless to say, President John F. Kennedy showed remarkable vision when he directed NASA to launch the Apollo program to the Moon. America remains the only country in the world to have landed a person on the Moon and to have brought him back to Earth safely. We have achieved what people once thought to be impossible because we pushed ourselves and because we challenged our understanding of science and technology. To this day, we still enjoy the countless benefits reaped from the first spaceflight.

Technologically, NASA is regularly commercialized, and it can be found in countless products, like in improved medical detectors, in barcode scanners, and in every computer.

So we see that the technology from spaceflight is incorporated into our everyday lives. It has also allowed us to improve weather forecasting, which is extremely important in Louisiana, given the threats of hurricanes and tornadoes and what have you in the region. If you were to listen to the former NASA Administrator, Dr. Mike Griffin, he wrote, “I believe that this budget request advocates a strategy that is, frankly, disingenuous concerning the U.S. human spaceflight program.”

Harrison Schmitt, former U.S. Senator and Apollo 17 astronaut, said, “It is simply bad for the country.”

With the loss of our manufacturing base, many jobs moved to other countries. The manufacturing of the space vehicle is among the very few areas where we still enjoy a technical advantage, and I think it is extremely unwise to give it up.

Like you said, the Chinese are pushing to bring a person to the Moon. The Russians are continuing their space program, and I am pretty sure that they are catching up with us in the technical field to put a person on the Moon. And as one of the most powerful countries in the world, the most advanced country in the world, we are scaling back on our space program, one of the few areas where we still have a technical advantage beyond other countries.

The Michoud facility in my own district was slated to build components of the Orion crew module and the Ares 1 and Ares 5 cargo rockets. Michoud faces the prospect of losing thousands of high-skilled jobs. In a time in which we are trying to create new jobs, trying to create jobs, this cut will destroy jobs. With the Michoud facility facing a reduced workforce of 1,000 employees, that is 1,000 good-paying jobs that we can preserve and we can retain.

We have this world-class manufacturing facility in New Orleans which has been used to build the Saturn rockets for the Apollo program and the main fuel tanks for the space shuttle, among many other notable achievements, and we will lose all of the expertise and many jobs have been lost as a result of the manufacturing jobs, along with $9 billion of taxpayer money that could have been spent on the Constellation Program.

Some have made the argument that the future of manned spaceflight is best outsourced to the private sector, as indicated in the budget proposal. But I think, though, commercial spaceflight is a promising and exciting endeavor, and we need to keep those jobs in our country, in our districts, to provide those good-paying jobs to our people. If we are trying to preserve jobs in the United States, I think it is unwise to outsource those good-paying jobs to other countries. Institutional knowledge of over 40 years of human spaceflight would be lost under the current budget proposal.

Just to close, I just want to quote a statement given by Charlie Duke, an Apollo 16 astronaut. He said, “We cannot afford to lose our leadership in space. The Constellation Program must be continued.”

You know what, PETE? I cannot agree with you more. I can pretty sure you can agree with me on that assertion. Thank you very much for your hard work and dedication to this project.

Mr. OLSON. Thank you for those very kind comments, and I couldn’t agree with you more. One of the problems I have with this decision is how it was sprung upon all of us.

I am the ranking member on the subcommittee that has jurisdiction over NASA, and I found out, like probably all of you, everybody here in the Chamber, by reading the newspaper. No one ever gave me a heads-up that this was coming. Nobody ever gave our ranking member a heads-up on this. I don’t think even the chairman of the committee had any knowledge that this was coming. It seemed to be a small little cabal in the White House that made this decision that has a tremendous impact on our country.

You mentioned the loss of jobs. There are going to be thousands and thousands and thousands of good-paying, high-tech jobs, the kind of jobs we want here in America, that are going to be lost. As you pointed out, once those people walk out, they are gone.

Mr. CAO. And I do recognize that we are facing a budget problem, a budget crisis in this country, and we have to cut costs, but I believe that we have to do it in a responsible manner. Cutting one of the few areas in which we have an advantage over every other country in the world seems to me to be a very unwise decision.

Mr. OLSON. Again, there is no reason why we should ever, ever, ever, give up our leadership in human spaceflight. We have worked for it from the onset, over 50 years ago now, almost 50 years ago since NASA was formed.

Yet because of American ingenuity, American perseverance, and American innovation, on July 20, 1969, Neil Armstrong backed down that ladder, put
that foot on the lunar surface, and ut-
tered the famous words that every
American knows, “one small step for
man; one giant leap for mankind.”

I agree with you, we cannot give that
t to up. I think if you could talk to Astron-
aut Schmitt, Apollo 17, the week of the
last Moon landing, if you could have
talked to him when he got back home
and said, Well, you know, sir, we
are not going to be back for at least
40 years, he would have taken money
and said, No, we are going to go back.
We are going to explore space; we are
going to be at Mars by 40 years
from now.

Unfortunately, we are looking at cut-
ting the program and continuing our
domination of low-Earth orbit, which
the Augustine Commission that the
administration cites as sort of the bible
for their action also here basically
said, the front page of their summary,
we are done with low-Earth orbit.
There are no more challenges for our
Nation in low-Earth orbit. We just got
to fund a fantastic space station up
there that is delivering science and
discoveries to us every day, but we are
not challenging ourselves from an ex-
ploration perspective going beyond
low-Earth orbit.

We have to do that, and the August-
tine Commission recognized that, and
killing the Constellation just com-
pletely curtails that. There is no plan
to get beyond low-Earth orbit. And,
quite frankly, that is not what our
country wants. That is not what we
need. As you alluded to, we are number
one, we have been number one through-
out history, and we should never give
that up.

Thank you for your comments.

Very briefly, I would like to talk
about sort of the education perspec-
tive, some of the issues involved with
promoting our youth and getting them
involved again in the STEM dis-
ciplines, engineering, technology, engi-
neering, and mathematics.

When we think about the new com-
petitive global economy, we know that
China and India don’t hesitate to en-
courage their top students to pursue
science and math careers. They know
that it is this expertise that will dic-
tate their countries’ futures. Unfortu-
nately, these are the careers which
America is losing ground on, calling
into question our own future.

The U.S. test scores and recruiting teachers in science,
mat h, and engineering fields are well
publicized. U.S. students lag well be-
hind their Asian and Indian counter-
parts, and we risk losing the level of
excellence in science, research, and in-
novation that is necessary to meet the
needs of our future.

Harvard University and many others
recruit top students from China to be
educated here in America. Why? Be-
cause Chinese students are laser-foc-
cused on a top education and their test
scores reflect that. Unfortunately, after
those students receive a top-tier
degree at an American school, they go
back home and return to their country
and we will not benefit from that
knowledge that they got here in Amer-
ica. And here at home we have some
American students graduating from
high school needing remedial math
courses to begin college level math.

We have a shortage of teachers to in-
spire young minds and we have de-em-
phasized the pursuit of solving difficult
problems and seem to choose the path
of least resistance. While the solutions
to those problems may require a great
national epiphany, we do see small but
important steps taking place every
day across America. The Johnson Space
Center in the district I’m fortunate to
represent in Houston hosts several pro-
grams in which employees volunteer
their time to mentor students in math,
science, and engineering.

Just recently, just this past Monday,
I was pleased to hear when Han-
nah Gorse, a student at Pearland
High School in the district I represent,
won a slot at the prestigious NASA
High School Aerospace Scholars Program.

Hannah is a junior there at Pearland
High School, so you know that all she
wants to do when she grows up is be-
come an astronaut or an aerospace en-
gineer and work in human spaceflight
exploration. As part of this program,
she designs things. I was stunned. She
designed components for the inter-

dural a vehicle. A lunar rover, for those of you
who have been following the space pro-
gram. She’s designed parts to a shuttle;
she designed components for the inter-
national space station, all as part of
this program.

Madam Speaker, Hannah is the kind of
student we want to get the math or
science degree and channel her intel-
lect toward great achievements in
human spaceflight. We cannot take
that inspiration and opportunity away
from our students and do exactly
that by killing the Constellation Pro-
gram.

The NASA High School Aerospace
Scholars Program allows students to
write essays, solve math problems, de-
sign upgrades for the international
space station, like Hannah did, among
other projects. It’s coordinated, as I
said, through the Johnson Space Cen-
ter, and serves as a valuable tool for
students like Hannah to encourage
them to pursue careers in science,
m a
the Stem disciplines.

This innovative initiative encourages and inspires
students to be the pathfinders we want
when we show the way forward. These
young leaders will scale greater heights in
human exploration that will help develop new technologies
in science, engineering, and health care.

There’s another opportunity for our
Nation through the government to
have a role in this solution, but to do
so we must fully commit to our Na-
tion’s future. The Constellation Program is that pro-
gram. A robust national program like
Constellation maintains our global
leadership in human space exploration
and inspires generations of young minds like Hannah Gorse to
create the next level of American superiority. As
we speak, China and India are dem-
strating their commitment to human
space exploration, and they have
students who are graduating with the
degrees to get the job done. Again, the
Chinese plan to be back to the Moon
between 2025 and 2030. The United
States has no plans to go back to the
Moon at this time.

Space exploration has always been a
primary motivator for students to pur-
sue careers in math, science, and engi-
neering. Children stare up at the stars
or watch grainy footage of the first
man on the Moon or watch a shuttle
blast off at nighttime, and a future sci-
entist, astronaut, or engineer is born.
As it stands now, the administration’s
budget is putting the U.S., the global
leader in human spaceflight explo-
ration, firmly into fourth place. With-
out a manned space program, again, we
will be forced to pay Russia over $50
million per astronaut to give access to
the international space station.

The United States has been a beacon
of cutting-edge technology when it
comes to pioneering the path in science
and space exploration. We were the
first to set foot on the Moon because
we made a national commitment to
being first and being the best. That’s
what America does. We must continue
supporting and investing in our
exploration. As part of this program,
reaps the benefits of excellence in
science, math, engineering. Human
space exploration is part of that na-
tional plan. There’s still time to cor-
rect our national decline in both edu-
cation and space exploration. They go
hand-in-hand.

Madam Speaker, a strong human
space exploration program is a key
motivator for America’s students to
pursue careers, again, in science, math,
and engineering. That’s not just some
thing that we desperately need to com-
pete globally. It requires a national
commitment, both public and pri-

tate. That is America at its best—
and that’s what we want to keep. We
do that by maintaining the Constellation
Program.

If my colleague from Utah would like
to speak to some of these issues, I yield
the floor to him.

Mr. BISHOP of Utah. I thank my
good friend from Texas for yielding me
the floor to him.
of those. Indeed, it costs more for a NASA budget. It increases the cost that the taxpayer will be spending on a NASA. There are no Federal jobs that will be eliminated, only private-sector jobs, to the tune of about 30,000 jobs nationwide of scientists, engineers, mathematicians and of course, the kind of jobs that we don’t really want to lose and we’re trying to encourage young students to go into, and there is not a better product.

As the gentleman from Texas said, it was likely that the other day the Constellation Program passed their predesign review, which means after expensive engineering and technical checks, they passed everything. There is nothing technologically wrong with Constellation. It is ready to go forward. Ironically enough, on that very same day, one of the alternatives that the NASA administration would like us to fund was having a test on their engine, and it was a total failure. Ironically, NASA didn’t publicize either of those events—the engine failure or the complete success in the predesign and review of Constellation.

So let me just spend a moment and talk about these commercial startup enterprises that NASA administrators are trying to want to transfer all American taxpayer moneys into going into this direction. These are programs like Rocketplane Kistler, which after a 14-month review or alliance with NASA, was terminated because it failed, one of its engines. Or SpaceX, which over 8 years working with NASA and being funded by taxpayer money, has had a 40 percent success rate. The Falcon 9 was supposed to be ready for flight in 2009. It’s not there yet. It is now scheduled for sometime in 2010, but that was the engine failure that I talked about that happened this very week. They are behind.

They have already received $158 million of tax money, but obligations of NASA run in the multbillions of dollars.

Orbital, another of those companies, is 7 months late on all of their assignments, which means if you actually look in the proposed budget, there is $312 million assigned to a category called: Additional incentives for commercial cargo providers. If you want to take the spin off of it, it’s a bailout for these companies who are not meeting their deadlines, who are not providing the proper product.

After $600 million to these kind of companies, NASA can clearly say they have no hardware to show for it. They have no services that have been delivered with it. There are no intellectual properties. And this is what we call administratively wrong within NASA call the “bold new direction for this country.” It is ludicrous.

When the Columbia accident occurred—and was a tragic event all of us mourned—there was an intense study to find the reasons why and how to prevent it. And they came up with two goals: that if there is an entity that’s going to be successful, they have to first have a clear goal of what their mission is. And second, they have to have an ultimate emphasis on safety.

Let me talk about safety for just a moment, because the Bowman report, as much as we may not like it, clearly said the Federal Government’s supervision of NASA was a safer project. But in that report as well there was a mandatory report given by the Aerospace Safety Advisory Panel after that Columbia accident. In the report in 2008, in which the current chairwoman—number 14—said the goal as well as this year’s report, at no time were they supportive of making entrepreneurial commercial options the primary means of U.S. human spaceflight.

So what were they supportive of? Well, Constellation. Time magazine this year—actually I’m sorry, the end of last year—came up with their 50 Great Inventions of the Year. And what was the invention they rated number one? Ares, the Ares rocket which is part of the Constellation program. That’s what they did.

In the official report to NASA, it says, “The significant improvement the Ares design makes the mature Ares 1 clearly superior to all other vehicles no matter what choice of qualification method. Even accounting for error bars on method and model inputs, Ares 1 is superior to all other vehicles with more than a 90 percent confidence.”

In short, results suggest that the Ares 1 launch vehicle is clearly the safest launch vehicle option and the only one that can meet the goal post-Columbia of having a launch vehicle that was 100 times safer than the space shuttle which it was designed to replace. What they are doing, simply, is Constellation is meeting the goals.

Now, once again, the goals are somehow nebulous. If you don’t have a goal, almost anything you appropriate can meet your goal. And I am suggesting that the NASA administrators right now do not have a clear goal.

Deputy Administrator Garver gave a speech today over in Maryland in which she said that the President’s budget should be approved by Congress because it will enable NASA to align with the priorities of the Nation. And those priorities, these key national priorities that I am referring to are: economic development, ending poverty, hunger and creating jobs; international leadership in geopolitics, or world peace; education; and environment.

Now, I hate to say anything, but in 1958 when NASA was started, their goal was to— and I will quote. Provide for research into problems of flight within and outside Earth’s atmosphere and to ensure that the United States conducts activities in space devoted to peaceful purposes for the benefit of humankind. Nearly 50 years later, NASA proudly said on Wednesday for the benefit of all humankind by using NASA’s unique competencies in scientific and engineering systems to fulfill the agency’s purpose, to pioneer the future in space exploration, scientific discovery and aeronautics research.

Mr. OLSON. If my colleague would yield for a quick question. So economic development, international global leadership, and education.

Mr. BISHOP of Utah. And environment. I think at some time, Ms. Garver needs to explain what she meant, as this is the priority of NASA now when, in reality, this should have been the priority of NASA from day one, if you have those goals, I think it makes sense to take away the program that everyone who knows what they are talking about says is clearly the best innovation we have and the only way of supplanting the space shuttle with safe vehicle mechanisms for the future and for manned space flight. But once again, if your goals are to eliminate anything that deals with the traditional role of NASA, then perhaps those goals aren’t significant whatsoever.

I have one last area, and if the gentleman from Texas has time, I would like to go into that or I could wait if you would like to.

Mr. OLSON. Yes, sir.

Mr. BISHOP of Utah. Let me try one last thing. We talk a lot about the industrial base. It’s a term that maybe not a lot of people understand. As I define the industrial base, I simply want to say the kinds of people, the kinds of jobs that a rocket and shoot him to the Moon are the same kinds of people and the same kinds of jobs that build our missile defense against those who wish to attack this country. That is our industrial base.

Last year, this country engaged in some significant—and I think unwise—decreases in our military missile defense system, and it had the effect of putting our industrial base in disarray. If there was a delay in Constellation, it is putting our industrial base in disarray. If you don’t have the ability of putting a man in space very quickly with a program that works. If, indeed, our projections of the threat of countries like North Korea and Iran are underestimated, we will have no capacity to ramp up for a missile defense future.

Now, what that simply means is—and the Pentagon has recognized this—last year, three different reports came to us. In April of last year, the Defense Department report to Congress on the solid rocket motor industrial base said, if there was a delay in Constellation, it would have a negative impact on our defense system. Next month after that, there was another report. This time the solid rocket motor capabilities report to Congress in June which had a different conclusion. This report said, if Constellation were to proceed, there would be a significant negative impact on the military capabilities of this country.
Later, the Assistant Secretary for Defense for Acquisitions sent us a letter in which he simply said that the technological base in the world is not a birthright which means several years ago the Air Force dropped all of its missile defense projects to focus on the space sector, and it’s into the birthright. It’s about certain kinds of jobs, very rare kinds of skills that are not easily replicated in the commercial world. And if we allow them to erode, it would be difficult to rebuild.

Mr. OLSON. Would my colleague yield for a question?

Mr. BISHOP of Utah. Please.

Mr. OLSON. What kind of consultation went on with DOD, with NASA, and this decision? I heard press reports that said there was little, if none. DOD, just like you and I, woke up and read the paper and saw what had happened but did not have any opportunity to let the powers that be, the administration know, putting our national security at risk by cutting the Constellation program. I wonder if my colleague has heard anything along those lines.

Mr. BISHOP of Utah. If you would yield, I will try to come up with that because, indeed, the deputy administrator of NASA said that she did have consultations. But one she said she consulted is the very same person who consulted is the very same person who is the new secretary of the Air Force, if they had consultation. His response was that in hand, which means that the Defense Department was caught unaware.

I’m on the Armed Services Committee, and we had the opportunity to question Secretary Gates when he came in. I asked if there was any consultation. He said no. I asked the same thing of the Air Force chief, if they had had any consultation. His response was over this entire issue—and I added the Minuteman III issue as well—We recognize not just the Minuteman challenge going forth but a broader industrial base issue which we’re going to have to wrestle with this year. So we do not right now have a long-term solution to that in hand, which means that the Defense Department was caught unaware.

There was no communication between NASA and Defense. If, indeed, there was, then clearly NASA was not listening to what was being told to them because we have had a year of comment from the Defense Department and from the Pentagon, saying that this is a significant issue, that if, indeed, North Korea and Iran have a greater capacity than we think, and you’ve destroy the industrial base, we do not have the capacity to react to it and defend this country.

Now, what we are simply doing in this program is not just dismantling our manned space mission. We’re not just losing the ability to go up to the Moon and beyond. We are also destroying our defense capability at the same time, and that is a consequence of this rash and naive proposal that has to be ing our defense capability at the same time. We’re not doing it. We do have the capacity to react to it and defend this country.

This NASA opinion, in my estimation, is nothing more than managing America’s decline in the world, and that is not the role we should be doing. That is not the purpose of this country. That’s not the purpose of this Congress. This Congress needs to make the clear statement that NASA is going on the wrong approach. It has to have a proper goal for its mission. It has to properly fund its goal for its mission. This, the Constellation, is the solution to the space shuttle and beyond.

Mr. OLSON. Yes, sir, I couldn’t agree more with my colleague from Utah. And just to reinforce some of your things for my people back home, one of the things I heard being at the Johnson Space Center this past Monday, numerous people came up to me and said, What’s our plan? I mean, what’s our mission? This is an organization that has been focused on a mission for 40 years. And right now, they have no idea what they’re working towards. Some nebulous stuff about global warming research, climate change research, developing the private sector doesn’t do anything to inspire them.

Again, the best, most qualified engineers, propulsion people, defense, as well, in the world. And we are giving them no mission and possibly letting them walk out the door. Once they walk, they’re gone.

Mr. BISHOP of Utah. It is not wise for us to take our 30,000 best scientists and engineers and give them pink slips. One thing you said as well, when John Kennedy gave us the challenge to go to the Moon, those people who started to study engineering, science, and math, it skyrocketed because there was a challenge. There was a mission there. NASA is talking about all kinds of programs to encourage kids to get excited about space with their summer school programs. They instituted a new computer simulation game so students could pretend to go up to the space shuttle. I am contending to you, it is cruel to excite these kids about this future when you give them no realistic way of exercising that dream because we have stopped the mechanism of doing it.

Once again, as we should have learned out of Columbia, we have to put together a safety first. This program is not. And just to reinforce some of the things that my colleague mentioned. The difficulty of the mission is what it forces the development of technology. The proponents...
It is up to Congress to remember the lessons of the past and ensure that the administration’s ill-conceived proposals are thoroughly reviewed. We should not agree to open-ended, unproven, unconstrained technological demonstrations. Anything we agree to must be clearly defined. NASA must show us how and why it is included, and it should be part of an as yet to be defined broader goal for human spaceflight exploration.

Would my colleague like to add anything?

Mr. BISHOP of Utah. I would just like to echo what you have said in all of these particular areas. It is important that we move forward. I think it is common sense that we do not cede space to the Russians and the Chinese. The United States has been a leader in this area. It has been very productive for us. We ought to ensure that our goal is to be number one and to continue to be a leader.

Having astronauts on the edge of space trying to catch a Russian taxi where the meter will say $51 million as soon as they sit down is not the way America becomes a leader in this particular world. We have the ability to do the right thing. It is planned. We need to follow through with the original plan and not change courses right now to an experiment that is unproven and has a history of failure.

I appreciate the gentleman for allowing me to join him tonight. This is an important issue, and it is important for America’s future.

Mr. OLSON. You raise some great points. Again, $51 million to put our astronauts on facilities to get up to the international space station. As I understand it, that contract has been signed through 2013, and it is highly unlikely given the current situation, and certainly a cancellation or with the attempted cancellation of the Constellation Program, that we will have the capability to get our astronauts to the international space station by 2013. It will probably be 2015 or somewhere in that window.

The Russians were a communist country when I was born. They have moved over to capitalism. They have figured it out. They have it down. It was $20 million last year. Now that we are in the throes of this, getting rid of the Constellation and having this gap, it is up to $50 million, and who is to say what it is going to be after 2013 when the contract expires.

So we’ve got ourselves in a big pickle, and we need to stick with the program and get it fixed.

Madam Speaker, I would like to thank my colleagues who have joined me here tonight, and I saw my colleague from Houston, my fellow Texan come here.

It’s just stunning that this decision has been made, and again, the manner in which it was made. No one at the NASA centers—not the director of the Johnson Space Center, he was not consulted—had any input into this decision.

Across the center, again, Congress, no one that I’m aware of, had any inclination of what was going to happen until he got up and read the paper and the Constellation Program had been canceled. And again, if it’s allowed to stand—and we’re going to do everything we can here in this Congress to ensure that it doesn’t stand—but if it’s allowed to stand, it could put the United States to being an average country in terms of human spaceflight, giving up the leadership that we’ve had for almost 50 years now. It will ensure that we will lose hundreds of thousands of jobs here in America, good paying high-tech jobs, the kind of jobs we are trying to generate particularly in this economy. And it will take away the inspiration—you can’t put a dollar value on this, but the ability to inspire America’s youth to get into science, engineering, and math degrees.

The Constellation Program is the right program for our human spaceflight efforts at this time in our history. We can’t allow it to stand. We need to go forward and do everything we can to minimize that gap.

To my colleague from Texas, from the 18th Congressional District of Texas (Ms. JACKSON LEE), thank you for coming out tonight, Congresswoman.

Ms. JACKSON LEE of Texas. Thank you very much, Congressman OLSON, and to the colleagues that have joined you tonight and who recognize the importance of this hour, albeit how late it might be, to really emphasize the uniqueness of America’s space program and the uniqueness of, if you will, the human space exploration.

As I was listening to the debate, I was very much convinced that we do have an opportunity to save this valuable asset. I think we know that the NASA budget actually, as I understand it, has seen an increase in 2011. And I think that all of us would thank the President—that’s a good thing that the budget itself has increased, but we know that the program that deals with exploration to the Moon and Mars have suffered a blow.

So I would say that we have an easy fix, a reprogramming of the moneys to allow for a program that has now had a sufficient start to be able to redesign itself, to be able to focus on what’s important about human space exploration. But the main thing is to save it, because when we save it, we not only save jobs of today—Johnson, Huntsville, Mississippi, Florida, and places around the Nation—but we save them for 2020, 2040, and beyond.

I think it’s important for our colleagues to know that we built the space station. I was on the Science Committee. That space station is barely a decade old—it is a decade-plus. We put it together piece by piece. And when our friends, the Russians, were delayed, they had bad economic times, we moved on.
The space station is the size of a football field. And the necessity of human space exploration is to be able to tend to that space station which has the possibilities of massive research that creates jobs.

Let me thank my friends on the floor. And Congressman Olson, let me thank you for your leadership—we have joined you in this bipartisan effort—for signing onto the legislation, H. Res. 1150, which establishes or, if you will, determines that NASA as a national security asset, and it is. Because involved in NASA is much of our military science, climatic science, and technology not yet discussed or discovered.

And so I would rise today to support the moving forward on the Constellation Program, but also the working with this administration. I think we all know that we have a leader at NASA who knows Houston, for example, but also knows the human space exploration. And General Bolden, certainly a astronaut and a marine. That's good news for us. And the reason why it is good news is because that is a voice that can be part of this discussion.

I don't take the initial budget by the President as a statement that human space exploration is not good. And I think it is important tonight to take a stand for our continued effort and energy in working to bring about the right kind of response between the Congress and the administration, a budget that is right there in the President's budget, one that can be reprogrammed, reformulated, enhanced, if you will, to emphasize the importance of saving the space exploration, this Constellation Program.

Now, let me say this, Constellation is Moon and Mars. And there are scientists who probably have different perspectives, but I don't think anyone can have a different perspective on the push of the human capability and what it brings about in terms of our own enhancement, both in terms of the knowledge that we gain—and I remember when we were trying to gain votes, Congressman Olson, that we would say things which were really true— the kind of research on the space station had to do with heart disease, cancer, HIV/AIDS. And discoveries today are being utilized. Those discoveries are saving lives, but they also create jobs, medical jobs.

So I, one, want to continue to raise the question. I want to put in the RECORD that the potential of jobs lost at Johnson Space Center could be anywhere from 4,000 to 7,000 high-tech jobs. And each day jobs are being created more and more and more. And then of course the idea of the national security information—classified, climatic, as I've said, the weather research that's being done—and the need I think most of all—let me say most of all because we stand on our own merit here in the United States, we are inventors, we are world leaders, but there are other countries that have looked to our leadership, Russia, India, China, all competing to be part of space exploration.

Let me close and yield back to you by saying this: I want to see business involvement in this industry, but I believe it is important for NASA to, in essence, determine what the administration and for the jobs we save all over this Nation on behalf of the American people.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of NASA programs across the country and to express my concern about the Administration's proposal to cancel NASA's Constellation Program, which includes the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets.

These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses respectively. It is under the Constellation program, that NASA is currently developing new launch vehicles and spacecraft capable of travel to the moon, Mars and other destinations. Not only does canceling the Constellation Program jeopardize America's leadership role in human space exploration, but it will have detrimental effects on our economy and national security.

Take, for example, the Johnson Space Center in Houston, Texas. The Johnson Space Center has the lead to manage the Constellation Program and several of its major elements, including the Orion Crew Exploration Vehicle and the Altair Lunar Lander. Without Constellation, the Johnson Space Center could lose approximately 1,400 high-tech jobs. If the JSC loses 4,000 direct jobs, an additional 2,315 indirect jobs would be lost, totaling 6,315. Loss of income and expenditures locally would be over $567 million. If the JSC loses 7,000 direct jobs, an additional 4,052 indirect jobs would be lost, totaling 11,052. Loss of income and expenditures locally would total almost $1 billion.

When speaking of the decision to cancel the Constellation Program, Administrator Bolden stated that "NASA intends to work with the Congress to make this transition smooth and efficient, in providing the best value for the taxpayers." To the contrary, I believe that the best use of taxpayers' money is to continue the investment in NASA to build America's scientific future. That future will create jobs. Finally, I would like to reiterate that the present Administration's plan for the Constellation Program would cause drastic job loss across America and would place America in a behind the edge position as it relates to competitiveness in scientific research.

NASA and the space industry are critical to Houston's economic success in both the short and long term. According to the Bay Area Houston Economic Partnership, NASA accounts for nearly 16,800 direct federal jobs and serves as the engine for another 3,100 civilian jobs that together supply more than $2.5 billion in payroll into Houston's regional economy. As you are aware, the Johnson Space Center is the primary location for training astronauts for spaceflights and this move; yet, the proposed budget will effectively cancel America's human spaceflight program.

In his statement announcing NASA's budget, Administrator Bolden said that changes in the FY 2011 budget would be "good for NASA, great for the American workforce, and essential for our nation's future prosperity." While I seek the same objectives, I strongly disagree with the closing of this project and I believe it will hurt America's scientific progress.

Additionally, the aerospace industry would lose as many as 20,000–30,000 jobs nationally if the Constellation Program is eliminated.

Given our current economic downturn, we cannot take the possibility of these job losses lightly and the Johnson Space Center is just one example of what the cancellation of this program would do to other NASA centers nationally.

It will take years for the commercial spaceflight industry to get up to speed to reach the level of capability that exists at NASA today. Our government has already invested literally years and billions of dollars into this program. We should build upon these investments and not abandon them. Our country can support the commercial spaceflight industry, but not at the expense of our human spaceflight program, which for years has inspired future generations and driven technology that enhances our quality of life. This technology is crucial to our national security. NASA conducts aeronautics research to address aviation safety, air traffic control, noise and, emissions reductions and fuel efficiency. NASA's contribution to our knowledge of air and water supports improved decision making for natural resource management and emergency response, thus enabling us to better respond to future homeland security threats.

Knowledge of Earth's water cycle is a critical first step in protecting our water supply; water flows over the Earth's surface in oceans, lakes, and streams, and is particularly vulnerable to attack.

NASA sensors provide a wealth of information about the water cycle, and contributes to improving our ability to monitor water resources and water quality from space; we must also protect the quality and safety of the air we breathe; airborne contaminants can pose danger to human health; and chemical, nuclear, radiological, and biological attacks are plausible threats against which we can protect. Thus, I join in my colleagues in working to restore funding for the Constellation to the FY 2011 budget for the following reasons:

(1) Elimination of the Constellation program, will present Homeland security implications for space, critical infrastructure, and Intelligence community of the United States;

(2) Elimination of the Constellation program will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence;

(3) Continuation of NASA's Constellation program is crucial to improving national security, climate, and research in science and medicine.

It is my hope, Madam Speaker, that this Congress will continue to support NASA's Constellation Program and to support balanced energy policies that promote economic growth and will help us meet our clean energy goals.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,

DEAR COLLEAGUE: I hope you will consider joining me as a co-sponsor for the resolution I introduce expressing the sense of Congress that the National Aeronautics and Space Administration (NASA) is a national...
security interest and asset, and that the elimination of funding for the NASA Constellation program in the President's proposed FY 2011 budget presents national security concerns.

The President's proposed FY2011 budget eliminates funding for the Constellation Program, the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets. These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses, respectively. It is under the Constellation program, that NASA is currently developing new launch vehicles and spacecraft capable of travel to the moon, Mars and other destinations. Not only does cancelling the Constellation Program jeopardize America’s leadership role in human space exploration, but it will have detrimental effects on national security.

NASA conducts aeronautics research to address aviation safety, air traffic control, noise and emissions reductions and fuel efficiency. NASA’s contribution to our knowledge of air and water supports improved decision making for natural resource management and emergency response, thus enabling us to better respond to future homeland security threats.

Knowledge of Earth’s water cycle is a critical first step in protecting our water supply: water flows over the Earth’s surface in oceans, lakes, and streams, and is particularly vulnerable to attack.

NASA sensors provide a wealth of information about the water cycle; and contributes to improved national emergency preparedness and recovery, and supports economic development and national security.

NASA’s contributions to the strategic importance of space station research, and intelligence; to the structural integrity of space station research; and to intelligence community of the United States.

NASA’s contributions will present Homeland security implications for Cyberspace, critical infrastructure, and Intelligence community of the United States.

(2) Elimination of the Constellation program will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence;

(3) Continuation of NASA’s Constellation program is imperative to preserving national security, climate, and research in science and medicine;

(4) The United States should maintain its funding of the Constellation program and should begin funding commercial space in five years and not sooner.

To join as a cosponsor, please call my office for Mona K. Floyd of my staff or email (Mona.Floyd@mail.house.gov).

Very truly yours,

SHEILA JACKSON LEE, Member of Congress.

Mr. OLSON. Very briefly, I would like to thank my colleague from Texas for all her support of the Johnson Space Center. True hero back home. And I couldn’t agree with you more about how much the nation has benefited from the human spaceflight.

I thank all my colleagues for coming here tonight.

CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Earlier this evening, Madam Speaker, colleagues came to the floor of the House to salute our late colleague, the Honorable Congressman Charlie Wilson, who made the people of the world happy because of his enthusiasm and leadership.

Congressman Wilson was born June 1, 1933, in the small town of Trinity, Texas. He attended public schools there and graduated from Trinity High School in 1951.

While attending Sam Houston State University in Huntsville, Texas, Wilson was appointed to the United States Naval Academy. He received his B.S. degree, graduating eighth from the bottom of his class in 1956.

However, that was not a testimony to how Charlie Wilson would serve this Nation.

He served in the Navy, attaining the rank of lieutenant. He graduated as a navigation officer. He was assigned to a destroyer to search for Soviet submarines. He then took a top secret post at the Pentagon as part of an intelligence unit that evaluated the Soviet Union’s nuclear forces.

Wilson came into politics by volunteering for John F. Kennedy’s Presidential campaign in 1960. After a 30-day leave from the Navy, he entered his name into the race for Texas Representative from his home district. While back duty with his mother, sister and their friends went door-to-door, campaigning. It worked. At age 27, he was sworn into office. For the next dozen years, Wilson was known as “the liberal from Lufkin.”

In 1972, he came to the United States Congress. He was a power. He was a man who enjoyed the friendship of many of our colleagues. He was a staunch supporter of the elderly, of women, and of equal rights. He was unique in his time.

He came to this Congress in a segregated time, coming from Houston, Texas, and the surrounding areas; but he knew my colleagues Congressman Mickey Leland and Congresswoman Barbara Jordan.

I know that he had a relationship that showed no discrimination, no bias. I know he loved this country. He wanted to do well by our allies; and, yes, he was the star of ‘Charlie’s War.’ He was the one who led quietly an opposition to the Russians’ takeover of Afghanistan. That story will always be his—brave, quiet, but successful. As the story is told, he didn’t do a lot of talking about it, but he got the job done.

We will miss Congressman Charlie Wilson. I am so honored and privileged to have had the opportunity to serve with him for 2 years when I first came to the United States Congress. He was always a joy to be around. He was a member of this body, who respected this body but who had a great time. We will miss him as he has lost his life just recently.

We say to his lovely wife who shared times with him for 11 years. Thank you for sharing Charlie Wilson. Thank you for giving him the joy of his life, and thank you so very much for recognizing what a special treasure he was to the American people and to the great State of Texas.

Madam Speaker, my words, I hope, will be a mere comfort to his family and friends.

To my colleagues in the Texas delegation, yes, we have a fallen hero; but we have a friend who will be able to remember for a lifetime.

God bless you, Charlie Wilson. May you rest in peace.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise to recognize the contributions Congressmen Charles Wilson made to the people of Houston, Texas, and the nation. He served the people of Houston, Texas with vigor. Congresswoman Wilson was born June 1, 1933, in the small town of Trinity, Texas. He attended public schools there and graduated from Trinity High School in 1951.

While attending Sam Houston State University in Huntsville, Texas, Wilson was appointed to the United States Naval Academy. He received his B.S. degree.

From 1956 to 1960, Wilson served in the U.S. Navy, attaining the rank of lieutenant. Having graduated as a navigation officer, he was assigned to a destroyer that searched for Soviet submarines. He then took a top secret post at the Pentagon as part of an intelligence unit that evaluated the Soviet Union’s nuclear forces.

Wilson stumbled into politics by volunteering for John F. Kennedy’s presidential campaign in 1960. After a 30-day leave from the Navy, he entered his name into the race for Texas State Representative from his home district. While back duty on duty, his mother, sister and their friends went door to door campaigning. It worked. And at age 27, he was sworn into office.

For the next dozen years, Wilson made a name for himself as the “liberal from Lufkin.” In 1972, Wilson was elected to the U.S. House of Representatives from the Second District of Texas, taking office the following January.

Though he could not speak much on the House floor, he spoke through his actions. He was a staunch supporter of the elderly, women, and equal rights. Charlie Wilson supported abortion rights and the Equal Rights Amendment. Wilson also battled for regulation of utilities, Medicaid, tax exemptions for the elderly and a minimum wage bill.

Madam Speaker, I am pleased to recognize the contributions of Charlie Wilson as a representative of the people of Houston and this nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. Bost).
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker’s table and referred as follows:


6479. A letter from the Director, Department of Agriculture, transmitting the Department’s final rule — National Forest System Timber; Special Forest Products and Forestry Products.

6480. A letter from the Director, Department of Agriculture, transmitting the Department’s final rule — Sale and Disposal of National Forest Lands.

6481. A letter from the Secretary, Department of the Treasury, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Limitation on Procedural Authority for Appellate Review.

6482. A letter from the Director, Department of Commerce, transmitting the Department’s final rule — National Institute of Standards and Technology, Measurement of Mathematical, Physical, and Chemical Properties.

6483. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s final rule — Food and Drug Administration, Food Labeling, Nutritional Information.

6484. A letter from the Secretary, Department of Labor, transmitting the Department’s final rule — Occupational Safety and Health Administration, Hazard Communication, Chemicals in Laboratories.

6485. A letter from the Director, Office of Management and Budget, transmitting the Department’s final rule — Budgetary Effects of Pay-As-You-Go Legislation.

6486. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Land Use, Research Facilities.

6487. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

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6489. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6490. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

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6492. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6493. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

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6496. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6497. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6498. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6499. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6500. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6501. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.

6502. A letter from the Director, National Institutes of Health, transmitting the Department’s final rule — National Institutes of Health, Research Facilities.
H1322

CONGRESSIONAL RECORD — HOUSE

March 10, 2010

Care Practitioners; Reporting on Adverse and Negative Actions [RIN: 0906-AA57] received January 28, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


6491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

6492. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

6493. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

6494. A letter from the Assistant Bureau Chief, The Executive Office of the Commissions Co-
mission, transmitting the Commission’s final rule — Revisions to Rules Authorizing the Operation of Low Power Auxiliary Sta-
tions on the VHF, FM, and Ultrashort Wave Bands, and Inters-
est Spectrum Coalition, Petition for Rule-
making Regarding Low Power Auxiliary Sta-
tions, including Wireless Microphones, and the Digital Television Transition, Amend-
ment of Parts 15, 74 and 90 of the Com-


6496. A letter from the Legal Advisor, International Bureau, Federal communica-
tions commission, transmitting the Commis-

6497. A letter from the Acting Deputy Di-
rector, Defense Security Cooperation Agen-
cy, transmitting a report submitted in ac-

cordance with Section 36(a) of the Arms Ex-
port Control Act, pursuant to 22 U.S.C. 278a(a); to the Committee on Foreign Affairs.

6498. A letter from the Acting Deputy Di-
rector, Defense Security Cooperation Agen-
cy, transmitting Transmittal No. 10-12, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6499. A letter from the Acting Assistant Secretary, Bureau of Political-Military Aff-
fairs, Department of State, transmitting add-
endum to a certification, Transmittal No.:
DDTC 10-01; to the Committee on Foreign Affairs.

6500. A letter from the Acting Assistant Secretary, Bureau of Political-Military Aff-
fairs, Department of State, transmitting add-
endum to a certification, Transmittal No.:
DDTC 10-01; to the Committee on Foreign Affairs.

6501. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration’s final rule — General Services Administration Acquisition Regulation; Rewrite of Part 512 [RIN: GSA-2010-0009; FRL-9174-1] (RIN: 2973-AD04) received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6502. A letter from the Acting Administrator, Environmental Protection Agency, transmitting the Agen-

6503. A letter from the Acting Deputy Administrator, National Oceanic and Atmospheric Administra-
tion, transmitting the Administration’s final rule — Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Period 2 Quota Harvested [Docket No.: 0646132010-4181-02] (RIN: 0646-XT96) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6504. A letter from the Program Analyst, Department of Transportation, transmitting the Department’s final rule — Drug and Alcohol Testing Program; Correction [Docket No.: FRA-2010-0011; FRL-9268-3] received February 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


6506. A letter from the Director, National Environmental Policy Act to reduce the emissions of greenhouse gases, and decreasing the risk of severe weather events, and for other purposes; to the Committee on Energy and Commerce.


PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally re-
ferred, as follows:

By Mr. STARK (for himself, Mr. MORAN of Virginia, and Ms. VELAZQUEZ of New York):

H.R. 4800. A bill to amend the Immigration and Nationality Act to eliminate the 1-year deadline for application for asylum in the United States; to the Committee on the Judiciary.

By Mr. BERMAN (for himself, Mr. FORTENBERRY, Mr. LIPINSKI, Mr. BAIRD, and Mr. HOLT):

H.R. 4801. A bill to establish the Global Science Program for Security, Competitive-
ness, and Diplomacy, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Science and Technology, 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. MOORE of Kansas (for himself, Mr. CAMPBELL, and Ms. KOSMAS):

H.R. 4802. A bill to modernize the Liability Risk Retention Act of 1986 and expand cover-
age to include commercial property insur-
ance, and for other purposes; to the Committee on Financial Services.

By Mr. BARTON of Texas (for himself, Mr. GEHRE GREEN of Texas, Mr. BUR-
RUS, and Mr. McCARTHY):

H.R. 4803. A bill to ensure health care con-
sumer and provider access to certain health benefits plan information and to amend title XIX of the Social Security Act to provide transparency in hospital price and quality information; to the Committee on Energy and Commerce, and in addition to the Com-
mittees on Energy and Commerce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provi-
sions as fall within the jurisdiction of the committee concerned.

By Ms. KOSMAS (for herself, Mr. POSEY, Ms. JACKSON LEE of Texas, Mr. WASSERMAN SCHULITA, Mr. LAUTENBERG, Ms. CORRINE M. BROWN of Florida, Mr. GRAYSON, Ms. CASTOR of Florida, Mr. MELANCON, Mr. PUTNAM, Mr. KLEIN of Florida, Mr. MICA, Mr. COSTA, Ms. FINGER of Maine, and Mr. THAGARU):

H.R. 4804. A bill to reauthorize the Na-
tional Aeronautics and Space Administra-
tion Human Space Flight Activities, and for other purposes; to the Committee on Science and Technology.

By Ms. MATSU (for herself and Mr. EHLERS):

H.R. 4805. A bill to amend the Toxic Sub-
stances Control Act to reduce the emissions of formaldehyde and smoke and other air pollu-
tants from consumer products, and other products, and for other purposes; to the Com-
mittee on Energy and Commerce, and in addition to the Committee on Financial Serv-
ces, for a period to be subsequently deter-
mimed by the Speaker, in each case for con-
sideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. GRIJALVA, Ms. LINDA T. SÁNCHEZ of California, Mr. LEWIS of Georgia, Mr.
BERKLEY, Mr. ROTHAM of New Jersey, Ms. BALDWIN, Ms. CHU, and Mr. HASTINGS of Florida):

H.R. 4806. A bill to prohibit discrimination in adoption of children placed for adoption based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of a child involved; to the Committee on Ways and Means.

By Mr. KIRK (for himself, Mr. KLEIN of Florida, Ms. ROS-LEHTINEN, Ms. BERNICE JOHNSON of Florida, Mr. SUAREZ, Mr. ROE of Tennessee, Ms. LORETTA SANCHEZ of California, Mr. SHEARER, and Mr. SCHROCK):

H.R. 4807. A bill to amend the Iran Sanctions Act of 1996 to require the President to investigate possible violations of that Act within a specified period, and for other purposes; to the Committee on Foreign Affairs.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. LANDEY, Mrs. BARTLETT, Mr. CANNAMAN, Mr. DENT, Mr. GENE GREEN of Texas, Mr. KIRK, and Mr. PERLMUTTER):

H.R. 4808. A bill to amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNERNEY:

H.R. 4809. A bill to provide greater technical resources to HHS Commissioners; to the Committee on Energy and Commerce.

By Mr. FINK (for himself, Ms. CORRINE BROWN of Florida, Ms. BROWN of South Carolina, Mr. SNYDER, Mr. ROE of Tennessee, Mr. MICHAUD, Ms. HERSHUT SANDLIN, Mr. HALL of New York, Mrs. HALVORSON, Mr. FRENNING, Mr. TRAURIG, Mr. KODIYATI, Mr. MCMICHAEL, Mr. WALZ, and Mr. ADLER of New Jersey):

H.R. 4810. A bill to amend title 38, United States Code, to make certain improvements in the services provided for homeless veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans’ Affairs.

By Mrs. CAPTTO (for herself, Mr. BACHUS, Mrs. BENGSTORF, Mr. GANZ, Mr. BAVER, Mr. FRENNING, Mr. FORBES, Mr. COURY, and Mr. GARY G. MILLER of California):

H.R. 4811. A bill to protect the American taxpayers by improving the safety and soundness of the mortgage insurance programs of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Mr. LARSON of Connecticut, Mr. HARR, Mr. ELLISON, Ms. SUTTON, Mr. PEIRLUNI, Mr. SARABAN, Mr. CLAY, Mr. HASTINGS of Florida, Mr. CLAY, Mr. LEVIN, Mr. RANGELO, Mr. GARAMENDI, Mr. HOLT, Mr. GHJALVA, Ms. ESHOO, Mr. KILDER, Mr. LOEHNNACK, Mr. POLS of Colorado, Mr. DINGELL, and Mr. TIERNEY):

H.R. 4812. A bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services necessary for social services to urban communities, and for other purposes; to the Committee on Education and Labor.

By Mr. BERRY:

H.R. 4813. A bill to provide for insurance reform (including health insurance reform), amend title XVIII of the Social Security Act to reform Medicare Advantage and reduce disparities in Medicare Advantage, to prohibit the importation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Oversight and Government Reform, Ways and Means, and Education and Labor, 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. FRANKLYN (for himself, Mr. SHADDOCK, and Mr. FRANKS of Arizona):

H.R. 4814. A bill to prohibit the further extension or establishment of national monuments, wilderness areas, national parks, forests, and refuges, respectively, subject to the authorization of Congress; to the Committee on Natural Resources.

By Mr. GRAVES (for himself, Mr. BOSWELL, Mr. BACHUS, and Mr. PETRI):

H.R. 4815. A bill to amend title 49, United States Code, to allow through-the-fence access to general aviation airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HINCHENY:

H.R. 4816. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the deposit in the general fund of the Treasury of fees that are collected from manufacturers of nonprescription drugs under chapter VIII of such Act, to terminate the authority of the Food and Drug Administration to negotiate with the manufacturers on particulars of the fees, to establish a Center for Postmarket Drug Safety and Effectiveness, to establish additional authorities to ensure the safe and effective use of drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TEAGUE (for himself, Mr. LUCAN, and Mr. HEINRICH):

H.R. 4817. A bill to establish a Surface Mining and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for pre-Petroleum Reclamation projects; to the Committee on Natural Resources.

By Ms. RICHARDSON (for herself, Ms. BORRITTO, and Ms. JACKSON LEE of Texas):

H.R. 4818. A bill to amend the Small Business Act to improve the program under section 8(a), and for other purposes; to the Committee on Small Business.

By Mr. RICHARDSON:

H.R. 4819. A bill to amend the Older Americans Act of 1965 to expand the Senior Community Service Employment Program; to the Committee on Education and Labor.

By Ms. WATSON, Mr. PAGLIUCA, Mr. POC of Texas, Mr. GENE GREEN of Texas, Mr. SMITH of Washington, Mr. PAYNE, Ms. LEE of California, Ms. BALDWIN, Mr. DOYLE, Ms. MATSUI, Mr. NADLER of New York, Mrs. MALONEY, Mrs. SCHAKOFSKY, and Mr. CROWLEY):

H.Res. 1155. A resolution commending the progress made by anti-tuberculosis programs; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, 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. LARSON of Connecticut:

H.Res. 1156. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. HASTINGS of Florida (for himself, Mr. AL GRIEVE of Texas, Ms. RICHARDSON, Ms. NORTON, Mr. TURNER, Ms. CORRINE BROWN of Florida, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Ms. FUDGE, Mr. BISHOP of Georgia, Mr. PORTMAN of Ohio, Ms. EDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. GARAMENDI, Ms. MOORE of Wisconsin, Ms. MCCOLLUM, Ms. CHU, Ms. SUTTON, Mr. CONNOLLY of Virginia, Mr. CUMMINGS, Mr. LEE of California, Mr. VAN HOLLEN, Ms. CLARKE, Mr. HINOJOOSA, Mr. KILPATRICK of Michigan, Mr. MEERK of New York, Mr. CARSON of Indiana, Mr. COHEN, Mr. PAYNE, Mr. RUPPERSBERGER of Maryland, Ms. WASSERMAN SCHULTZ, and Mr. GRAYSON):

H. Res. 1157. A resolution congratulating the National Urban League on its 100th year of service to the United States; to the Committee on Education and Labor.

By R. BERNIE HERNION of Texas:

H.Res. 1158. A resolution recognizing Certified Nurses Day; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York:

H.Res. 1159. A resolution supporting efforts to address the crisis faced by Haitian orphans following the earthquake of January 12, 2010; to the Committee on Foreign Affairs.

By Mr. MEeks of New York (for himself, Mr. GUTTENBERG, Mr. TOWNS, Mr. LEK of California, Mr. FATTAH, Mr. RANGELO, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Mr. NORTON, Mr. AL GREEN of Tennessee, Mr. CLARK, Mr. PAYNE, Mr. HONDA, Mr. KINGSTON, Ms. CHRISTENSEN, Ms. KILPATRICK of Michigan, Mr. CUMMINGS, Ms. FUDGE, Mr. WATSON, Mr. CLAY, Mr. FRANK of Massachusetts, Mr. FALEOMAVAVE, Ms. WATERS, Mr. LEWIS of Georgia, Ms. WOOLSEY, Mr. BACHUS, Ms. ROS-LEHTINEN, and Mr. PETERS):

H.Res. 1160. A resolution calling for the establishment of a Haiti Marshall Plan Committee to coordinate aid and development initiatives from international financial institutions, United States bilateral aid programs, and major international charities and non-governmental organizations in response to the earthquake that struck Haiti on January 12, 2010, and encouraging them to work in a coordinated manner and to do even more to support Haiti as it recovers following the greatest natural disaster to hit this nation in over 200 years; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE of Wisconsin (for herself, Mr. MANZULLO, Mr. PETRI, Mr. KIND, Mr. RYAN of Wisconsin, Mr. KAGEN, Ms. BALDWIN, and Mr. AUS-TRIA):

H. Res. 1161. A resolution honoring the Centennial Celebration of Women at Marquette University, the first Catholic university in the world to offer co-education as part of its regular undergraduate program; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

237. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 125 memorializing the Congress to appropriate the $475 million called for in President Obama’s January 24, 2010 budget for Great Lakes Restoration Initiative; to the Committee on Appropriations.
ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 83: Mr. FORBES.
H.R. 197: Ms. GIFFORDS.
H.R. 206: Mr. ALAKIS.
H.R. 273: Mr. NUNEZ.
H.R. 275: Mr. HILL.
H.R. 336: Mr. GARDEMANN.
H.R. 442: Mr. ENGWORTH, Mr. SHULER, Mrs. MYRICK, Mr. TAYLOR, Mr. ISSA, and Mr. MELANCON.
H.R. 537: Ms. LINDA T. SANCHEZ of California.
H.R. 618: Mr. RUSH.
H.R. 624: Ms. COLLUM.
H.R. 658: Mr. ANDREWS.
H.R. 699: Mr. MOONEY.
H.R. 734: Ms. VALÉZQUEZ, Mr. ROGERS of Alabama, Mr. OLIVER, Mr. PASCRELL, Mr. ANDREWS, Mr. WILSON of South Carolina, Mr. TURNER, Mr. POSEY, Mr. HODES, Mr. LUCKETMEYER, Mr. PATRICK J. MURPHY of Pennsylvania, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 775: Mr. SHULER, Mr. SARLAN, Mr. DOYLE, Mr. SIMPSON, and Mr. PIETERS.
H.R. 795: Ms. BREKLEY.
H.R. 877: Mr. SENSENIBRNER.
H.R. 919: Mr. ISRAEL.
H.R. 932: Mr. RAHALL.
H.R. 1067: Ms. LORETTA SANCHEZ of California and Ms. DELAURO.
H.R. 1177: Mr. ACKERMAN, Mrs. CAPPs, Mr. COSTELLO, Mr. DELAURO, Mr. SHIMKUS, Mr. HOVEN, Mr. OBERSTAR, and Ms. FIELD.
H.R. 1210: Mr. ROSS.
H.R. 1240: Mr. PLATTS and Mr. KAGEN.
H.R. 1258: Mr. ADLER of New Jersey, Mr. BURT of Indiana, and Mr. POLI.
H.R. 1324: Mr. LATOURRETT.
H.R. 1362: Mr. AUSTRIA, Mr. BLUNT, Mr. MARKEY of Massachusetts, Mr. MICHAUD, and Mr. MARSHALL.
H.R. 1581: Mr. MOORE of Kansas.
H.R. 1587: Mr. LATHAM.
H.R. 1616: Ms. WASSERMAN SCHULTZ and Mr. FINKEL.
H.R. 1740: Ms. ROYBAL-ALLARD.
H.R. 1806: Mr. MILLER of North Carolina.
H.R. 1831: Mr. GARDEMANN.
H.R. 1895: Mr. BUYER and Mr. SULLIVAN.
H.R. 1895: Mr. SIRES.
H.R. 1964: Mr. WATT and Mr. CUMMINGS.
H.R. 1995: Mr. KAGEN.
H.R. 2010: Mr. SCHOTT of Tennessee.
H.R. 2024: Mr. MICHAUD.
H.R. 2067: Ms. DELAURO.
The Senate met at 9:30 a.m. and was called to order by the Honorable Tom Udall, a Senator from the State of New Mexico.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Most Merciful God, who is the fountain of all grace, the source of all goodness, and in whose keeping are the destinies of nations, endue the minds of our lawmakers with wisdom. Set their feet with a steadfast purpose to fulfill Your will, day by day, by faithful labor and selfless service. In spite of disappointments and disillusionment, lead them to pursue peace and to aim for holiness. May they walk on the high level of noble purpose, with sympathies as wide as human needs. Lord, inspire them to put You first in their lives and to make an unreserved commitment that enables them to rivet their attention on You.

We pray in Your great Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable Tom Udall 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 assistant legislative clerk read the following letter:

U.S. SENATE.

PRESIDENT PRO TEMPORE.


To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Tom Udall, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD, President pro tempore.

Mr. Udall of New Mexico thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The Acting President pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. Reid. Mr. President, following leader remarks, the Senate will turn to a period of morning business until 2 p.m. this afternoon. Senators during this time will be allowed to speak for up to 10 minutes each. The majority will control the first 30 minutes. The Republicans will control the next 30 minutes. At 2 p.m., the Senate will resume consideration of H.R. 4213, the tax extenders legislation. Under an agreement reached last night, all postcloture debate time will be yielded back and the substitute amendment will be agreed to. The Senate will then proceed to a cloture vote on the underlying bill. If cloture is invoked, all postcloture debate time will be yielded back and the Senate will then proceed to vote on passage of the bill, as amended.

We will continue to work on an agreement to begin consideration of the Federal Aviation Administration reauthorization bill today.

**MEASURE PLACED ON THE CALENDAR—S. 3092**

Mr. Reid. Mr. President, the bill, S. 3092, is at the desk. I understand it is due for a second reading.

The Acting President pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3092) to designate the facility of the United States Postal Service located at 5670 Vegas Valley Drive in Las Vegas, Nevada, as the "Joseph A. Ryan Post Office Building."

Mr. Reid. Mr. President, I object to any further proceedings with respect to this bill.

The Acting President pro tempore. Objection is heard.

The bill will be placed on the calendar.

Mr. Reid. Will the Chair now announce morning business.

**RESERVATION OF LEADER TIME**

The Acting President pro tempore. Under the previous order, the leadership time is reserved.

**MORNING BUSINESS**

The Acting President pro tempore. Under the previous order, there will be a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

Mr. Reid. 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. Durbin. 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.

**HEALTH CARE**

Mr. Durbin. Mr. President, there have been a lot of issues brought up on the floor of the Senate recently, and two that seem to be front and center

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*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.*
are the health care reform bill and questions related to our national debt and the annual deficits we run into. I have listened as many on the other side of the aisle have come to the floor and argued to do two things: first, kill the health care reform bill, and second, reduce our Nation’s debt. Unfortunately, that is a mixed message, an inconsistent message, and it is one that really defies logic. We know the increasing cost of health care is adding to the expenses of the Federal Government, State governments, and local governments. If we do not do something to suppress, if not reduce, the cost of health care, we are going to see a dramatic increase in our deficits.

The bill before us attempts to create mechanisms to start bringing down the increase in the cost of health care. Anyone who would stand before you and say, well, if you pass health care reform, next year’s health care premiums are going to go down. I do not think is telling the truth. I think it is likely they would go up. But what we are trying to do is slow the rate of increase. If the rate of health care inflation were the same as inflation in general, it would be a major step forward to come to grips with a real problem facing America.

I have told the story on the floor about a local town in Illinois that spends 10 percent of its small budget—a $20 million annual budget—on health care premiums, and they have just been notified that next year the premiums on about 200 employers will go up 83 percent for health care. That is one small town, Kankakee, IL. The same thing is true in the State of Illinois with our State budget, where we face a fiscal crisis and the costs of health care, in the Medicaid Program in particular, continue to go up because of high unemployment. People who lose their health insurance at work, lose Medicaid, and it creates a greater burden for the State and Federal Government. So as the economy struggles and people lose their jobs, we have to view health care reform as part of the answer not only to family challenges and business challenges but challenges that face us at the Federal level as well.

Health care costs take up a growing share of Federal and State budgets. In the year 2009, we spent an estimated $2.5 trillion on health care, which is 17.3 percent of our gross domestic product. That is the sum total of all goods and services produced in America. It represents the largest 1-year increase in the health share of gross domestic product since we first started tracking it in 1960. If we do not pass health care reform to try to slow this rate of growth, the deficits each year will get worse. So those who come to the floor and say, kill health care reform, balance the budget, are really preaching an inconsistent message. If we can reduce just slightly the annual increase in Federal spending on Medicare and Medicaid, we can see positive changes when it comes to our annual deficits.

Economists agree. Twenty-three leading economists, including Nobel laureates and those who have served both Democratic and Republican administrations, have recommended key measures that will lower cost and reduce long-term deficits. Health insurance reform includes all four of those measures—deficit neutrality, an excise tax on highest cost health insurance plans, an independent Medicare advisory board, and delivery system reforms.

The Congressional Budget Office has scored the health care reform bill and says it will actually—at least the Senate version—reduce the budget deficit by $130 billion or more over the first 10 years and by $1.3 trillion over the next 10 years. We are waiting for the latest score of the bill, which could be forthcoming in the next day or two, but we hope it indicates the same thing.

To fail to pass health reform is to invite higher deficits in the future. We cannot have it both ways. You cannot stop the effort to bring down health care costs—at least the rate of increase in health care costs—and then pretend it just does not work. Those two messages are inconsistent.

In terms of the use of the reconciliation procedure in the Senate to pass parts of health care reform, it is not a process that is new to us. Over 20 times we have used reconciliation to deal with major issues facing America. In fact, the Republican side of the aisle has used the process much more frequently than the Democratic side of the aisle. The programs that have been affected by reconciliation have often included Medicare and COBRA and the Children’s Health Insurance Program. In fact, when President Bush wanted to pass his tax cuts for wealthy people, he used the reconciliation program and the Republicans supported it.

Reconciliation has been used three times by the Republicans to actually increase the deficit. Out of 22 times reconciliation has been used since 1981, Republicans used it to increase our national deficit at least three times, all of those instances during President Bush’s administration. In 2001, reconciliation was used to pass extensive and costly tax breaks, many of them benefiting the very wealthy. Those tax breaks increased the deficit by $552 billion over 5 years—Republicans using reconciliation to give tax cuts to the wealthy and increase the deficit. Reconciliation was used again in 2003 for tax breaks. Those breaks resulted in adding to the deficit, $342.9 billion in red ink over 5 years. Finally, reconciliation was used in the year 2005 to extend the tax breaks. That extension—that Republican reconciliation bill—increased the deficit by $70 billion over 5 years.

The health care reform bill we are considering will give middle-income families the largest tax cut in history. What the Republicans fail to mention is that the money we are raising in health care reform—almost $500 billion—will flow back to middle and lower income families and small businesses to help them pay health care premiums. Killing health care reform, which is the agenda on the other side of the aisle, will deny these tax breaks and assistance to businesses and families struggling to pay health care premiums that are going up.

We know America’s business community will save under this approach and make American businesses more competitive. The health care reform bill we are promoting will bring into coverage 30 million Americans currently uninsured. When the Republicans were asked: How many will you bring into coverage, they said 3 million. Well, let me tell my colleagues, 30 million paying Americans, people who show up for care at hospitals and doctors’ offices and actually have insurance is not only peace of mind for them but also stops the transfer of their health care expenses to the Federal Government. We currently provide charitable care for those who have no insurance and pass the costs on to everyone else. It is estimated that each of us has a hidden, indirect tax of $1,000 a year in health care premium costs to make certain we provide for the uninsured. The approach we are promoting in health care reform will provide coverage for these 30 million and will stop this cost shifting and this hidden tax on families across America.

Let me also say the provisions in this bill that are the most objectionable to the Republican side of the aisle mirror the health insurance available to Senators and Congressmen today. We have a plan, the Federal Employees Health Benefit Program, administered by the Federal Government we could call it a government-run plan, even though they are private insurance companies—and it requires minimum coverage in every plan so we know we will get protection. I haven’t found any Republican Senator willing to step up and say, that is socialism; we shouldn’t do it; I am going to cancel my Federal Employees Health insurance. Not one. They live with it. I live with it every day in protecting myself and my family. I believe it is fair. I believe every American and every business should be given this opportunity. The insurance exchanges offer to America what we as Members of Congress have enjoyed as an institution for over 40 years. If it is socialism to put it in this bill, then I hope my friends on the other side will stand up and personally condemn this socialism by dropping their Federal Employees Health coverage. That will be proof positive of their genuineness on this issue.

Let me say as well in closing that many of the people who have come to the floor and suggested the reconciliation is some renegade procedure that is seldom used in the Senate have ignored the obvious. The fact that it has
been used 22 times more often by Republicans than Democrats tells the story.

I see on the floor the minority leader, the Republican leader Senator McConnell. He has voted for 13 of 17 reconciliation bills during his time in the Senate. He did not consider this procedure objectionable on 13 different occasions when he voted for it. Senator Kyl, who is my counterpart on the Republican side, the Republican whip, has voted for 11 out of 11 reconciliation bills since he has been in the Senate. In fact, every time reconciliation was used, the Republican whip voted for it. Senator McCain has voted for reconciliation 9 out of 13 times since he has served in the Senate. It is a process that has been used repeatedly by both parties for major decisions: Health care cuts, COBRA insurance for the unemployed, children’s health insurance, to name a few. It is something we acknowledge under our rules, and if it is part of the solution of bringing health care reform to an up-or-down vote—at least this aspect of it to an up-or-down vote—it should be a process that most Republicans are familiar with because most of them have voted for it repeatedly.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE

Mr. McConnell. Mr. President, the American people are looking at what is going on in Washington right now and they are wondering what the White House and Democratic leaders in Congress could possibly be thinking. The fact that still even talking about a health care bill that raises costs, increases premiums, and increases government spending is a complete mystery to most people. Americans have issued their verdict on this bill. They don’t want it. It is that simple.

That is to say nothing of the process. The process that Democratic leaders have used to try to pass this bill is viewed even less favorably than the bill itself. So even if Americans supported the bill—which they clearly don’t—they would still want the process cleaned up. Americans expect lawmakers to be completely up front and transparent about any changes they are thinking about making to the health care system.

Americans also expect a level playing field. That means union leaders don’t get special deals that nonunion members don’t. It means the people of Nebraska don’t get a free ride bought and paid for by both parties for major decisions: Health care cuts, COBRA insurance for the unemployed, children’s health insurance, to name a few. It is something we acknowledge under our rules, and if it is part of the solution of bringing health care reform to an up-or-down vote—it should be a process that most Republicans are familiar with because most of them have voted for it repeatedly.

I yield the floor.

HONORING OUR ARMED FORCES

SERGEANT VINCENT L.C. OWENS

Mr. Pryor. Mr. President, it is with great sadness that I come to the floor today to talk about Sgt Vincent L.C. Owens from Fort Smith, AR. His life of service to our Nation is a shining example of a true American patriot.

Sergeant Owens lost his life while serving in eastern Afghanistan after his transport vehicle was hit by enemy fire. He was a part of the 3rd Battalion, 187th Infantry Regiment, 101st Airborne Division in Fort Campbell, KY. Previously, Sergeant Owens spent 14 months in Iraq serving with the A Battery, 1st Battalion, 50th Air Defense Artillery from Fort Bliss, TX. Sergeant Owens served both tours with passion and dedication. Those who knew him describe him as a kind and selfless individual who always put the needs of others first. Sergeant Owens lived his life of only 21 years with passion and dedication. Those who knew him describe him as a kind and easygoing man who always had high standards for himself. He was the oldest of five children. He had been married to his wife Kaitlyn for just 6 weeks. Despite being a newlywed, Sergeant Owens did not hesitate to answer the call of duty.
Sergeant Owens’ family and friends said he joined the Army out of a sense of patriotism and took pride in serving his Nation. He devoted his life to defending America and gave the ultimate sacrifice for the country he so deeply loved.

After this tremendous loss, Fort Smith, AK, is in the process of waving off 200 airmen from the Air National Guard’s 188th Fighter Wing as they head to Afghanistan, joining about 75 members of the 188th already serving there. This will be the unit’s first deployment with the A-10 Thunderbolt II—also known as “The Warthog”—since the 188th received the aircraft in April of 2007. Also, many of these guardsmen are part of the agribusiness development team. This unit will teach Afghans better farming, crop storage, and marketing practices in an effort to draw them away from poppy production and build a strong economy. These Arkansans are picking up Sergeant Owens’ mantle in the fight to create a more secure and stable Afghanistan and together their efforts will endure.

Today, I join all Arkansans in lifting Sergeant Owens’ family and friends and extended family and community of Fort Smith during this very difficult time. Sergeant Owens may be gone, but his courage, valor, and patriotism will never be forgotten.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. JOHANNS. 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.

HEALTH CARE

Mr. JOHANNS. Mr. President, I rise to speak to the Senate health care bill and to talk a little bit about some of the issues related to that bill, in terms of financing and scoring and, to be very candid, about some of the accounting gimmicks that try to hold this bill together.

The one thing about this health care bill that struck me immediately and struck other people is that, first of all, there are 10 years of Medicare cuts, again about $5½ trillion total. You do those things and some other things and it pays for 6 years of spending because even though some of the issues relative to this health care bill kick in initially, the vast majority of it does not kick in for 3 or 4 years.

When you put that all back together, you begin to realize what you have is a health care bill that costs about $2.5 trillion over a 10-year score.

Then you go through a whole bunch of other issues. You have a Senate bill that takes $52 billion in higher Social Security taxes and revenues and counts them as offsets. That would be money normally reserved for the Social Security trust fund. You look at the CLASS Act. One Member of this body—a Member who is very respected for what he has done relative to budgeting—called this a Ponzi scheme.

The CLASS Act was initially opposed by our friends on the other side or by leading Democrats. But it is back alive. It is included in the Senate bill. It is another Federal entitlement that is going to create an insolvency problem very quickly. It is going to create an insolvency problem because that is double-counting. You actuaries who say: Well, wait a second, that's simulating for what he has done relative to budgeting—called this a Ponzi scheme.

Our friends on the other side claim the bill will simultaneously extend the solvency of Medicare and then magically decrease the deficit. But the reality of that, again, comes from CMS actuaries who say: Well, wait a second here, that is double-counting. You can’t use the same dollar twice. CMS concludes that the Medicare cuts in the legislation cannot be simultaneously used to finance other Federal outlays, such as coverage expansions under this bill or to extend the trust fund.

So when you cut all the way through this and see what is happening here, it doesn’t hold together. This is a financial plan that is built upon sand, and you can almost guarantee it is going to collapse.

Mr. WICKER. So let me, if I might, ask my colleague, Senator WICKER, what he thinks of all of this. Can he offer some thoughts as to where this bill is headed and the financial mechanisms of this bill?

Mr. WICKER. I appreciate my colleague from Nebraska getting into the weeds because it is important that we know the details of the numbers here. I think there is also a sort of big-picture aspect to this. There are a lot of Americans out there who may not have read the details the Senator from Nebraska just outlined, but they instinctively know you can’t do all this to one-sixth of our economy and save money for the Federal Government at the same time. They instinctively know this is going to turn out, as big entitlement programs always do, to be more expensive than has been estimated and it is going to cost the American taxpayer and future generations in terms of the national debt.

I would like to pivot and talk about what this is going to do to State governments because that is an additional aspect of being and above and above the gigantic numbers the Senator from Nebraska mentioned.

Really, almost half of the additional coverage in this Senate bill, which the House is being asked to adopt lock, stock, and barrel without level, changing so much as a semicolon, half of the coverage is going to be under Medicaid. We all know Medicaid requires a huge Federal investment, but Medicaid also always requires a State match. Under the provisions of this high of this high if it is enacted, States will be told that the magnificently Federal Government has increased coverage, and now, Mr. State Legislators, Mr. State Governor, you figure out a way to pay for it.

I know this much: In my State of Mississippi, our legislators and our Governor have had to stay up late 2 years in a row figuring out a way to pay for the Medicaid match they are already being asked to pay. Much less this new mandate of additional persons who would be covered under this Senate language. There is no way the State of Mississippi can stand this new Medicaid coverage without an increase in our taxes at the State level. I don’t think we can cut teachers enough, although teachers might have to be cut to pay this Federal mandate. I don’t think we can cut local law enforcement enough, although that might have to be done. It is going to be an unfunded burden on the States. Quite frankly, even if all of the promises that are being made on the Senate side come true—that we will clean this up in reconciliation, which I frankly doubt can possibly happen—the States are going to be faced with this huge unfunded mandate.

You don’t have to take our word for it on this side of the aisle. Democratic Governor after Democratic Governor has had press conferences, they have sent letters, they have sent messages, they have made themselves available to the press. Governor Bredesen of the State of Tennessee said this bill is the "largest collection of unfunded mandates" and has urged, even at this late date, that we not go down this road.

So I appreciate my friend from Nebraska pointing out what this is going to do to the Federal budget, and I think this an incredible challenge to partisan State officials who have been talking to anyone within the sound of their voices saying that State governments cannot afford this mandate at the State level, and it will inevitably re- quire a local and State tax burden at the State level—something we certainly don’t need at this time of economic hardship.
Perhaps Senator BROWNBACK has some thoughts he would like to add, and I know others may be joining us, too, Mr. President.

Mr. BROWNBACK. I appreciate my colleagues allowing me to join in this colloquy. It is incredibly important and I believe the American public believes it is incredibly important because, if for no other reason, they are looking at it and saying: We don't want this bill. We don't think this bill is the right way to go. We don't think this process is the right way. So they oppose it on process and they oppose it on product. And you don't have to believe me. Listen to these poll numbers: 68 percent say the President and the congressional Democrats should keep trying to work with Republicans to craft legislation.

By the way, that big, all-day-long meeting at Blair House to talk about this, where we put forward a series of ideas, virtually all of them were rejected—a bipartisan incremental compromise, which is much more the way the American public wants to go.

A Rasmussen poll says that 57 percent of the voters say the health care reform plans we are discussing in Congress is the wrong approach. Only 25 percent think it will actually help. And 66 percent believe the health care plan proposed by President Obama and congressional Democrats is likely to increase the Federal deficit. Do you know the reason they think that? Because it will. This is going to increase the Federal deficit.

On top of all that, there is a big intangible here. If this bill passes, the rest of the world is watching to see if the United States passes this big increase—an entitlement program—when we are running $1.5 trillion in deficit and have a $12 trillion debt that is 90 percent of the size of our total economy. They are watching and they are saying, the United States does this now, they are not serious about getting their budget under control. They are going to start pulling dollars out of the U.S. economy and putting them in other places. It will make it harder for us to raise capital, it will increase interest rates, and it is going to hurt the U.S. economy. And that is a near-term thing that is going to happen because people are watching this.

I might note the “Saturday Night Live” skit where Chuba’s President Hu Jintao is lecturing President Obama about how he is going to get the budget under control by passing a new entitlement program. I don’t usually cite “Saturday Night Live,” but in this case it lands a little too close to home. And reason is saying: Yes, this doesn’t make any sense to me either. This is going to hurt us in the near term as far as the cost of raising the capital we need in this economy. It will hurt States that are really struggling as well. It is a bad idea at a bad time.

I am glad my colleagues let me join in, and I note that the doctor is in—the Senate bill from Wyoming—to help us dissect this bill as well.

Mr. BARRASSO. Well, Mr. President, that is exactly what I am hearing at home from Wyoming’s voters and from my patients. I was in Wyoming this past weekend. I have had the privilege of practicing medicine there for 25 years, taking care of families in Wyoming. When I talk to people, their concerns are the national concerns the Senator from Kansas has just mentioned—the debt and what our Nation is facing long term. But they are also very focused on their own personal care. If you have a town meeting or just talk to people at the coffee shop, the people of America believe that if this bill passes, the quality of their own care will go down; that their opportunity to go to the doctor they have enjoyed a relationship with for years, where they know them and they know their family, may be gone.

We are also seeing that health care providers all across the country—even the Mayo Clinic—are saying this bill is a huge lost opportunity. It is supposed to be designed to help get the cost of care down, and it is not doing that. It is going to raise the cost of care. It was designed to improve the quality of care, but it is going to cost people the quality of their own health care. That is why Americans don’t like this bill. They do not like anything about it.

The Mayo Clinic was used early on by the President in this debate as the model for how we should have health care in this country. The Mayo Clinic has said “no thank you” to patients on Medicare in Arizona. I understand that is exactly what I am hearing at home in Nebraska, Mr. President. We can’t take Medicaid patients because it is an actuary employed by the Federal Government—and we said: Take a look at the expansion of health care to people in this bill, really what they are doing is expanding Medicaid by about 1.5 million new beneficiaries.

The Senator from Wyoming hit the nail on the head. You already have serious access problems with Medicaid. What do I mean by that? As the doctor, Senator BARRASSO, said, doctors cannot accept new patients on Medicaid reimbursement. They would literally go broke. Our little hospitals in all of our States, our critical access hospitals, would say: We cannot keep our doors open on Medicaid reimbursement. They can’t do it on Medicaid or Medicare reimbursement. So what is the solution? Well, the solution certainly isn’t adding 15 to 18 million more people who will walk into a hospital or a doctor’s office and who will hear: Sorry, we don’t accept Medicaid patients because we can’t afford to do that.

The other thing I want to mention, if I might—and then I am going to ask Senator WICKER to comment on some of these questions also—because this is a very important point, is that all of a sudden we are starting to hear a lot of discussion from the White House on down about how we have to get a handle on cost. And I think they have communicated that well because, quite honestly, the American people get it. They understand that if you don’t have an impact on cost, you are not going to get anywhere with health care reform. My colleagues will remember that we sent a letter to the CMS Actuary—this is an actuary employed by the Federal Government—and we said: Take a look at this bill and tell us what you think in these respects, and one of the respects was health care costs. Let me quote from that report:

Overall health expenditures under this bill will increase by an estimated total of $222 billion.

Compared to what? Compared to doing nothing. If we did nothing, we
Senator BROWNBACK mentioned are getting public support for this plan. I question is not one that lends itself to care and Medicaid Services are called business group that has an ax to grind. administration. This is not some outside people within the sound of our voices do not realize this is a part of the ad-

Senator WICKER. The people back home want health care reform, but they certainly want the kind that is going to lower health care costs and lower health care premiums. The Senator mentioned CMS. It may be that some people within the sound of our voices do not realize this is a part of the administration. This is not some outside business group that has an ax to grind. The actuaries at the Centers for Medicare and Medicaid Services are called on to tell us the numbers as they see them. They had no choice but to answer the question accurately and the question is not one that lends itself to getting public support for this plan. I think the point the Senator BROWNBACK mentioned are there. There is only about 25 percent of the American public that believes at this point we should pass this huge Senate bill lock, stock, and barrel and send it to the President for his signature.

Senator BARRASSO mentioned the $1/twillion cut in Medicare. We spent a little time in December debating whether actually there was a cut in Medicare. Some of our friends on the other side of the aisle suggested this—the programs that were cut should not be considered part of the Medicare Program.

Obviously, there is one Democratic Senator who thought so much of these cuts in Medicare that he got an exemption for his State. That is what the minority leader has been calling the “Gator aid.” Florida, under the Senate bill—the bill the House is being asked to pass in its entirety without changes—the Senate bill says we are not going to cut Medicare Advantage for the State of Florida.

Why the people of the State of Florida are more deserving of Medicare Advantage and Medicare benefits than the people of Wyoming or Mississippi or Kansas or Nebraska, I do not know. But somehow the majority, 60 Members of this Senate, in their wisdom, believed Medicare was a good program and Medicare Advantage was a very good program for the people of Florida. By the same token, I guess the Democratic Senator from Nebraska has now repudiated what was known as the “Cornhusker kickback,” which was basically saying Nebraska would not have to pay for their share of this huge Medicaid mandate; all the other States would. Somehow that State was singled out. Apparently, the people of Nebraska rose in horror at being singled out for some sort of favor the other people in America were not getting, so that is being proposed to be changed.

I ask Senator JOHANNS, if the House votes on this next week, they will not have a chance, will they, to take that bill and make any changes? The House is going to have to vote for the “Cornhusker kickback,” the “Gator aid,” the “Louisiana purchase,” these special deals for labor unions, and all that will be sent to the President to be signed into law and will be part of the statute.

That is the way I understand the Democratic procedure. I ask Senator JOHANNS, am I correct?

Mr. JOHANNS. I believe the Senator is correct. Let me offer a thought, if I might. I think others—maybe I will turn to Senator BROWNBACK next. If this were a great bill, if this were the kind of legislation you wanted to take home and go out there and champion and make sure, for election, campaign on, then you would not have to go through all these gyrations and gimmicks and somersaults and cartwheels to try to get this darn thing passed. But that is exactly what is happening.

I cannot wait to get up in the morning and run down and turn on the computer and see what the latest is, because they are, over there at the House, but they finally figured out that the only way to get this terrible policy in the Senate bill with all its warts and moles and ugliness and special deals and whatever. They have to pass it without pulling a dotted “1” out or a crossed “t.” They may be able to say back home: Folks, I didn’t support that. What I wanted was the reconciliation package that would fix all these things. All I can say is reconciliation was never designed for this. This is not what reconciliation was designed for. Reconciliation was designed to bring down the budget deficit. What is happening over in the Senate are more somersaults, more gyrations, more cartwheels to figure out how to shoehorn this terrible piece of policy into a rule for which it was never designed.

Now you are going to end up this way. I guess, where we all show up and literally you have rulings on what you can do with reconciliation and what you cannot do. So no House Member can make this awful piece of legislation, but we are going to be saved by reconciliation. Do you know what. Maybe you will, maybe you won’t. The reason why that question cannot be answered today is because reconciliation was never designed to take control of one-sixth of the economy; it was never designed to do what folks are trying to do.

Let me wrap up with this, and then I would like to hear Senator BROWNBACK’s thoughts. Enough of the somersaults, enough of the cartwheels, enough of trying to figure out how many angels fit on a pin and what size razorblade is going to divide the hair.

This is craziness. This is terrible policy. Please stop now. The country is begging us to stop and start over with a thoughtful process. If there were a great bill, we would not be going through this. There would be bipartisan support such as there has been many times throughout the decades of our history. But, you see, this is not a good bill. This is a terrible bill. The bottom line is, they are going to try to fix it with a process that was never designed for this purpose.

I would like to hear the thoughts of Senator BROWNBACK.

Mr. BROWNBACK. We were on the floor in December, the longest continuous session in the history of the Senate, 25 continuous days, and we were talking about this and my colleague from Nebraska and I were joined by our colleague from Utah, Senator HATCH, who has been around a long time and part of a lot of health care reform legislation. His point is, if you follow the majority and work it through a committee and bipartisan process, almost every health care bill he has been a part of—and there have been a number of substantial ones—gets 75 votes in this body. People want to support health care reform on a good bill. They will support it. It will be bipartisan. We are all for health care. But now you have a bill that is going to be completely partisan, on one side, not supported by the American public, and then you are having to jimmy rig a process to try to figure out how we set this up to do it.

Even KENT CONRAD, the chairman of the Budget Committee, who is a Democrat, says:

Reconciliation cannot be used to pass comprehensive health care reform. It won’t work. It won’t work because it was never designed for that kind of significant legislation.

My experience is, if you try to do something that is not designed to do this, you are going to get a flawed product and flawed process that people are going to be mad about. It will hurt this body. I think it will be very harmful to this country to do this and it should not be done.

After all the time we spent in December, 25 continuous days in session, I think the American people spoke when they had a Massachusetts election and elected SCOTT BROWN. It was clearly a health care referendum. I think they knew what they were voting for.

I know my colleague from Wyoming has been all over speaking about this on television, getting a lot of feedback from people. He probably is getting the same sort of feedback that I have, about don’t do this. It wasn’t designed to be done, this sort of health care reform, in a reconciliation process.

Mr. BARRASSO. I heard that just this morning. We had a number of county commissioners from Wyoming here in Washington. They were at a speech—a speech to hear by Speaker of the House NANCY PELOSI, and she told these county commissioners, this group from all around the country, we
FISCAL RECKLESSNESS

Mr. ENSIGN. Mr. President, I rise to discuss the tax increases and the consequences of our fiscal recklessness. I cannot stress enough that our spending is completely out of control. It seems every week this body passes more legislation and spends more money and adds more debt onto the backs of our children. Unfortunately, the Democratic majority continues to sing from the same old sheet of music—more debt, more spending, and more fiscal recklessness. Last week the nonpartisan CBO provided their analysis of President Obama's budget, and it is nothing short of a fiscal train wreck and a roadmap to banana republic status. It pains me to stand on the floor of the Senate and tell the American people that President Obama is leading us down a path of bankruptcy.

I believe this budget is simply reckless, with enormous budget deficits as far as the eye can see. This year, the government has overspent by more than trillion dollars; the same amount they have spoken very clearly and eloquently in our townhall meetings, in elections that have occurred, and they have said: We want you to go back and work through your differences and come up with a bipartisan approach.

Yet if reconciliation is used, you will not only change the character of this body, you will change how our government operates. If you can pass this bill through a reconciliation process, you can do anything, and you end up with a system that is different than was ever intended and a system, in my judgment, that is not good for the future of our great Nation.

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

The PRESIDING OFFICER. Without objection, it is so ordered.
economic times. For the Federal Government to be spending this much money is an insult to American families everywhere. In 2020, the last year of the President’s budget, our Nation’s credit card bill will account for 90 percent of the economy. What does this mean? These numbers are so large and enormous, it is difficult to put them in perspective. Let me talk in terms of the consequences of this fiscal recklessness. At a certain point, foreign countries will not buy our IOUs, our bonds, or they will demand higher interest rates because they are riskier. Our standard of living will decrease. Actually for the first time in American history, future generations will be worse off than prior generations. As to the American dream of owning a home as a young adult, one will have to wait until their 40s or 50s to buy a home. Families, in order to maintain a similar standard of living, will have to become smaller. With a less dynamic economy, we will enjoy less of the fruits of innovation and technological progress.

I wish to talk about the depression of 1920 to 1921. Shortly after the end of World War I, we went into economic crisis. An article of Context magazine estimates the economy declined by nearly 7 percent during that period. Unemployment rose sharply during the recession. Estimates are the rate of unemployment went from around 5 to almost 12 percent. From May of 1920 to July of 1921, automobile production declined by 60 percent, and total industrial production across the country decreased by 30 percent. Stocks also fell dramatically. The Dow Jones Industrial was cut by almost half. Business failures tripled between 1919 and 1922. But instead of “fiscal stimulus,” here is what President Harding did. He cut the government’s budget nearly in half between 1920 and 1922. Marginal tax rates were slashed across all income groups. So he cut taxes and cut government spending at the same time. This encouraged businesses to grow and to add jobs in the private sector. The national debt was reduced by one-third. In the 1920 acceptance speech for the Republican nomination, Harding said:

We will attempt intelligent and courageous deflation, and strike a government borrowing which enlarges the evil, and we will attack the high cost of government with every energy and facility which attend Republican capacity. We promise that relief which will attend the halting of waste and extravagance, and the renewal of the practice of public economy, not alone because it will relieve tax burdens but because it is an example to stimulate thrift and economy in private life. You see, Harding’s laissez-faire economic policies, rapid government downsizing, and low tax rates spurred a private market recovery and led to a gradual decline in both unemployment and consumption for a peacetime economy. The unemployment rate went from almost 12 percent in a little over a year to less than 2 percent. Let me repeat that. The unemployment rate went from almost 12 percent to under 2 percent. I do not think that is what is happening today.

This episode in history provides a counterexample to the argument that we need massive government spending to stimulate an economy. You see, we do not hear about the Great Depression of 1920. Instead, we hear about the Roaring Twenties because sound fiscal policy, cutting tax rates, cutting spending led to economic resurgence. This is an example that shows when the burden of government is lessened through less spending, less taxes, and less debt, the private sector will respond with investment and job creation, which lead to economic growth.

So why is the legislation on the floor today not the answer? If creating jobs is priority No. 1—and it should be for this body—why is the majority party letting tax incentives for job-creating businesses expire? Why is helping businesses an afterthought for the majority? The tax extender portion of this bill could have passed by unanimous consent. The Senate majority did not want to bother with that. It will have to be extended again later this year because the provisions will again expire on December 31.

This is not the right policy for creating a stable and certain environment for employers who are wanting to hire more employees. The tax extender provisions of the bill amount to only $25 billion of this massive $144 billion bill. The tax extenders are good. They include energy, production credits, research credits, accelerated depreciation for certain businesses, State and local sales tax deductions, and low-income housing tax credits. I have said these are good provisions. But we should have done much more. Foremost, we should be cutting individual and corporate income tax rates so people and businesses could use their money to get the economy moving again and could invest in job creation and wealth-creating enterprises. But at the same time, we need to cut government spending so we are not massively increasing the debt. You see, I hate to break it to you, but America is falling behind other countries in that regard. Tax relief is wrongly criticized by those across the aisle. They have been arguing for job creation, but their policies are making it tougher on private businesses.

In order to help these businesses find a stable footing again, we need to make tax relief permanent and not wait for these extensions to expire again and again. Let me conclude. To get this economic moving, we do not need to pass a fiscal irresponsibility bill that is going to add $1 trillion to our deficit and our debt. That is what the bill before us today does. It adds over $100 billion to our deficit and our debt. A few years ago, $100 billion was a lot of money around this place. We throw that amount around here like it is nothing anymore. That is debt that is adding to the coming fiscal crisis this country is going to be facing.

I believe the prescription to get this economy going is to cut taxes, cut government spending, especially letting tax incentives for job creation expire. We need to return the spirit of the American people and the American entrepreneurs instead of creating jobs here in Washington, DC. I do not know if the American people know that over 100,000 jobs were created in this city last year—over 100,000 jobs in Washington, DC. That is about as many jobs as my State lost. That is not the prescription for economic prosperity. Government jobs have to be sustained with tax dollars year after year. When the private sector creates those jobs, the whole economy grows and feeds off itself, and you do not need taxpayer dollars to continue to subsidize those jobs. As a matter of fact, they feed in money to the Federal Treasury.

This bill before us today, I think, is fiscally irresponsible. It is the exact opposite direction we should be going. What we should be doing is acting in accord as Americans—not as Republicans, not as Democrats—but let’s look at history and learn from it and get this economy going on actually what has worked in the past and what will work in the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

(The remarks of Mr. BENNETT pertaining to the introduction of S. 3096 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. BENNETT. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I understand the Senator from Virginia is going to speak now, and I ask unanimous consent that when he finishes, I be given 45 minutes at the conclusion of his time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.
OVERSIGHT AND TRANSPARENCY

Mr. WARNER. Mr. President, I rise today to speak about a bipartisan, commonsense amendment that Members of this body endorsed yesterday by unanimous consent. I wish to thank Chairman BAUCUS for his work and the work of his staff in managing this important package on which we took a step yesterday. I wish to thank Senator CRapo for cosponsoring this bipartisan amendment and Senator COBURN for his ideas and support.

My simple amendment amends the Recovery and Reinvestment Act of 2009—what I think most folks refer to commonly as the stimulus—to correct gaps in oversight and transparency. It provides much needed additional accountability for these public investments, again, that have come about through the stimulus package.

I voted for the stimulus package. It was one of the first and toughest votes I cast as a Member of this body. I have worked hard to make sure my State, the Commonwealth of Virginia, has had opportunities to compete for its fair share of this funding.

The Recovery Act was not perfect, and reasonable people can debate whether it was necessary or whether it was ambitious enough. But I do think it is fair to say that the majority of the economists of all political stripes across most of the ideological spectrum now agree a year later that while imperfect, the stimulus package prevented our economy from falling over a cliff last spring into what I think could have been a full-scale economic depression.

Almost a year ago, I remember coming to the floor for one of my first presentations, and I stood on the Senate floor and spoke of my concerns about the potential challenges of implementing a piece of legislation as big as the Recovery Act.

I said that we needed to come up with a common set of definitions, performance metrics, that would allow us to honestly measure our progress as these stimulus dollars were pumped into our economy. I know that metrics, performance indicators, and other things—many Members’ eyes start to glaze over when you go into these kinds of discussions, but if we are going to be truly responsible to the people of this country, it is our job to make sure we put in place, particularly when we start new programs, those kinds of performance metrics.

As the Chair knows, prior to being Senator, I had the opportunity to be Governor. The hallmark of my administration was, that which gets measured gets done. My sense was that as we started down the ambitious path of the stimulus, we needed to have those same kinds of metrics in place.

I suggested a year ago requiring specific timelines and checkpoints so we could better track the outcome of programs funded by stimulus dollars. I discussed at that time steps we could take to hold Recovery Act recipients more accountable. I actually recommended delaying or deferring stimulus payments if progress was not adequately demonstrated or appropriately reported. Here we are a year later, and while I do believe the macro level of a number of the stimulus activities has accomplished its goals, it appears that requirements for program reporting and disclosure of spending plans have gone missing or just have not been reported and that the notion of putting in place what I would term a plan for some of the new programs of this legislation has never fully been vetted. In the amendment this body adopted yesterday, this bipartisan amendment—we have successfully included fixes to make sure that on a going-forward basis, we will not have this problem.

When we passed the Recovery Act 1 year ago, we required recipients to report quarterly, we required agencies to post reports, and we established an oversight board to tackle issues of waste, fraud, and abuse—the Recovery Accountability Board. We required the Congressional Budget Office, various inspectors general, and the Government Accountability Office to provide oversight. One would think, with all this reporting and oversight, that we would have it totally covered, that we would have thought through all of the ramifications. Unfortunately, a year later we have found that is not the case.

Not that anyone here needs a recap, but I think it is fair to once again explain—and I do not think particularly those of us who are supporting the Recovery Act and the administration ever did a very good job of actually explaining to the American people what was in the Recovery Act. It is not a long recap, but I do think it is important for viewers and my colleagues to recall what it was.

Literally more than one-third of the stimulus act was tax cuts, $288 billion of tax cuts. I believe it was, in effect, the third largest tax cut in American history. As I travel Virginia—and the Presiding Officer, I know, travels the great State of Illinois—I very rarely find a constituent who realizes the literacy of the American people what was in the Recovery Act. It is not a long recap, but I do think it is important for viewers and my colleagues to recall what it was.

And there was more than one-third of the stimulus act was tax cuts, $288 billion of tax cuts. I believe it was, in effect, the third largest tax cut in American history. As I travel Virginia—and the Presiding Officer, I know, travels the great State of Illinois—I very rarely find a constituent who realizes the stimulus had a huge amount of tax cuts. We have only paid out less than half of those dollars, but a third of the stimulus was tax cuts.

A second third was direct assistance to State and local governments. I can tell you, in the Commonwealth of Virginia, I sometimes run into the legislators there, some folks from the other side, who oftentimes will say to me: Senator, we are going to keep kicking you in the tail about the stimulus, but keep sending those checks because otherwise we would be right down the tubes at the State level.

Oftentimes, these dollars have gone to prevent what would have been otherwise worse outcomes in our schools, in our highway departments, providing health care. Many State governments that are working on biennial budgets are finding, in the second year of the budget when the stimulus dollars run out, the enormous budget shortfalls they are going to face.

Again, for many of our constituents, because these dollars did not necessarily create new jobs, that meant massive additional layoffs. I am not sure we conveyed that to folks adequately.

The third part of the stimulus package and the category I am primarily concerned with today and the focus of my amendment included significant new investments in our Nation’s economic infrastructure. These are areas this body and policymakers have talked about for years, but we never really put our money where our mouth was until the stimulus. These areas include such policy goals as smart grid; investing in high-speed rail; making sure we have the power of information technology to transform our health care industry to make it more productive and less expensive, so we have significant dollars in health care IT; and an area I am particularly interested in: deployment of broadband across our rural communities.

As you can see in this third category, as recently as February we have only paid out about $80 billion of a total of $275 billion. And it has now become clear that many of the programs in this third category are what I would term “high risk.” That means they include Federal programs that sought enormous increases in funding and new responsibilities. Some of these programs barely existed a year and a half ago. They had relatively modest priorities before. But now with broadband, we have seen a 100-fold increase, and dramatic increases in health care IT. These programs have had a year to gear up, but we have to make sure they actually have business plans that can be vetted. In some cases, these stimulus funds were actually designated for brand-new priorities and new programs. Now many of these programs are just now a year later getting their stimulus funds out the door.

Here is the challenge my amendment will address: We simply do not know a year in and with $80 billion being spent out very much about how these high-risk programs are actually doing in terms of delivering broadband, health IT, and smart grid.

So, for example—I return to the next chart—on the Web site recovery.gov, you learn that the Energy Department has paid out about $2.5 billion in stimulus money so far. Close to another $24 billion remains to be spent out.

If we look even further, we find that the Energy Department complied with OMB requirements last year to come up with an implementation plan for its Weatherization Assistance Program. The Energy Department plan set a clear and reasonable goal. It said it would ensure that the Weatherization programs would weatherize 50,000 homes across the country in 2009.

Weatherization programs are geared to low-income homes. They help
the homeowners. They decrease energy costs and decrease our commitment on foreign oil. There is a lot of good in this program. But a report from the Energy Department just 3 weeks ago showed that these funds actually paid to weatherize only 30,000 or so homes in 2009. That is approximately 10 percent of the goal by 20,000 homes. That is a score of 60 percent. When I was in school, 60 percent was not a passing grade. We should be concerned that almost every dollar of the $5 billion program for weatherization has already been awarded. We have to make sure we are getting the results we were promised. How can we have confidence these grants already in the pipeline for this year are going to be properly managed? We must have more transparency and accountability from the Energy Department about how they are managing this program and overseeing the spending of these funds.

These are the same kinds of challenges around the smart grid program. I am not just picking on the Department of Energy. If we look at the other areas—health care IT and rail—we find similar challenges.

There is information, beyond once these funds are distributed, how this fund distribution fits into the overall management of these new programs. That information should be easily accessible and available to taxpayers, and it should be reported on a regular basis to those of us in Congress who have this oversight responsibility. If these agencies are not meeting their milestones or deadlines and if stimulus programs are not producing measurable results, we need to know about them. If there are problems of potential barriers to distributing these stimulus funds, we in Congress and the administration could do more to support reasonable solutions. We should be able to work together to fix the management barriers that have slowed down this work.

It is not too late. According to the Congressional Budget Office, the government spent only about 18 percent of the stimulus funds in fiscal year 2009. By the end of this fiscal year—that means October of this year, 2010—that number grows to about 54 percent. But that still means over half of the dollars will be spent out after October of this year. That means much of the stimulus funding is still in the pipeline, and that means we have an opportunity now to correct any management and transparency gaps.

Our amendment this body adopted will do that in three important ways:

First, it requires agencies to coordinate and refine their implementation plans they developed last year for these high-risk programs. We define “high risk” as any program that saw a funding increase of 150 percent or more from the previous year’s funding. These are the programs that went from quite small to ramping up to huge amounts. It also includes brand-new programs. Under our amendment, these programs will be required to update their stimulus implementation and oversight plans by July 1. As a former business guy, what that means in legislative speak is they have to show us their business plan in a way that is intelligible and understandable to the taxpayers and to Congress by July 1.

Second, our amendment would require these high-risk programs to report their outcomes to Congress and taxpayers every quarter beginning September 30. We cannot wait for a year to go by to see if these programs that are spending billions of dollars are actually achieving their goals. These reports must include with quick, informative reports on spending and outcomes that clearly measures whether these programs are working and meeting the goals defined basically in the business plans they would have submitted by July 1.

Finally, our amendment adds an enforcement mechanism to make sure that Federal agencies, Members of Congress, and the public have access to the information they deserve to evaluate whether these investments are actually working. One of the things we found is that close to 1,000 recipients of stimulus funding in this last quarter never even filed the required reports so that we know and the taxpayers know how these dollars are being spent.

The amendment will impose civil and financial penalties on stimulus grant recipients who deliberately or consistently fail to comply with quarterly reporting requirements. The amendment provides sufficient discretion for the Attorney General and the courts to set these penalties and to make sure there is consideration of whether the recipient is a nonprofit organization or State and local government or a small business. Again, we are not trying to unduly penalize, but we want to put some teeth in the fact that these organizations that are recipients of Federal funds document what they are doing with those funds. This is basic accountability.

Once again, I applaud my colleagues for stepping up in a responsible and bipartisan way to correct obvious gaps in management, accountability, and transparency of the Recovery Act programs. With so much of the stimulus funding still in the pipeline, this amendment will allow us to dramatically improve the way we measure and report outcomes and demonstrate the accurate, verifiable results for the taxpayers.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent to the order for the quorum call be rescinded.

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

Mr. COBURN. Mr. President, I compliment my colleague from Virginia. I am a cosponsor of his amendment. I think it is a very noble attempt to try to put better hands on the stimulus.

It is interesting to note that when we had the first hearing with the IG who is overseeing the stimulus, regrettably, $50 billion would be wasted; that is, $50 billion out of $867 billion—actually, some $940 billion—was going to be wasted. We started with the assumption that about 6 or 7 percent of these programs was going to be defrauded. I congratulate my colleague because some of the steps he is talking about in his amendment will actually lessen that, hopefully. I agree with him.

It is exciting for me to see a bipartisan attempt to start bringing teeth into the laws we pass, not toward the American public but toward the agencies that administer the funds.

I congratulate him. I think he has a good amendment. I think we will have a great vote on it.

TAX EXTENDERS

Mr. COBURN. Mr. President, I wish to spend some time talking about the bill we are considering.

Yesterday afternoon, I had the great fortune—my daughter was performing in Florida and was driving back to New York. I got to see my 7-month-old granddaughter. If a grandparent knows what it is like to see your grandchildren, there is nothing wrong with it and everything right with it. You get a picture and see in your grandchildren aspects of your children. It draws back memories.

But I was struck by that encounter with my daughter and granddaughter and, by the way, her dog. What are our hopes and dreams about? What are the hopes and dreams we have for our children and our grandchildren? Our hopes and dreams are that they will have great opportunity to flower and blossom in a way that they can take advantage of their God-given talents and their hard work and become a success in their life’s endeavors. And then you contrast that with the heritage of our Nation—a heritage which is about sacrifice—where one generation makes hard choices, makes difficult decisions, where they sacrifice their own benefits from their own endeavors to create opportunity so that the next generation of Americans can have that opportunity to fulfill and expand their heart’s desires.

We heard the Senator from Utah today talk about where the problems were with our Nation, and he talked about where all the gold was in terms of fixing what was wrong. I would have to say I disagree with him. When I look at the U.S. Constitution, and then I look at all the government programs the Federal Government has fostered, anybody who has a faint sense of history knows we are in a white slate. I see on the one hand the very limited intent of our Founders, which was spelled out very clearly in
Article I, Section 8 of the enumerated powers—here are the powers you are to have. We are designing this to be a limited Federal Government and we are going to reserve everything else to the people and the States through the tenth amendment. Those words are actually not only not true, but for the U.S. Federal Government is explicitly reserved for the people and their States.

So when we consider the mess we are in—this fact we had a $1.56 trillion deficit last year, that 43 cents of every dollar we spent we borrowed from our grandchildren, that this year it will be $1.8 trillion, that over the next 9 years we will spend $10 trillion we don’t have—and I would put forward most of it on things we don’t need—look at it in the light of what our constitutional charge is.

I have made this statement from the floor several times. The oath we take—when I was sworn in, in January of 2005 I took the oath of office. The Constitution is our guideline, our direction for what our responsibility is and what should be left to the States. So I agree with my colleague that unless we reform entitlements, we are going to have a difficult time trying to solve our problems, but there is another answer. Actually, there are two other answers.

One of the other answers is to go through a fine tooth comb and look at every Federal Government program and ask: Is it a legitimate responsibility of the Federal Government? And if it is, is it a program we need?

You know, in 2 weeks time, my staff found 105 duplicative programs in the Federal Government, across all agencies, that all do the same thing—105 programs to encourage students to go into technology, math, engineering, and science. There are 105 different programs. So as we look at comparing what is required in times of distress in the Constitution and what is happening, all of a sudden a wide world opens up of monies we don’t have to spend, that aren’t absolutely necessary, that aren’t absolutely a priority, that we shouldn’t be spending money on in a time when we are borrowing and stealing the future of my little granddaughter Katie Rose, and everybody else’s granddaughter.

Why would we not demand that we do the hard work of going through what is truly our obligation and eliminating what is not, and eliminating the multitude of duplications that the Federal Government has? Why shouldn’t we put ourselves to the same test every other family in America is put to. Once you have maxed out your credit card, once you have passed your limits, they do not continue to extend you money. Unfortunatley, what they do is jack up your interest rate. Well, guess what is getting ready to happen to us. We not only have an unlimited credit card. What is going to happen to us over the next few years? We are seeing 30-year bond obligations today going for a higher percentage than what they have ever gone for in the last 4 or 5 years, and we are going to see that trend continue. Out of the $10 trillion we are going to spend—money we don’t have—in the next 9 years, $5.6 trillion of that is to pay interest on national debt.

So we are going to find ourselves in the same predicament as that person who has maxed out their credit card who is now paying interest on the interest instead of paying off the debt.

I said there were two ways of looking at this. The second is to go through the Federal Government and eliminate the waste, fraud, abuse, and duplication. One is to eliminate where we don’t truly have a responsibility or authority for what we are doing under the Constitution, but the second is we have identified $350 billion a year of waste, fraud, and duplication in the Federal Government. We have done that over a period of hearings over the past 4 years. One amendment out of about 600 we have passed through this Congress has been accepted to eliminate some thing—just one. They have all otherwise been voted down. And they have been voted down because Members of this body refuse to make the hard choices, not because they think we don’t have to.

Well, the gig is up. There is a real rumble among the American people. There is a rumble in America about holding us accountable for the future, about not getting into more debt when we should be getting out of what is happening, all of a sudden a wide world opens up of monies we don’t have to spend, that aren’t absolutely necessary, that aren’t absolutely a priority, that we shouldn’t be spending money on in a time when we are borrowing and stealing the future of our little granddaughter Katie Rose, and everybody else’s granddaughter.

Yesterday this body voted to go forward with that. They voted to not make the hard choices, not offset the spending. If these are priority items that we should be doing in this bill, then why aren’t we going after some of the waste, fraud, and abuse in the Federal Government and getting rid of it? There is $104 billion over the next 10 years, with this one bill alone, that we are going to add to the debt, and that addition costs the American family $350 billion worth of waste. Yet we refuse to go into that $350 billion worth of waste, fraud, and duplication, and eliminate anything to pay for this. Instead, we are going to steal that opportunity, we are going to steal that money, and we are going to put a bight on the blossom of opportunity for our children and grandchildren. I beg America to hold us accountable; to not accept business as usual anymore.

When you go down to it and start talking about what this means—when you take the $104 billion and divide it by the 300 million people in this country and then multiply it by the average family size—what you get is $1,282 per family that this bill will add. So if in fact you go to sleep the day after tomorrow, when this bill has passed the Senate, when 60 Senators vote for it and we go on and do this—35 or 36 will vote against it, but 64 or 65 will vote for it. So when you close your eye at night, you can thank them for jeopardizing the future of your children. And not because they want to do in the bill is necessarily wrong, but because they lacked the courage to stop the waste and make the hard choices that are required in times of distress in our country.

If you study our history, our greatest leaders exhibited courage in the face of adversity. They pulled us through by making hard choices, not running away from the hard choices. We had a lot of people who were critical of Senator Bunning because he raised the issue on a $12 billion jobs bill—that isn’t going to do anything—and said we ought to do it. We were said no. But you know what, as I read the American public, about 80 percent of them said we should have paid for it. We should have done that. And those people who were most critical of Senator Bunning on this bill are the people who have hardly ever voted against any spending bill in their entire career in the Senate. They honestly believe it is okay to mortgage the future of our children to benefit their own political career.

So what we have developing in the Senate isn’t partisanship, it is policy differences that will make the difference for this country. And if the ne’er-do-wells of doing it the same old way win, our children won’t have a future. What they will have is a debt burden they will never get out of.

We hear speeches, as we did from the Senator from Utah, that tend to push us, and we think, well, we have to figure out how we can fund Medicare and Social Security. Well, how do we fix Medicare and Social Security? We have to delay retirement, lessen benefits, eliminate fraud in Medicare, and delay eligibility. Those are the only answers. Or we have to raise taxes.

But how do you raise taxes on the American people when you know you are spending $350 billion a year that is wasted? How do you, in good conscience, even consider that? I am not saying they shouldn’t have paid for it, if we have done everything we can do to get this government efficient and eliminated what is not our role and gotten rid of the fraud, waste, and duplication. And most of America wouldn’t be against that either. But right now they do not trust us. And for good reason they don’t trust this body.

Because we are not shooting straight with them. We are not telling them that we are going to add $1,282 to their kids’ debt. What you take this number—this $347 figure, and you look at kids 25 years and younger, and you take that out 20 years, here is what you find: Not only...
are they going to be responsible for the debt we have today, but the $78 trillion worth of unfunded liabilities for Medicare, Medicaid, Social Security, and all the other trust funds, including Federal employees’ retirement, which adds up to $1.3 million for every person in this country—26, as you say. How in the world will they ever own a home or send their kids to college if in fact they are having to support $60,000 a year in interest on a debt they didn’t create?

The promise of America was freedom. Debt is a hard taskmaster. But it is doubly hard when it wasn’t your debt but that of your parents and your grandparents, yet you are tasked with changing your lifestyle, your opportunities, your hope and vision for your children because this generation didn’t have the courage to stand up and say: Enough is enough.

When will it ever be enough—when we can’t sell our bonds? When will it ever be enough that those who are on the dole and who don’t deserve to be on the dole? When will it be okay to eliminate the waste in the Federal Government, if not at a time we are going to have a $1.8 trillion deficit; if not at a time when we are going to be defrauded out of the stimulus program? When will we ever do it?

We have never been in the financial situation our country is in today—never before in our history.

Our whole foreign policy is now being affected and impacted because of our debt. We have to keep an ear toward China as we conduct our foreign policy, in the fear that they may dump our bonds. Why would we put ourselves in the fear that they may dump our bonds? Because there is no spine in the Senate. There is no spine in the Congress. There is no spine to go out and say: Yes, I made the hard choices. You may not like it, but your children deserve that. You may not like it, but you have to make those choices and make difficult decisions. If I am not here, it is OK. I did the right thing. I secured our future. I will be able to sleep at night, knowing I was not a part of taking and stealing that blossom of potential from our children and grandchildren.

I will finish by asking a question of the American people. Is it right that you have to make choices within a finite budget, yet your elected leadership in Washington does not? Is it fair for you and your children to have to create a future for your children, when we are destroying that future in Washington?

It is a time for Americans who have never been involved in the political arena, in our Nation, to get involved because the future of your children and your children’s children depends on it. We have a very short window within which to recapture the economic renaissance in our country, and it is less than 4 years. If you look at what we are coming to in terms of debt-to-GDP ratios and the size of the government to the size of the GDP, we will be on an irreversible course that will eliminate American exception-
I wrote about the WASP in my book, ‘American Heroines: The Spirited Women Who Shaped our Country.’ These women surely did. Despite their patriotic and historic impact, the WASP were never formally recognized by Congress for their wartime military service—until today. Both Houses of Congress and the House of Representatives, passed a resolution to present the Congressional Gold Medal. It was unanimous on both sides of the aisle. It is the honor by Congress to honor their service, the history they made, and the history they made possible for other women to make as a result of their courageous service.

Today, we right a wrong and acknowledge our debt to these great patriots, women who are so worthy of this award and this recognition.

I recognized Tom Brokaw during the ceremony. Tom was on the stage with us at the ceremony. Of course, Tom wrote the book ‘The Greatest Generation’ that raised the awareness in America about the incredible contribution of the veterans who served in World War II—primarily of course, the combat veterans who served in World War II. He chronicled those because they served so valiantly in horrendous circumstances. They came home, never talked about it, didn’t talk about their experiences to their wives or their friends or their children. Most went back to life as normal and considered that they had done their duty and now it was time to go back to work. Tom Brokaw did a wonderful service for all of us. He raised the awareness of the ‘greatest generation’ and made us appreciate so much what they had done.

I said at the ceremony that Tom Brokaw, who came to the ceremony today, was a good person who was already going to know about the WASP through his own research, was really here helping us close the circle for so many of those who served in World War II and were never recognized. We recognized the combat veterans. We recognized their incredible service in combat and in battle. But there were some who contributed that we have only recently received the Congressional Gold Medal. The WASP was the third of the three. The first was the Tuskegee Airmen. They were an incredible group African American pilots who flew combat missions but whose service was never fully recognized until later, when they were presented the Congressional Gold Medal.

The second were the Navajo code talkers who did an incredible service for our country but operated in secret. They promised they would not ever tell what they did, and they didn’t until years later when they were given leave to do so after a movie was made that chronicled their critical wartime role. They too were recognized with the Congressional Gold Medal. And now today we honor the WASP, the women who were the first women to fly military missions but never made a part of the male telling of events, and were never commissioned, were never afforded Active-Duty military status, and were not given combat status until 1977, 30 years after they had served.

All these women volunteered to serve their country in wartime. The reason the organization was created was the every available male pilot was needed to fly combat missions. So, for the first time, women were recruited to fly non-combat missions. They ferried new aircraft from the factory to the coast and delivered the aircraft for shipment overseas. Some flew airplanes that towed targets so that male gunners could practice shooting with live ammunition and others even trained male pilots. They did all the things someone in the Air Force would do today except fly combat missions. That is why Jacqueline Cochran convinced the Army Air Corps of that their recruitment was a necessity. Women were eager to serve the war effort. That was why the Women’s Army Corps, the WAC, was created. They too contributed to the war effort. The WASP were the first women to fly military missions but whose service was never fully recognized until later, when they were presented the Congressional Gold Medal. The WASP was the third of the three. The first was the Tuskegee Airmen. They were an incredible group African American pilots who flew combat missions but whose service was never fully recognized until later, when they were presented the Congressional Gold Medal. The second were the Navajo code talkers who did an incredible service for our country but operated in secret. They promised they would not ever tell what they did, and they didn’t until years later when they were given leave to do so after a movie was made that chronicled their critical wartime role. They too were recognized with the Congressional Gold Medal. And now today we honor the WASP, the women who were the first women to fly military missions but never made a part of the male telling of events, and were never commissioned, were never afforded Active-Duty military status, and were not given combat status until 1977, 30 years after they had served.

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I thank Leader McConnel who, in his opening remarks this morning as the Senate opened its session, commented on a piece of legislation I have offered that will not only go after the fraud after it happens, which is what the typical doing does, but also try to stop it. It is estimated by folks looking at his proposal that it might save $2 billion a year by going through and auditing and trying to find out where the bad guys have taken the money. I have some experience in that; I was deputy attorney general in Florida, working under then attorney general Charlie Crist, we had a Medicaid fraud control unit.

On the Medicaid side—health care for the poor—we did just what these teams the President is putting together now are going to try to do for Medicare. We had teams that looked at the data. We would break down the list of the top 50 folks who were receiving reimbursements from the Federal Government, and so forth, and the amount of money they were receiving was abnormally high, we would look at it and make sure it was legitimate. You could go where money is. Right? They say: Look where the money is going. And if you can find out where the money is going, you can find out what the problems are.

We looked at the top 50 or top 100 folks who were receiving reimbursements from Medicaid, and we found problems. So the President’s idea is effective. But let’s not just do pay and chase; they do not just set up auditors and prosecutors to go after the bad guys after they have stolen the money. They stop the stealing before it starts. Technology is a wonderful thing, and it has created tremendous abilities for us to prevent fraud before it begins.

You all have had this experience. You have gone somewhere and used your credit card, and your credit card company has e-mailed you or called you and said: Was that really you making that purchase? That purchase was made? Well, a mechanism was triggered by their computers, where you were doing something you normally do not do. You were outside your normal spending habits. You were in Washington, DC, visiting not at home in Orlando, FL. That is not something you usually do. A red flag goes off because they built a computer model that tracks your normal purchasing, and if something is out of normal—if you are traveling or you are buying things that you are not usually doing, or you are buying things that are the target of people who steal credit cards—the model goes off, the phone call happens, and if you do not verify, they do not pay.

This is called predictive modeling, and it makes all the sense in the world that we put this into our health care system. And we can. I have a bill, S. 2128. It has bipartisan support in the Senate with about a dozen cosponsors. It is a bill to do three things. One, create the predictive modeling system, set up a computer program where if we have health care fraud, we can try to detect it before it starts.

Let me give you an example. My home State of Florida is rampant with health care fraud—rampant. In fact, I think south Florida is the capital, unfortunately, of health care fraud. Here is one example to give you: We have in south Florida 8 percent of the Medicare beneficiaries who have AIDS nationwide, but 72 percent of the reimbursements to these patients are sent there. Is that because they are getting the best health care in the world? No. It is fraud. There are people in organized crime who are running these health care codes, stealing medical records from hospitals, finding out your patient information, saying that you have AIDS, running a $2,400 vaccine, and running those vaccines all day long, sending the bill to the Federal Government. The Federal Government is paying. It is a lot better deal for the crooks. It is a lot better than illicit drugs. We hear from these criminals they would much rather be stealing from the Federal Government. No one is shooting at them, and it is a lot easier to rip off Uncle Sam.

We have to stop this. So if you put this predictive modeling system in, not only could you prevent the fraud that occurred, and the computer would say: Wait a minute, this “health care provider” has sold this wheelchair 100 times in an hour, or they sold this other medicine, this very expensive medicine. And once it is prescribed that more than anybody else. The model goes off and the payment stops until they are verified. We stop the fraud before it starts.

My bill does two other things. One is, it requires a background check for every health care provider in America that is going to try to bill Medicare or Medicaid. Can you imagine that we do not do that right now? We do not do background checks of people who are providing health care to our seniors and to the poor. Can you imagine, we have a convicted murderer in Florida who was an alleged health care provider who was scamming the system? There are bad guys scamming the system for $10 million, $35 million, $50 million, $60 million. So we have to do a better job.

The third thing this bill does is it creates some accountability. We are going to create an Assistant Secretary of Health at the Department of Health and Human Services whose only function will be to fight fraud so we have some person accountable to us who can call in front of our committees and say: How are you doing in the battle to fight fraud?

As much as I appreciate what the President did today—and that could save $2 billion—a group here in town has evaluated this bill that has bipartisan support and they say it could save $20 billion a year. So why aren’t we doing this today? I know this health care bill is very important. We have differing views on whether we should pass this big bill. But we pass my bill now? Why can’t we start preventing this health care fraud now and save $20 billion a year?

Imagine what we could do with that money. Imagine what we could do to put that money back into Medicare and make it more resilient so our seniors know their health care is going to be paid for.

I applaud the efforts of the President of the United States today. It is a good step. But it is on the pay-and-chase side. It is not on the prevention of fraud side. I keep coming to the floor and talking about this because I feel so passionately about it. It is a common-sense thing to do. It is not partisan. No one is for fraud. Everybody should believe that we should try to spend the government’s money more effectively and more efficiently.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.
Mr. KAUFMAN, Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO EVELYN LIEBERMAN, KAREN HUGHES, AND JAMES GLASSMAN

Mr. KAUFMAN, Madam President, this afternoon I will preside over a Foreign Relations Committee hearing on the future of U.S. public diplomacy. Never has public diplomacy been more important for promoting U.S. national security interests, especially in volatile regions and areas where we are engaged in counterinsurgency. In order to evaluate past achievements, successes, and challenges in public diplomacy, the committee invited three former Under Secretaries of State for Public Diplomacy to testify on the matter earlier today. A wide breadth of experience, they will share their views about lessons learned from their tenure and their recommendations on tools and future strategy.

The three former Under Secretaries who were participating—Evelyn Lieberman, Karen Hughes, and James Glassman—promise to provide incredibly useful insight, and I am grateful they are able to be here for the hearing today. Not only are they important voices on public diplomacy, they have also been dedicated public servants in both the Clinton and Bush administrations.

I wish to make a point here. They don’t stay, as do the vast majority of the people we have talked about who have spent 10, 15, 20, 25, 30, 35 years in the government. These people come from a different group. They are the group who come for a short period of time and bring incredible expertise and intelligence to the issues we face—expertise and intelligence, by the way, that we in the Federal Government could never afford to pay for. These three are perfect examples of that, and that is one of the reasons I wish to recognize them today.

During many years of service as Under Secretaries of State for Public Diplomacy, they oversaw our State Department’s efforts to promote American foreign policies abroad using tools such as educational exchanges, public affairs and embassy outreach, international broadcasting, and the establishment of American centers or centers. They did this through communication with international audiences, cultural programming, academic grants, and international visitors programs. The diplomacy programs such as the Fulbright Fellowship and Sports Envoy exchanges bring emerging leaders from foreign countries to visit the United States, promoting a cross-cultural exchange and contributing to sharing an American perspective with the world.

Although these three officials come from different sides of the aisle, they all share a commitment to American public policy, and all share—and I can say from firsthand experience they all share a love of country and dedication to service that called them to government service. I was honored to work with each of them in various capacities over the years during my tenure on the Broadcasting Board of Governors.

Evelyn Lieberman is a native of New York and a graduate of State University of New York in Buffalo. She first entered government service in 1988 as press secretary to my predecessor, now Vice President JOE BIDEN. In those days I was serving as chief of staff, and I had the privilege to work with Evelyn early in her career. In 1993 Evelyn moved from the White House to the Department of State, where she served as Assistant to the First Lady, now Secretary of State Hillary Rodham Clinton. Three years later, after serving also as Deputy White House Press Secretary, she was appointed Deputy Chief of Staff under Leon Panetta.

In 1997, President Clinton appointed her as director of Voice of America, and she served there for 2 years. During that time, I was a member of the Broadcasting Board of Governors, which oversees Voice of America programming, and I was fortunate to work closely with Evelyn once more.

In 1999, President Clinton nominated Evelyn to serve as the State Department’s first Under Secretary for Public Diplomacy, and she was confirmed by the Senate. He could not have picked a better person. What happened back then was, we took the Information Agency and split it into two pieces. Instead of a large bureau of governors, we created an independent entity for that, and then we brought the rest into the State Department, and Evelyn was the one who got that started and got it started on the right foot. She stayed there until the Bush administration.

Since then, since 2002, Evelyn has continued a career in the Federal Government serving as the Director of Communications and Public Affairs for the Smithsonian Institution.

The second witness is Karen Hughes, who was appointed by President Bush to this position after serving as Counselor in the White House from 2000 to 2002. A Texas native, she holds a bachelor’s degree from Southern Methodist University. Before embarking on a career in politics, Karen worked in broadcast journalism for 7 years.

When she was appointed as Under Secretary for Public Diplomacy in 2005, Karen was given the rank of Ambassador to underscore the importance of public diplomacy as a central component of U.S. foreign policy. While she was there, Karen implemented important changes including the creation of a rapid response unit in her bureau at the Department of State and many others.

Upon leaving State in 2007 to pursue work in the private sector, Karen told her former employers that her greatest regret was “transforming public diplomacy and making it a national security priority, central to everything we do in government,” which is the goal I believe continues to this day.

During her tenure as Under Secretary, she represented former Secretary of State Condoleezza Rice in meetings with the Broadcasting Board of Governors, and I had the opportunity to work with her on promoting a free press overseas.

I have worked with all three of these people. These are extraordinary public servants, Republicans and Democrats; people who have disagreements on many things but came to the government, took incredible financial sacrifices, and worked together to solve bipartisan problems that have put the public diplomacy effort in a positive light.

When Karen Hughes left the State Department, President Bush nominated James Glassman to take her place. James is a Harvard graduate and a prominent writer and journalist, to say the least. He was confirmed by the Senate in June 2008 as Under Secretary of Public Diplomacy. Jim has done a whole lot of things. He has held senior roles at a number of leading news organizations, including the New Republic, the Atlantic Monthly, and U.S. News and World Report. He is also a former owner and editor of Roll Call.

Before joining the Bush administration, Jim served as a fellow at the non-profit American Enterprise Institute for 12 years. In 2007, Bush nominated him to be chairman of the Broadcasting Board of Governors, and he served in that role until moving to the State Department several months later. As I said, I worked with Jim during my service on the board, and I saw firsthand his dedication to promoting American values and policies overseas.

Since the Bush administration left office, Jim has been working in the nonprofit sector, and he was recently selected to lead a new public policy institute at the George W. Bush Presidential Library.

Quick about this: Here I am, a Democrat, and I can tell my colleagues there aren’t three better people with whom I have worked in the whole world than Evelyn Lieberman, Karen Hughes, and Jim Glassman. They care. We have a lot of fights about a lot of things, but when it came to public service, these three individuals all did incredible work.

Political appointees make up an important constituency in our Federal Government. When a President rewards their service, they often make real sacrifices to respond to that call, and I can tell you without a shadow of a doubt, these three made incredible
sacrifices, financial and personal, to answer the call of this country. I hope my colleagues will join me in thanking Evelyn Lieberman, Karen Hughes, and James Glassman for answering the call to serve and for their work on behalf of the American people. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

RESPONDING TO THE ECONOMY

Mr. CASEY. Madam President, thank you very much. I appreciate the many times Senator KAUFMAN comes to the floor to celebrate what is working in Washington and the good work that is done by so many public officials, but also public employees in our Federal Government.

I rise this afternoon to talk about the recession, unemployment, job loss—all of those related topics—and in a very particular way to focus on the trauma, the suffering that a lot of Pennsylvanians and a lot of Americans are living through right now.

This has been and continues to be a horrific recession for the American people. We are confronted with that kind of economic difficulty, we need to respond to it in very bold ways. I think we have over the last couple of years and even the last couple of weeks. I will talk about that today. But we need bold action to put people back to work and to keep our economy moving in the right direction, as I think it is now, more than a year after the recovery bill was enacted.

In Pennsylvania, the unemployment situation is as follows: Our rate is at about 8.8 percent as of January. That is lower than a number of States of comparable size. But, unfortunately, the rate doesn’t tell us much. It doesn’t often reflect the true meaning or the true impact of unemployment. We have 590,000 Pennsylvanians out of work through no fault of their own. I think it is also important to put this in the context of where we have been and where we are now, not only in Pennsylvania but across the country.

In late December of 2008, Congress took action to stave off the impending collapse of our Nation’s financial system. Months later, the downturn required Congress to pass, as I mentioned before, the recovery bill known as the American Recovery and Reinvestment Act, known by the acronym ARRA. I tend to refer to it as the recovery bill.

These actions were at the time—meaning the legislative actions—unpopular but absolutely necessary. I said we had worked on job creation strategies and legislation more recently within the last couple of weeks. Our majority leader Senator REID has led us in that, and we are making progress. We have more to do.

First, let me go back in time a little bit to December of 2008. At that time I happened to be a member of the Banking Committee. We were given briefings at that time on how perilous our financial system was; that we were on the edge of a cliff in terms of the collapse of our financial system and, therefore, the collapse of our economy.

We passed legislation which included the Troubled Asset Relief Program, known by the acronym TARP. I know as soon as I say it, it doesn’t bring back positive recollections for people. It was not popular. Even the bill itself was not that popular—the Emergency Economic Stabilization Act—and passed as the so-called Troubled Asset Relief Program or TARP. But I think it is important to put the facts on the table about what has happened since that time.

The Troubled Asset Relief Program was, indeed, unpopular, but we should note that to date the Treasury Department has spent, invested, or loaned $500 billion through TARP. To date, almost $190 billion of the $500 billion has been returned or paid to the Treasury Department. These actions helped steer the economy back from the brink and, by the program’s conclusion, we expect all but $100 billion of that $500 billion to be repaid, which makes the Troubled Asset Relief Program significantly less expensive to taxpayers than earlier estimates. It met most of the predictions at the time by some of us that the money would be paid back. So that is good news. It is not enough, though, to report on good news.

We had to take other action. We took action when we passed the recovery bill in the early part of 2009. Just by way of example, Pennsylvania is on track to receive more than $26 billion through the recovery bill, including billions in direct tax relief. We had 4.9 million Pennsylvanians who got tax relief as part of the recovery bill. Among, or part of, I should say, that more than $26 billion, $13.15 billion was in so-called formula-driven funding for health, education, infrastructure, job training, and the like. It was a tremendous boost to the economy in Pennsylvania, not only creating jobs but preventing the erosion of our job creation strategies and preventing people from being laid off, including teachers in school districts, law enforcement officials, as well as in jump-starting the economy of Pennsylvania. We still have a ways to go. We still have bazically another year of a jump-starting effect for the recovery bill.

Across the country, we measure the impact of the recovery bill, the nonpartisan Congressional Budget Office, which is known by the acronym CBO—we hear about it all the time, but they are a referee in a sense in Washington, an arbiter of what the numbers mean. The CBO reported a few weeks ago that the Recovery Act added between 1 million and 2.1 million jobs by the fourth quarter of 2009. Again, impressive, halfway basically—or almost, I should say, halfway through the effects of the economic situation at the end of 2009. 1 million to 2 million jobs. The CBO also said the Recovery Act raised economic growth by 1.5 percent to 3.5 percent over that same period. So it has contributed to growth.

The CBO Director, Doug Elmendorf, said during a recent Joint Economic hearing: [T]he policies that were enacted in the bill are helping GDP and GNP grow. The government relative to what it otherwise would be.

So that is the CBO talking about the recovery bill as another way to measure. There are lots of ways to measure the impact and, I would argue, the success of it.

In January of 2009 the country lost 1.2 million jobs. Job loss, as of the most recent report for February, was a little more than 60,000 jobs, just about 62,000 jobs. So that reduction or diminution in the number of jobs lost from 1.5 million jobs to 62,000 jobs is, indeed, substantial progress but, again, it is not enough. We have to keep going. We have to keep putting in place strategies to create more jobs.

The facts speak for themselves. More people are currently employed and more goods and services are being produced as a result of the Recovery Act. Put another way, if the Recovery Act had not been enacted, the economic situation would be much worse than it is today.

That is an understatement, if we did not pass that legislation.

But we need to do more and move forward. We need to pass legislation to continue to create jobs. That is why I am standing today in support of passage of the American Workers, State, and Business Relief Act, the legislation we are now considering. This legislation contains vital tools that will support our workers and our businesses as we recover from the recent economic recession. The most important part of the legislation is the extension of unemployment insurance and COBRA health insurance through December 31 of this year.

The national unemployment rate is 9.7 percent. It is expected to remain at this level, unfortunately, through most of 2010. I mentioned earlier that in Pennsylvania it is about a point lower, 8.8 percent. There are 560,000 Pennsylvanians who are out of work. These numbers are far too high for us to in any way be satisfied with the positive impact the recovery bill has had and other measures we have taken.

We are about to pass and enact into law the HIRE Act—four provisions agreed to in a bipartisan way. We have to do more than that as well. Congress continue to pass and enact comprehensive unemployment benefits and a subsidy to pay for COBRA health insurance for those who have lost their jobs through no fault of their own. The eligibility for emergency unemployment compensation to expires on the economy wide assistance will expire at the end of March. According to our State’s department of labor and industry, hundreds of thousands of Pennsylvania workers could lose unemployment benefits over the next several months without an extension.

An extension of federally funded unemployment compensation and the
COBRA health insurance subsidy through the end of this year. December 31, is necessary for several reasons. First, State labor departments—and this is true across the board—will now be under pressure to constantly update their systems and inform constituents of the Federal Act. Why should we keep passing an extension of a month or two or three when we could pass legislation to give certainty, most importantly to that unemployed worker and his or her family—they are the most vulnerable of this story. Why, also to State labor departments and other officials in departments so they do not have to continue to make changes to their system. People who were recently laid off will constantly be reminded that their unemployment benefits may run out sooner than expected, especially at a time when there are six applicants for every one job.

Second, our State labor department makes a point that at a time when millions of families do not have health care coverage, failure to provide an adequate safety net to ensure people maintain adequate and affordable health care coverage will only add to the rolls of the uninsured in the country.

During my travels throughout the Commonwealth of Pennsylvania, I have met and I will continue to meet or hear from numerous people who are in desperate need of help. Recently, the Hanlon family of Pleasantville, PA contacted my office to share their story. Here is but one story, but it is very telling about what families are up against.

Lisa and Jeff Hanlon have four young children. Until recently, Jeff and Lisa were both employed by the same company and, in their words, “the family lived a solid middle-class experience.” Jeff worked at the company for nearly 8 years. Over time, he began to experience severe health problems, including seizures. Jeff, will help his family. As economic downturn hit, Jeff was downsized by the company and the family lost their health insurance. The blow of losing health insurance could not have come at a worse time. Just one of Jeff’s hospital bills was $386,000.

Due to his medical condition, Jeff was unable to work. Too sick to work, it took a long time for Jeff to apply for and receive Social Security. During this time, the family experienced severe hardship and sold everything of value to keep their home and stay afloat. Mrs. Hanlon told our office that their children went without medical help for a year—young children going without medical help for a year because their father or mother loses a job. That is unacceptable. We should act on the statement “that is unacceptable in America today.” What the Hanlons had to do was choose what bills to pay to feed their children. Without means, the children were not able to participate in sports or in school activities. Even now, the family’s current income is a fraction of what it was.

Another example, in addition to the Hanlons, is Janet Lee Smith, a single mother of two girls. Her difficulties began back in 2003 when she was laid off from a 26-year career. As Janet tells the story, the company began outsourcing to Mexico, which made her position obsolete.

Faced with the tremendous responsibility of raising two young girls, she decided to go back to school while still working. In 2005, she graduated from a Penn State extension campus with an associate’s degree in human development and family studies. Unfortunately, additional education was not enough to get her a job in this tough economic climate. So once again, Janet turned to odd jobs and part-time jobs until 2008, when she was finally blessed with a full-time job as an administrative assistant. Nine months later, once again she was told that business was slow and she would, in her words, “once again become a statistic as a ‘displaced worker’.”

Today, unable to find full-time work, Janet is back in school and working part time. She says she feels she has to do whatever she can to “get her girls through school healthy and strong.” In Janet’s words:

It is not a good feeling at all being told that you are going to be laid off, especially when you are the only income that your family depends on. It has been a struggle keeping up month-to-month to let my girls see that I am stressed. That is what Janet tells us, and that is what the Hanlon family tells us. Despite these challenges—and I have seen this across our State—despite these challenges, Janet is still optimistic. She says:

I am confident that this time I will be able to find that one job. I know that they are out there. I had a good job before and I will have a good job again.

I heard this in many instances across our State. I was at a job center in south central Pennsylvania, just outside Gettysburg. I met with 8 of those 560,000 people who are out of work. I heard the same thing there. Eight Pennsylvanians—at least six were over the age of 50 and the others were over the age of 60—had never been out of work in their lives, never had to rely on food stamps, and almost in every case never had to rely on unemployment insurance. And they find themselves in this predicament. Despite that, there is a burning flame of optimism inside them. Despite their setbacks, they are willing to keep filling out forms, keep applying, keeping their heads up, and keep moving forward.

Debbie, a wife and mom, was one of those eight I spoke to that day, probably said it best—simply: All I want to do is get back to work. We see that across the board.

What are we going to do in Congress? Are we going to preach? We will only have a month or two, a couple weeks or a few months. We are only going to have COBRA insurance for a couple of weeks, a couple of months. It is easy for us to say when we have health care, Federal employees that we are, and we have job security.

For those who say we should not do it, we should not extend these safety net programs, before they make a speech about it, they should tell their people in Pennsylvania, and across our country, why they do not want to support it. Tell Janet Smith and tell the Hanlon family why it is not a good idea to support unemployment insurance and COBRA health insurance. The security of Washington allows a lot of people to avoid this conversation. The security of being a Federal employee, of being a Senator or a House Member and having health coverage and job security allows us the luxury of not having to look those families in the eye and tell them. I think if people were more honest about it around here, they would.

In addition to aiding families who are desperately in need of putting food on the table and a roof over their heads, the extension of the biodiesel fuel credit, the extension of the biodiesel fuel credit, the extension of the biodiesel fuel credit, the extension of the biodiesel fuel credit, the extension of the biodiesel fuel credit, which will put a number of Pennsylvanians back to work across the country. The bill contains a research and development tax credit that will provide businesses with financial resources to compete in a global marketplace.

Finally, the bill will assist our teachers by providing a tax deduction for those teachers who spend their own money to buy supplies for their classrooms and students—something I have seen in Pennsylvania for many years, teachers constantly reaching into their own pockets to buy supplies and equipment they need for them to teach our children.

I say in conclusion, I and I know many others strongly support passage of the American Workers, State, and Business Relief Act. This legislation is necessary to continue to spur economic growth and create jobs in Pennsylvania and across our country.

Madam President, I yield the floor and suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the question be suspended.

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

TAX EXTENDERS ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4213, which the clerk the report.

The assistant legislative clerk read as follows:

A bill (H.R. 4213), to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Baucus amendment No. 3336, in the nature of a substitute.

Baucus (for Webb-Boxer) modified amendment No. 3342 to (amendment No. 3356), to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses.

Feingold-Collins amendment No. 3368 (to amendment No. 3356), to provide for the reversion of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks.

McCain-Graham amendment No. 3427 (to amendment No. 3336), to prohibit the use of reconciliation to consider changes in Medicare.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. I make a point of order, en bloc, that the pending amendments Nos. 3342, 3368, and 3427 are nongermane postcloture.

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

Mr. REID. The point of order is well taken.

The ACTING PRESIDENT pro tempore. The amendments all propose new nongermane and the point of order is well taken.

Mr. REID. The amendments fail; is that right?

The ACTING PRESIDENT pro tempore. The amendments fail; that is correct.

Mr. LEVIN. Mr. President, the Senate can take an important step today in alleviating the incredible strains this continuing economic crisis is having on thousands of families in my State, and millions of families across America. By approving the American Workers, State, and Business Relief Act of 2010, we can end what has been an agonizing procession of will-we-or-won't-we votes on extending unemployment benefits and COBRA insurance subsidies for those who have lost their jobs. And we can ensure that, by extending enhanced Federal payments to State Medicaid programs, crucial health care services and other vital State services are not cut.

Those who doubt the wisdom of extending unemployment and COBRA benefits until the end of this year should hear the phone calls and read the letters that have come into my office over the past few weeks. As the Congress has debated, and delayed, on the question of whether to pass another short-term extension, these Americans, left jobless by a crisis not of their own making, wondered if the economic lifeline that keeps food on their tables and shelter over their heads would be severed. By approving this legislation, we will ensure that these families are not left in limbo by delays in Congress. Giving them some stability, at least when the economic crisis has turned so much upside-down, is the right thing to do.

What's more, continuing these benefits is one of the most important steps we can take to nurture the fragile recovery of our economy. These payments benefit not just families coping with unemployment, but provide an immediate stimulus to local economies that have been devastated by the recession. Likewise, the decision to extend enhanced Federal Medicaid assistance percentages, or FMAP, funding to States, boosts the entire economy while helping those in the greatest need. Michigan and other States have made clear that without this extension, we would leave giant holes in their budget. In the absence of enhanced funding, the steps the States would have to take balance their budgets could mean devastating cuts to vital programs that serve the victims of this crisis. Such cuts would also dampen the recovery, removing a pillar that has kept economic activity from collapsing during the crisis. Extending these payments gives States, and the citizens they serve, much-needed certainty.

This legislation also would continue tax provisions that can provide additional support to economic recovery and job creation. In extending the research and development tax credit and other business tax provisions, we give businesses another tool they can use as they seek to regain ground, begin growing again and start putting people back to work. I urge my colleagues to join me in voting for this important legislation.

Mr. LEAHY. Mr. President, today, the Senate is passing the Satellite Television Extension and Localism Act, STELA. This legislation modernizes and extends important provisions of the Satellite Home Viewer Act, which contains statutory copyright licenses and other authorities that allow for the retransmission of broadcast television signals by satellite and cable providers.

Ensuring that Americans have access to broadcast television content is important, and it is particularly relevant for consumers in rural areas who might not otherwise be able to receive these signals over the air. The legislation that the Senate is passing today will ensure that nobody will be left in the dark for the foreseeable future.

The Satellite Home Viewer Act provides cable and satellite companies with statutory licenses to allow them to retransmit the content of broadcast television stations. It also contains important authorizations in the Communications Act that facilitate these retransmissions. Broadcast television plays a critical role in cities and towns across the country, and remains the primary way in which consumers are able to access local content such as news, weather, and sports.

Cable and satellite providers help to expand the footprint of broadcast stations by allowing them to reach Viewers who are unable to receive signals over the air. Vermont is an example of how cable and satellite companies can provide service to consumers in rural areas who might not otherwise receive these signals.

Vermonters will see improved service when this legislation is enacted. As the act has been reauthorized over the years, I have worked to improve the service that Vermonters receive from cable and satellite companies. Residents of southern Vermont have seen improvements. Windham and Bennington Counties are not considered part of the Burlington television market that encompasses the rest of the State, and for many years those residents were unable to receive Vermont broadcast stations by satellite. Congress changed this in 2004, and DirecTV has been providing these Vermonters with access to Vermont stations ever since.

I am pleased that under this legislation, DISH Network will be able to provide their subscribers in southern Vermont with the same service. As soon as the DISH Network uses this authority, virtually everyone in the State will be able to access the news and information that is truly important to Vermonters, whether it is the debate over relicensing the Vermont Yankee nuclear power plant in Vernon or the UVM basketball team’s quest to make the NCAA Tournament.

One other important way that STELA will preserve and improve existing service for consumers is by correcting a flaw in the statutory copyright license for the cable industry. An unintended result of current law is that the cable license requires the cable industry to pay copyright holders for signals that many of their subscribers do not actually receive. This is often referred to as the phantom signal problem. The effect of this anomaly in the law is that Congress is expected to pay copyright royalties based on their subscriber base across the northeast for the Canadian television content
that is only provided to subscribers in Burlington, VT.

The bill that the Senate is passing today corrects this flaw by giving the cable industry the flexibility to continue to provide signals that are tailored to local interests—signals that might otherwise have been pulled from cable lineups. This will benefit industry and consumers. For instance, subscribers in Burlington will still be able to receive programming such as “Hockey Night in Canada,” which has been a tradition, without fear that Comcast will have to remove the channel or raise prices because it is being charged royalties based on subscribers in Boston.

In addition, the legislation will expand consumer access to their States’ public television programming and low-power, community-oriented stations that will promote media diversity.

This bill is the product of many hours of hard work and compromise among four committees in both Houses of Congress. No single Member or committee chairman would have written it in this exact way, but the final language represents a fair compromise on important issues that would have conferred that the language approved by the Senate Judiciary Committee last year with respect to multicast signals be included in this legislation. However, under the bill the Senate passed today, low-power stations will be treated differently than primary broadcast signals for a short period of time, even if they are broadcasting an additional network. In Vermont, WFFF is the local Fox affiliate, but it carries the CW Network on a multicast signal. This is programming that is otherwise unavailable to Vermonters. There should be no distinction in this case between a primary signal and a multicast signal. I appreciate the difficult nature of the situation, however, and believe that the compromise that was struck in STELA is a fair one.

The final bill language also provides a pathway to lift a court-ordered injunction that currently prevents DISH Network from using the distant signal license, in exchange for DISH launching service in all 210 television markets across the country. Providing service to all 210 markets is a goal that I have long believed ought to be achieved. I believe this included language in the Senate Judiciary Committee-passed bill provided better incentives for launching additional markets without lifting a court-ordered injunction. As a matter of policy, lifting a court-ordered injunction based on copyright infringement is something I generally do not support, but others insisted upon it and it is part of the compromise embodied in STELA.

This is a good bill that will preserve and improve the service that consumers across the country are accustomed to receiving. I am pleased that the Senate has adopted this legislation. I look forward to its prompt consideration and adoption by the House and the President signing it into law.

Mr. REID. What is the question before the Senate?

AMENDMENT NO. 3336, AS AMENDED

The ACTING PRESIDENT pro tempore. The question is on the amendment, as amended, was agreed to.

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 the debate on H.R. 4213, the Tax Extenders Act of 2009.


The ACTING PRESIDENT pro tempore. By unanimous consent, the language approved by the Senate Judiciary Committee last year with respect to multicast signals be included in this legislation. However, under the bill the Senate passed today, low-power stations will be treated differently than primary broadcast signals for a short period of time, even if they are broadcasting an additional network. In Vermont, WFFF is the local Fox affiliate, but it carries the CW Network on a multicast signal. This is programming that is otherwise unavailable to Vermonters. There should be no distinction in this case between a primary signal and a multicast signal. I appreciate the difficult nature of the situation, however, and believe that the compromise that was struck in STELA is a fair one.

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This is a good bill that will preserve and improve the service that consumers across the country are accustomed to receiving. I am pleased that the Senate has adopted this legislation. I look forward to its prompt consider-
Mr. TESTER. Mr. President, I rise today to urge the immediate confirmation of Michael Punke to be the U.S. Ambassador to the World Trade Organization.

The United States has been without an ambassador for more than 6 months because one Republican Senator has been holding up the nomination for no good reason. This is another example of standing in the way of doing what is right for our country.

Michael Punke is well qualified. He is ready to serve. He happens to be from Montana. His qualifications are as follows: Michael received his undergraduate degree in international affairs from George Washington University. He then attended Cornell Law School where he earned his juris doctorate with a specialization in international law. He also served as editor in chief of the Cornell International Law Journal.

For 14 years Michael served in government and private practice in Washington, D.C. From 1991 to 1992 he acted as international trade counsel to Senator MAX BAUCUS, then-chairman of the Finance Committee's International Trade Subcommittee.

Michael has been fully vetted. He received strong bipartisan support in his Senate Finance Committee hearings, and the Finance Committee unanimously approved his appointment. Let me repeat that. Michael Punke passed out of the Finance Committee with the support of all the Senators on that committee. That makes all the Democrats and all the Republicans supported his nomination, including the junior Senator from Kentucky, who continues to hold up his nomination. The reason Senator BUNNING is giving for his hold? He wants Michael to repeal parts of the anti-smoking law that passed in the Canadian Parliament. I don’t think that holds water.

This job is too important to remain open because one Senator has a flimsy policy beef with a foreign country. Come on.

Expanding U.S. exports will help rebuild our economy by creating jobs. Michael Punke is an important part of that goal. Michael will be responsible for promoting and securing U.S. trade interests abroad to create jobs for America’s farmers, workers, and businesses right here at home. Our trading partners use his absence as an excuse to stall the progress of U.S. trade negotiation. Stalling in the way is hurting America’s businesses and workers who are affected by these very important negotiations.

Michael could be working right now to create jobs for American farmers, workers, and businesses. But, instead, some issue about tobacco in another country is keeping us from moving forward. That is not right.

That is why a broad coalition of America’s farmers and businesses have been calling for quick approval of Michael Punke by the Senate. A coalition of 42 food and agriculture groups wrote Senator REID and Senator MCCONNELL last January to call for Michael’s quick confirmation saying: U.S. food and agriculture exports are under assault in many markets with trading partners erecting even more barriers in recent months. The longer the delay in confirming Mr. Punke, the more likely that the U.S. loses exports and jobs.

So if we act today to confirm Michael Punke, the Senate will have done something right now to help create jobs in America. Holding up Michael Punke does just the opposite. For all these reasons—oh, and may I add this guy is one quality individual—I would request we confirm Michael Punke in the Senate. We have to act soon as possible, and confirm him to the position of U.S. ambassador to the World Trade Organization.

BIG SANDY PIONEERS

Mr. TESTER. Mr. President, I rise to share some news from my hometown of Big Sandy, MT. It is a town of just over 700 folks. That means in Montana, it is a Class C town. In Montana, Class C basketball isn’t just a tradition. It is a way of life. For a lot of Montanans, the entire year revolves around that basketball season.

Last week, Coach Roy Lackner led his boys—the Big Sandy Pioneers—to the Class C basketball tournament. They fought their way to the championship game on Saturday night and they played another outstanding Class C team in the Power Pirates. It was one of those games folks will be talking about for years. After a last-second foul, with less than a second on the clock, senior forward Corbin Pearson broke the 49-to-49 tie by sinking both free throws. I was 6 years old the last time Big Sandy boys won a State championship. That was 47 years ago.

So I rise in honor of Coach Lackner, assistant coach Gregg King, and the Big Sandy boys basketball team, including Corbin Pearson, Zac Leader, Blake Brunwell, Taylor Ophus, Colter Darlington, Trevor Lackner, Jeff Zeiger, Scott Draga, Dallas Briese, Kaden Beck, Matt Gullickson, and C.J. Hansen.

I am sharing this good news not just because these young men are from my hometown—although I am very proud of that—I am sharing this news because we can all use a reminder that hard work, working together, and teamwork pays off. Coach Lackner said winning a State championship was a matter of perseverance. It is. The Big Sandy Pioneers persevered. They worked hard as a team. They won their championship, and I congratulate them on that.

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

The PRESIDING OFFICER. The Senate will be in order.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 36, H.R. 1586, and that once the bill is reported, I be recognized to offer a substitute amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3452

(Purpose: In the nature of a substitute).

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senate from West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 3452.

Mr. ROCKEFELLER. I ask unanimous consent that the reading of the amendment be waived.

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

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

Mr. ROCKEFELLER. Mr. President, I am very happy to be here this afternoon with the most excellent ranking member of the Commerce Committee, Senator KAY BAILEY HUTCHISON of Texas, to lay down our Transportation bill, and in so doing we say that our transportation system is at a crossroads, and not a comfortable one.

For decades, the Federal Aviation Administration has done an excellent job of operating the world’s most complex airline system. Nobody else comes close. The system has served us very well. Not only is it the safest airspace system in the world, it is a critical component of the national economy. I cannot overstate the importance of a
vibrant and strong aviation system. It is fundamental to our Nation’s long-
term growth—from the largest cities to the very smallest of towns—because it
connects our citizens and it connects our businesses with the global econ-
omy.

Increasingly, however, our air transpor-
tation system and the FAA—the Federal Aviation Administration—are
strained beyond capacity. Our skies and airports have become plagued with
congestion and delay, and what is more, it is a regular basis. Over the
past decade, we have seen pas-
sengers delayed for hours on runways,
and we hear about it. During peak
times, such as the holidays, the system
is often paralyzed—stopped. Disrup-
tions at just one key airport—maybe
JFK, maybe O’Hare, maybe Los Ange-
les, should they be in trouble at any
one of those places—can quickly cas-
cade throughout the entire system.

With airline capacity cut, these
delays could extend to days for
passengers who cannot find flights with
empty seats because the capacity has
been reduced. Our constituents are
frustrated about flying and, frankly,
rightly so.

When our economy recovers, and I
believe that growth has slowly begun—
we shall see—congestion and delay will
only get worse. The FAA predicts that
commercial air traffic will increase by
nearly 50 percent over the next decade.
Putting that in other terms, from our
current level of 700 million passengers
per year, it will be well over a billion
passengers per year. In a complex sys-

following, in part: address pilot fatigue by mandating the FAA revise flight and duty time limitations based on the latest in scientific research; ensure one level of safety exists throughout commercial aircraft operations by requiring operators adopt aviation safety standards. The bill also requires stronger safety oversight of foreign repair stations, which is a very controversial subject. They are a relatively small percentage of air maintenance. Most is done in this country. But there is some argument as to how well it is done overseas.

These are critical measures that will help us identify safety issues and prevent problems before they occur and this is the best way to address safety.

A word on small community air service. The State I come from is not large. In fact, it is small and it is rural. But it is important and it is a good place. We need to keep America's small communities connected to the rest of the world. If one lives in a rural State or in a rural part of a rural State, one is no less important than if one lives on Fifth Avenue in New York City. The nature of the individuals may be the same, the entrepreneurship may be the same, international aviation or transcontinental aviation is not the same. The continuing economic crisis has hit the United States airline industry very hard. They are in and out of bankruptcy. We have all read about that. We realize that some of them offer their services to offer their users in flight and do not even now. We grump about it but there is a reason they do that so I don't grump about it, and this affects the future of hundreds of rural communities across our country.

In their effort to cut costs, air carriers have drastically reduced service to small or isolated communities. From a business point of view, I guess that makes sense. From my policy point of view, that does not make sense and it is not fair. They are the first routes to go, the rural ones. They go in tough economic times, and that is where we are right now. The reduction or elimination of air service has a devastating effect on the economy of a community. Having adequate air service is not just a matter of convenience but also a matter of economic survival. Without access to reliable air service, no business is willing to locate their operations in areas of the country, no matter how attractive the quality of life. Airports are economic engines that attract critical new development opportunities and jobs.

The Federal Government needs to have invested additional resources and tools for small communities to help them attract adequate air service. Our legislation does this by building on existing programs and strengthening them. Authorizing funding for the Essential Air Service Program increased to $75 million annually. The bill also extends the Small Community Air Service Development Program—incredibly important for small airports. This program has provided dozens of communities with the resources necessary to attract and retain air service.

In conclusion, when I began work on this bill, I had four simple goals: No. 1, take steps to address the critical safety concerns—pilot experience, commuting and pilot fatigue—always No. 1 and No. 2, to establish No. 2, to establish a roadmap for the implementation of NextGen and accelerate the FAA's key modernization programs, No. 3, make certain we adequately invest in airport infrastructure; and, No. 4, continue to improve airports' access to the nation's aviation system.

I believe we have worked hard in a truly bipartisan fashion with Senator Dorgan, obviously Senator Kay Bailey Hutchison from Texas, Senator DeMint from South Carolina, to develop a bill that I think advances these goals and which all of my colleagues can support.

This bill is not being held up. There is a reason for that. We worked out our problems early, and we passed the roadmap needed to advance the system. The FAA must be provided with the tools, the resources, and the clear direction and deadlines to make sure the agency provides effective oversight of the aviation system itself. I think we all recognize the United States must significantly expand the capacity of our Nation's transportation system. There are no quick or easy solutions to the problem, and I believe our situation is going to get worse before it gets better. But we do have to take the actions we can right now. We cannot ignore the aviation system any more.

We cannot float on nice memories of a glorious past. The United States is losing its position as a global leader on aviation. The American public is not happy with the aviation system or with us. We must move boldly, just as we have with our investments in high-speed rail, or risk losing our leadership in the world.

Given the challenges our Nation's aviation system faces, we must act now to pass S. 1451, the FAA Air Transportation Modernization and Safety Improvement Act. It is the order that the Senator from Texas will have the floor?

The PRESIDING OFFICER (Mr. FRANKEN.) There is no order to that effect.

Mr. ROCKEFELLER. Business as usual.

The PRESIDING OFFICER. Correct. Mr. ROCKEFELLER. I yield proudly to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I thank the distinguished chairman of the committee, and I wanted to say, as the ranking member of the Commerce Committee, I believe this FAA reauthorization bill is a very good, solid bill. It is very bipartisan. We have worked through many of the sticky issues that have held up the long-term extension of FAA reauthorization.

I think this is a bill that most everyone on this floor will support if the bill stays as it has come out of the committee. I want to say also that I believe the Aviation Subcommittee chair and ranking members, Senators Dorgan and DeMint, deserve a lot of credit for this bill because it does provide a solid roadmap for the direction and future of our aviation system, and its enactment is long overdue.

So I very much appreciate—as a matter of fact, Senator ROCKEFELLER and I had been the chairman and ranking member of the Aviation Subcommittee when this bill was written. Then we both went to the full committee, chair and ranking member slots, and so we have now two new Aviation Subcommittee chair and ranking members who have also done an excellent job.

So I feel strongly about this bill and how much it is going to do for the stability of our system. When you are looking at the reasons the reauthorization bill, you have to have stability. We need to improve aviation safety. We need to modernize our air traffic control system, which is known as NextGen. We have to do that.

We need to make the investments in infrastructure where there is a knowledge that this infrastructure support will be ongoing.

I am the former Chairman, Vice Chairman—actually Acting Chairman as well—of the National Transportation Safety Board. So I know the crucial mission the FAA has in over seeing our Nation's airlines and the aviation system.

Aviation safety and the public trust that go along with it is the bedrock of our national aviation policy. We cannot afford for any degradation of safety to the flying public. I believe this bill goes a long way toward achieving that goal. While I continue to have great confidence in the safety of our aviation system, it was made obvious that there is still room for improvement after the tragic crash of Colgan flight 3407 in Buffalo, NY, last year.

The remarkable safety record of the U.S. aviation industry, that accident reminds us that we must remain vigilant and always look for ways to improve our safety system.

While tremendous strides have been made in aircraft technology and maintenance practices in recent decades, little has been done to address the human factors side of the safety equation in areas such as pilot fatigue, quality of pilot training, quality of pilot experience, commuting and pilot professional responsibility.

Over the course of a year, and through six Commerce Committee hearings regarding the aftermath of
the Colgan accident, we worked in a bipartisan manner to craft proposals to address these human factors issues.

During these hearings, the family members of those lost in flight 3407 were there every step of the way. I applaud the unprecedented activism for improving aviation safety.

A few of the safety improvements that we call for in this legislation include mandating the FAA complete a rulemaking on flight time limits and rest requirements for pilots; improving safety for helicopter emergency medical service operations; addressing inconsistent application of FAA airworthiness directives by improving the voluntary disclosure reporting processes to ensure adequate actions are taken in response to reports; and limiting the ability of FAA inspectors to work for air carriers over which they have oversight; also conducting independent reviews of safety issues identified by employees; requiring enhanced safety oversight of foreign repair stations; taking steps to ensure “one level of safety” exists in commercial aircraft operations, including a mandate that all carriers adopt the Aviation Safety Action Programs and Flight Operational Quality Assurance Programs.

This legislation would also require air carriers to examine a pilot’s history for the past 10 years when considering hiring an individual, and annual reporting on the implementation of NTSB recommendations and reevaluating flight crew training, testing, and certification requirements.

Another priority and centerpiece of this bill is focused on and expediting the FAA’s air traffic control modernization program, known as NextGen. The FAA operates the largest and safest air traffic control system in the world. In fact, the FAA air traffic control system handles almost half the world’s air traffic activity. The United States is a leader in developing and implementing new technologies to create a safer, more efficient airspace system.

However, today’s air traffic control system is not much different from that used in the 1960s. This system is still fundamentally based on radar tracking and ground-based infrastructure. NextGen will move much of the air traffic control infrastructure from ground-based to satellite-based by replacing antiquated, costly ground infrastructure with orbiting satellites and onboard automation. By doing so, the FAA will be able to make our aviation system more safe and efficient while also increasing capacity.

Some of the modernization provisions in the bill include establishing clear deadlines for the adoption of existing global positioning system navigation technology.

Airports: Finally, the bill would also increase our Nation’s investment in airports so that, all else being equal, you can have the best planes and the best air traffic system, but they mean nothing without the proper airport infrastructure in place. Our Senate legislation is different from the House-passed bill in several areas.

I look forward to working with my colleagues on the bill this week. If we are able, and I hope we are, to pass a bipartisan, commonsense FAA reauthorization bill, we will still have a long way to go. But it will be an important step toward improving our aviation system and improving aviation safety for the millions of air passengers we would expect no less from this Congress. I do hope we are able to keep the bill pretty much intact. I know there are amendments that some Members will have. I urge Members who do have amendments to come to the floor and begin to let us see their amendments so they can offer them and we can begin to address the amendments and try to expedite the bill as much as possible.

I yield.

The PRESIDING OFFICER. The Senator from North Dakota.

MR. DORGAN. Mr. President, first of all, I am pleased with the work the chairman and members of the Commerce Committee have done. I am chairman of the Aviation Subcommittee and have worked closely with them to produce a piece of legislation that I think is bipartisan, is a very important piece of legislation that will strengthen this country’s system of air travel. I want to talk some about that today.

A couple of things this legislation will do. I am not going to repeat everything my colleagues have said, but it will advance aviation safety, which I think is very important. It will accelerate the modernization of the air traffic control system. It is going to support jobs by investing in aviation infrastructure and runways and the kinds of functions that accommodate our air travel system. It will ensure that our rural communities in States such as North Dakota, my home State, have continued access to the Nation’s aviation system.

So I am very pleased with this bill. Since the last FAA reauthorization bill expired in 2007, the Congress has passed 11 separate extensions of this law. There was a suggestion that we pass another 1-year extension, which I opposed. We do not need to extend this; what we need to do is pass new authorizing legislation that addresses the fundamental issues that we need to address in respect to air travel in this country.

The Federal Aviation Administration is charged with operating what I think is the world’s most complex airspace system in the world. By and large, they do an outstanding job. The United States has the safest skies in the world. There is no question about that. But we have seen changes in the aviation industry, in the airline industry, that have impacted safety, and we need to take action to deal with and address it.

The FAA predicts that air travel in this country will increase by 50 percent in the coming decade. That brings it to probably 1 billion passengers a year. That is a big system, a system that is very strained at this point. As the economy recovers, we will see substantial increases in demand.

So I do think that we desperately need to modernize this system. Let me describe the circumstances of commercial air travel, and then I am also going to talk about general aviation.

I learned how to fly many years ago. I was not much of a pilot, so I did not keep it up. But I learned how to take off in an airplane and go fly up someplace and land. It is an extraordinary feeling. It is one of those moments in life that you never forget, when your instructor gets out of the plane and says: All right, now you go fly the airplane by yourself. When you take off wearing this metal suit with an engine, you think: Oh, my gosh, it is pretty unbelievable to be able to fly an airplane. Commercial aviation, their own planes around for recreation, for business, is a very important part of our air travel system. I wish to talk about that at another time during this discussion.

Commercial aviation is the companies that put together the structure, the capital and the airplanes and then haul people around the country and the world at scheduled times and places.

That is very important. It is significant that in many areas of our country such as in my home State of Bismarck, ND, when you go out and see that strip of runway, maybe 6,000, maybe 8,000, maybe 10,000 feet of runway, you are one stop away from anywhere in the world. Because you take off on that runway and one stop later change a plane and go to South America, go to Europe, go to Asia, you are one stop away from the world. That is what air travel has done for us. It is extraordinary.

Go back to the origins of commercial air travel. Airplanes were used originally to haul the mail. Go all the way back to December 17, 1903, when Orville and Wilbur Wright left the ground for the first time. It was only 59 seconds, but what an extraordinary achievement. They learned to fly. They didn’t just learn to fly that day. They had tried 700 times, again and again and again and again, continually failing until one day at Kitty Hawk the engine took hold. The pilot was lying on the fuselage of this rickety-looking structure, and they flew above the ground in powered human flight for 59 seconds. It was quite an extraordinary achievement.

It was not too long after that, having decided we can shape a wing that can allow us, with power, to escape gravity and fly, we were flying in combat. American pilots were in Europe flying in combat. We began flying mail with commercial airplanes. Then you could only fly during the daytime because you couldn’t see at night. So you couldn’t fly an airplane at night because where would you land. As they
began to haul the mail, what they began to do was to build bonfires every 50 miles or 100 miles, big old fires. Then a pilot could fly in the dark of night toward a fire and land. So you hauled the mail at night. Then when they decided they wanted something better, they put up light stations, lights into the sky. So the pilot would fly to the lights flashing into the sky.

Then they invented radar. Then you have ground-based radar so we can determine how an airplane is in the sky.

We can direct that airplane and put a light on the runway. All that changed air travel 24 hours a day, during the daylight hours but also at night. Ground-based radar was extraordinary. So if you get up in an airplane today, there is going to be a control tower somewhere. In your cockpit, you will have perhaps a transponder. Your cockpit from that airplane is going to send a signal. You have 125 people who are riding in your airplane and you are sending a signal that goes to a control tower and is on a screen. It is a little dot on the screen that blinks, and that is your airplane, except all that does is say: Here is where that airplane is right this nanosecond. But in the next nanosecond, it is somewhere else, especially if it is a jet. All we know is, at this moment, the airplane is here, and for the next 7 or 8 seconds, as the sweep goes around on the monitor, that airplane is somewhere else, perhaps 8 miles away, but the airplane is somewhere else. We know about where an airplane is based on ground-based radar. Because we don’t know exactly where it is, we space those airplanes for safety and have them fly certain routes for safety.

Contrast that ground-based radar with your child. Your child has a cell phone. If your child has the right cell phone at this moment—and there are cell phones with this technology—your child can track where your friends are or where you are. As you are riding in your car, you can see a signal that goes to a control tower and it gives you directions from it, so you know exactly where that vehicle is at every moment—if we do that for airplanes, we can have more direct routing from one city to another and less spacing between planes because we know exactly where they are. We save energy. We have less pollution in the air. We get there faster. It does all the things that are advantageous for everybody.

It is called NextGen, next-generation air traffic control modernization. We could have extended this bill for another 5 or 6 years. We want to go there soon. I have met with the Europeans and others.

Let me describe the circumstances of that crash. It was an evening flight in weather that was not so good, with icing conditions for an airplane. They were flying a propeller plane called a Dash 8. Colgan flight 3400, 2 pilots, 2 flight attendants, and 43 passengers lost their lives, and one person on the ground. It was a Bombardier Q400 airplane, operated by a captain and copilot.

What we discovered in reviewing the circumstances of that crash was quite extraordinary. The pilot had not slept in a bed the two previous nights. The copilot had not slept in a bed the night before the flight. That either the pilot or the copilot did anything other than stay in the crew lounge, and there is no bed there. For the pilot, it was two nights, no record of him sleeping in the bed. So you have two pilots who commuted long distances just to get to work without any evidence that they had a night’s sleep in a bed prior to the flight and were on the airplane.

If you read the transcript of the voice recorder, a series of problems existed in that cockpit. There was not a sterile cockpit below 10,000 feet, which is supposed to be the case. There was visiting about careers and a range of things as they were flying through icy conditions relative to that airplane.

The copilot, it is said, was a young woman who worked two jobs in order to make ends meet. The copilot was paid something in the neighborhood of between $20,000 and $30,000 a year, she had to commute across the country just to get to work. When they ran into icing conditions, there was a stick pusher that engaged, a stick shaker as well. It turns out there had not been adequate training with respect to the stick shaker. A whole series of things occurred with respect to that flight that raise lots of questions about training, about fatigue, a whole series of things.

As a result of that, just that case to try to understand what does this mean for others, what does it mean for regulations that are necessary. Randy Babbitt, new head of the FAA, someone for whom I have great respect, has just finished a rulemaking on fatigue. I believe the Office of Management and Budget, awaiting action by OMB—a step in the right direction, in my judgment.

This bill has another piece that needed to be done that we discovered as a result of this crash. The pilot, over the years, had failed a number of competency tests and then subsequently succeeded or passed those tests. But nonetheless, he had a number of failures. The airline that hired that pilot at the time did not know that the records were not transparent. The airline has since said, had we known that record of failures, that pilot would not have been hired by us. But they didn’t know. This legislation will correct that. When you are hiring a pilot, you will know the entire range of experience that pilot has had, including the tests and the passage or failure of certain competencies along the way. That is a very important provision in this piece of legislation.

Pilot training and experience is another issue we are talking about and working with. It is not an irrelevant issue. There is supposed to be one
standard and one level of safety with respect to airlines.

Regional carriers are now carrying 50 percent of the passengers in our country. They get on the airplane, and they see the airplane, and it is painted Continental blue on the back and United or Delta, but that may not be the company that is flying that airplane. It may be Pinnacle. It may be Mesaba. It may be any number of other regional carriers. The passenger doesn’t know. All the passenger sees is what is marked by that company on the fuselage. This legislation will also require information on the tickets of who is transporting that passenger.

There are a number of things this legislation does in the area of safety that are very important. We prohibit the personal use of wireless communication devices and laptop computers in the cockpit. We all remember the pilots who were flying to Minneapolis and flew well into Wisconsin, well past the city, down into the middle of the night, and didn’t know where they were, apparently. They indicated they were busy visiting or they were busy on their laptop computers. But whatever the circumstances, while it is, in many cases, an accident that they did not do it, there is no FAA requirement that personal use of wireless communication and laptops in the cockpit is prohibited. We do that.

We also require enhanced safety oversight of repair stations. That also is very important. The outsourcing of maintenance, repair, and overhaul work is now a routine practice. Much of it is outsourced in this country by the major carriers, and our legislation will require enhanced safety oversight and inspections with respect to that outsourcing.

So those are a few of the items that are included in the bill.

I should also point out this bill includes the passenger bill of rights, which I think is important. I have just mentioned a couple of the provisions, but one of them has gotten the most attention is to say: You have a requirement as an airline and you have a right as a passenger not to be stuck on an airplane for 6 hours, sitting out on a runway somewhere. This is a 3-hour requirement, as part of the passenger bill of rights. They are not going to be able to keep you on an airplane 5 or 6 hours, sitting on a runway, waiting the middle of a big storm. Three hours: back to the gate and allow the passengers to deplane.

We also have substantial amounts of airport improvement funding here. This authorizes the AIP. It streamlines what is called the passenger facility charge, the PFC. We provide greater flexibility of the use of the PFC.

We improve the airline service in small community service provisions. Some communities in this country rely on with the services called EAS, which is the way for them to get the services they were guaranteed when we deregulated in this country, which is, by the way, another subject for perhaps another day. Although I again say, as I have said on the floor previously, deregulation might have been a wonderful boon for those who live in very large cities and travel to other large cities. If you are, you are given a lot of opportunity. You are given many opportunities for different carriers and different pricing. I would bet if we left the floor at this moment and decided to go to one of these search engines to look for flights: Washington, DC to Los Angeles, in order to visit Mickey Mouse at Disneyland or we decided we will have two alternative tickets: We will purchase one from Washington, DC to Los Angeles to visit Mickey Mouse or we will go to Bismarck, ND, which is only half as far, to see the World’s Largest Holstein Cow sitting on a hill over New Salem, ND, called Salem Sue. So the choice: to get two tickets to see Mickey Mouse; or go half as far to see the World’s Largest Holstein Cow—I will bet the search engine on the computer will tell us we get to pay half as much to go twice as far, and yet twice as far.

So think of that. You get to pay half price to go double the miles or you get to pay twice the price to go half the miles.

Yet that is the kind of circumstance we have in our country today. The tickets are on the end of a spoke in a hub-and-spoke system, where there is little or no competition. So we are not addressing that. It was just therapeutic for me to talk about that again. We are not addressing the larger system that is addressed in this legislation together that avoids some significant difficulties.

The larger question is not addressed directly in this legislation. We address many of these issues, but we do not address the larger question of commuting.

I want to show, if I might, something Senator Rockefeller and I and others have used in the Commerce Committee. This map describes where the Colgan pilots commute from. But do you know what? The map could probably have been describing almost any regional airline or any trunk airline or major airline, for that matter.

Pilots live in one part of the country and work out of another part of the country. The fact is, with respect to this tragedy, the Colgan crash, I am convinced that matters. I am convinced that flying through difficult nighttime icy conditions—with two pilots, I do not want to do anything—by the night previous—I am convinced this kind of commuting has caused significant difficulties.

There was a Wall Street Journal piece that pretty much says it all. This was an veteran pilot describing the routine of commuter flights with short layovers in the middle of the night, which is pretty typical. He said:

Take a shower, brush your teeth, pretend you slept.

As something we have to pay some attention to. I am not suggesting today that you cannot commute. We do not in this legislation prohibit commutes. But I think these are instructive pieces.

As shown in this picture, this is what is called a crash pad. I was completely unaware of a crash pad until we began to hold these hearings. But this is a pilot watching a movie on his computer at a crash house in Sterling Heights, VA. They have up to 24 occupants at a time. They are designed to give flight crews from regional airlines a quiet place to sleep near their
base airports. Many cannot afford hotels so they use crash houses where the rent is $200 a month for a bed.

When I described the copilot of the Colgan tragedy—a copilot who is making $20,000 or $23,000 a year, traveling across the country all night long, if that copilot had traveled the day before, are they in a situation to be able to purchase a hotel room at an airport when they are making $20,000 or $23,000 a year?

In fact, I believe there is a substantial cargo operator that pays for hotel rooms for their pilots who come in the night before. I do not believe there is an airliner that does that. But I did not make the point during the Colgan discussion. I wanted to make the point that I think fatigue, commuting, and other issues, are serious and significant.

I know Administrator Babbitt believes as well that we need to continue to look at these issues. We need to visit with pilot organizations and others to understand how we might see if we can reduce some of the risks here. We have a safe system of air travel, to be sure. But the Colgan crash and all of the details and circumstances of it should remind us not everything is as it seems, and we need to take action from time to time to address some of those important issues.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3453 TO AMENDMENT NO. 3452

(Purpose: To reduce the deficit by establishing discretionary spending caps)

Mr. SESSIONS. Mr. President, I have an amendment, No. 3453, on the table, and ask that it be called up.

The PRESIDING OFFICER. The clerk will report.

The bill clerk reads as follows:

The Senator from Alabama [Mr. SESSIONS], for himself and Mrs. McCASKILL, proposes an amendment numbered 3453 to amendment No. 3452.

Mr. SESSIONS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is printed in today's RECORD under "Text of Amendments."

Mr. SESSIONS. Mr. President, briefly, I will call my colleagues' attention to this serious bipartisan effort with Senator McCASKILL of Missouri to contain our penchant in this body to violate or manipulate the budget and spend more money than we intend to spend. Sometimes we are our own worst enemies, and Members of both parties have been guilty of that.

I originally offered a very similar amendment that adopted the budget amounts passed by this Congress, our Democratic leadership, and would have made those amounts that we said would be our top spending amounts—the budget maximum. It would have set a statutory cap at those levels and say if we were going to violate those limits, it would take a two-thirds vote to do so.

A number of senators were concerned about it, but it received broad bipartisan support. When we voted, 56 people voted for it—48 should have the 50 necessary to be adopted. But I thought it was a positive step, and I know Senator McCASKILL felt it was, too.

I believe we can dispute how much we ought to spend, but one of the biggest dangers and problems the Senate confronts—and often fails to meet—is breaking our own budget. This amendment would have made it harder to break the budget, and 56 Senators voted for it.

Then we listened to our colleagues because people were saying: This year, Jeff, I believe we have to do some things that we may not have to do in the future—and that we do not want to do in the future—but this year our economy is in such a state that we can’t help it.

So Senator McCASKILL and I proposed another amendment that we voted on, which would have exempted this year and made it a shorter bill. We would remain under the normal budget rules, and therefore not be creating the power to block additional stimulus legislation a number of Senators were concerned about. Frankly, I felt that was a compromise we could make. I would have preferred to have had it apply to this year, but I understand that concern and we made that change. So 59 Senators voted for it—I short of the necessary vote to make it a part of the legislation.

So now, we listened again to some of the concerns we heard from our colleagues. Senator McCASKILL and I believe this bill, with the additional changes we made, will be the kind of legislation that could garner perhaps very broad bipartisan support and actually make it into law. It would significantly help us honor the budget process. It would send a positive message to the world markets and our financial world because some rightly think we have lost our spending controls and we are out of control here. We could send them a message that we have a budget out there that you may or may not like, but at least we are not going to bust it wide open and we will be more faithful to those limits. It would suggest less of a danger of massive deficits than we have had over the last 2 years.

What were the changes we made? Well, we exempted emergencies. In other words, some people felt we may need to pass emergency legislation and that a two-thirds vote—67 votes—is too much, and they would prefer to be able to pass emergencies by 60 votes. So we have acquiesced and put that in there.

If a Senator is proposing extraordinary spending, they would have to openly state that it was an emergency, advocate for that, and the current law would still be in effect then. It would only take 60 votes to declare an emergency.

We made another change, one that I kind of hate to do but I am not unwilling to do. We would exempt year 2014, so it would only be a 3-year statutory cap on spending. People said: Well, we don’t know what will happen in 2014. We may be in better financial condition. We won’t have to contain our spending to the budget levels we passed last year, and we could do it in that fashion. I think that is all right. I really accept that if it helps us get the votes necessary.

So now we have 3-year legislation that does not change the law with regard to what is an emergency. We would have the votes to do it, but I still think it would be a good deal harder to take basic spending levels and break the budget on those. Technically, you could declare an emergency spending with 60 votes could be an emergency, but I think most Senators have some conviction that we shouldn’t abuse the emergency spending level.

We will leave the emergency spending definition with the same number of votes, but the basic spending of our country needs to be within the budget caps. Remember, this is the level of spending a Democratic majority voted to pass last year. I voted against it. I thought it had too much spending in it, particularly last year. This year’s spending was also too much, but the outyears had pretty tight budgets with 1 or 2 percent spending increases. The Congress and the Senate voted for it, and I think if we live with that, we might surprise ourselves to see that it would create a positive impact on the size of our deficit.

I am confident we are moving in the right direction. Again, it is a statement to ourselves if we pass this legislation. It is also a statement to the world markets that we are going to be less likely to violate our budgets in the future and more likely to contain our spending increases to levels that are acceptable.

I would note one more thing: President Obama, in his State of the Union, announced a freeze over the next 3 years and he believe in discretionary spending accounts—which is what this essentially covers—we should actually have a freeze. I intend to support him on that. But this bill does not call for a freeze. It allows for a modest increase of 1 or 2 percent consistent with last year’s budget.

I will just say that we should and hopefully we will pass a budget this year that has a freeze in the discretionary accounts. But if we don’t or if people attempt to break it and go above it, at least we would have a stronger high ground from which to defend budget-busting legislation.
This is a bill that deserves bipartisan consideration, and I think it has gotten bipartisan consideration. I know 18 Democrats and every Republican voted for it last time. We have listened to the concerns of some of our Members, and we amended the legislation to be more amenable to those concerns. I hope we can pass it.

Let me say one thing that is an obvious matter of law. If 60 of my colleagues feel as though this is too restrictive, then they can pass a piece of legislation that wipes this out entirely from the books. It is mostly a self-imposed discipline. But it would be harder to pass legislation to wipe out the two-thirds vote level just because somebody has hard feelings that they didn’t get enough spending in this or that bill as part of the normal governmental process. So I think it would be an effective tool. But as a matter of power in the Senate, make no mistake, this is not a two-thirds rule. It would keep the Senate from doing anything. The Senate can pass legislation promptly to eliminate this statute any time we want to.

I believe it will work. It worked before. In the early 1980s, such legislation was amended and extended periodically, up through 2002. From sizable deficits in the early 1980s, the spending was contained to much lower levels than we have adopted in recent years and it resulted in a budget surplus at the end of 1983. I am also convinced a significant tool in the effective effort to contain spending and put our budget back in balance was the statutory limit on spending, consistent with what we voted for in a budget. That is what we are doing today. This is not new legislation, really, but we are fundamentally reestablishing the kind of legislation we previously had. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. DORGAN. Mr. President, let me just make a point. This is an authorization bill that is on the floor, the FAA reauthorization. We have waited a long time to get it here. We have had 11 extensions to get this bill to the floor. The Senator who offers the amendment certainly is allowed to offer it on this bill. Of course, his amendment would keep the Senate from doing anything. The Senate can pass legislation promptly to eliminate this statute any time we want to.

The Senator who offers the amendment certainly is allowed to offer it on this bill. Of course, his amendment really doesn’t relate to passing an FAA reauthorization bill, so I hope he will withdraw it, and do it on another moment on another piece of legislation because I fear that—at long last, trying to get an FAA reauthorization bill 3 years after it previously expired, with 11 different extensions, my hope is we can stay on the FAA reauthorization, have amendments that relate to this bill, debate them, and then vote on those amendments. That would be my hope.

I understand the Senator has a right to do that. Somebody could bring an amendment on abortion or on somebody wants to the floor of the Senate on an open authorization bill. The Senator has had two other opportunities to offer this, I hope he will find a third at some point.

The budget deficit is a very serious problem. We are on an unsustainable path. Let me give just a slightly different observation on the subject as long as I am on it. It is true that 10 years ago our country was running a budget surplus. It is true that 10 years ago we had a budget surplus. It is also the case that when President George W. Bush came to town, he said that, we have a budget surplus. Alan Greenspan is not going to sleep at night, he said, because he worried that the surplus was going to pay down the Federal debt too fast. He literally said that. He worried about paying down the Federal debt too fast, so we need to be a little careful about accruing these surpluses. So President Bush said: What we need to do is have a very large tax cut.

I stood here on this floor of the Senate and said: You know what, these are exactly what we should do and the next 10 years of projected surpluses don’t yet exist. They are simply projections. Let’s be a bit conservative. What if something happens?

They said: Katy, bar the door; we are going to do it anyway, and did it—very large tax cuts, very substantial reductions in Federal revenue. About 50 percent of the structural budget deficit at the moment is as a result of reducing the revenue base 10 years ago.

I said on the floor of the Senate: You know, let’s be a little conservative. What if something happens?

Well, guess what happened almost immediately. We passed the tax cuts— not with my vote—the majority of which, the bulk of which went to the wealthiest Americans. Very quickly, we discovered we were in a recession. Very quickly, there was an attack on our country on 9/11. Then we were in a war in Afghanistan, then a war in Iraq. We sent young men and women off to war and did not pay for one penny of it—not a penny. So we cut the revenue base very substantially. We experienced a recession, an attack against our country, engaged in two wars, sent men and women to other parts of the world to fight, and did not pay for a penny of it. We added it all to the debt and increased deficits.

I happen to think the Senator’s presentation that the deficit is very real. I agree with that. But in order to reduce these deficits—this is not rocket science—if we are going to send young men and women to Afghanistan to risk their lives, if they are going to get up this morning and put on body armor because they are going to face real live bullets, pay for every bit of it. Pay for it. Let’s ask the American people to sacrifice, not just the soldiers. We are going to cut spending? Then let’s really cut spending.

I offered an amendment on the floor and lost it. I said: Let’s cut TV Marti. I couldn’t get it passed. TV Marti broadcasts signals into Cuba, spends $4 billion broadcasting television signals into Cuba that the Cuban people can’t see. From 3 in the morning until 7 in the morning, we spend taxpayers’ dollars broadcasting television signals into Cuba that Cuba blocks and the Cuban people can’t see. We spent $4 billion spending. Is that not spending? I don’t understand that at all.

The prescription drug amendment I offered on the floor of the Senate would have saved the Federal Government $20 billion in spending, and I lost it.

Are we going to cut, do we have to cut, we have to cut real things. When those things come to the floor and we have an opportunity to really cut spending, let’s do that.

By the way, it is not just spending. We need to work on spending, and I have offered amendments to cut spending, but it is also the revenues. I hope the Senator would agree with me that when the richest—well, let me rephrase that. When the person in America in 2008 who made the highest income—$3.6 billion running a hedge fund—when that person pays the lowest income tax rate, would the Senator agree with me that perhaps we ought to increase that rate?

This person comes home, and his spouse says: Honey, how are we doing? He says: Well, pretty good—$3.6 billion. That is $300 million a month; that is $10 million a day. Honey, how are we doing?

Well, pretty good. I made $10 million. But guess what. I get to pay the lowest income tax rate in the country because I declare it as carried interest.

Do we want to plug that loophole and ask that person to pay the same income tax rate that the people who get up and go to work and then have to shower after work because they have dirt under their fingernails have to pay?

I declare it as carried interest. How about making those changes? I am for all of those things. I want to work with the Senator from Alabama and every other Senator who wants to do all of these things.

What happened at the start of this past decade is, somebody put sand in the gas tank and the car will not run and we are up in the engine department trying to figure out how the carburetor works.

This is not difficult. You are going to go to war, pay for it. You are going to cut spending, then take a look at the most egregious abuses and pay for those by cutting the spending.

Take a look at the history on this floor. We have been through a long, tortured decade of what I consider irresponsible fiscal policy.

I understand it is not the case where one side is all to blame and the other side not. I understand all that. But I also understand this: I was on this floor saying: Let’s pay for the cost of war. I did 20 hearings on the most egregious waste, fraud, and abuse in this country by contractors doing work in Iraq and Afghanistan. I spoke dozens of times on
this floor on those issues and could not get much support: cutting spending for contractors who were abusing the American people by sending contaminated water—more contaminated than raw water from the Euphrates River—to the military bases in Iraq for the soliders to go to the bathroom in; getting paid bonuses to do electrical work at the military camps in Iraq and Afghanistan that was so shoddy—done by third country nationals hired by our contractors—such shoddy electrical work; and a General went in to take a shower and he is electrocuted, killed in a shower. We paid bonuses to that contractor for that work. It is unbelievable to me.

We have a lot to answer for—all of us. Every single Member on the floor of this Senate has a lot to answer for. But we can work together on spending and asking those who are not paying their fair share of taxes—by the way, the President, when he gave his State of the Union Address in the House Chamber, said something I have had a vote on four times on the floor of the Senate and lost all four times. The President said: Let’s shut down the tax break that gives tax breaks to companies that shut down their American manufacturing plants, fire their workers, and move to China or some other foreign country. Do you know we do that?

We have tried to shut that down. We give a tax break. If you lock up your manufacturing plant, shut the plant, fire the worker, and move your manufacturing to China, we give you a big, fat tax break for doing it.

That is unbelievably ignorant. The President said in his State of the Union Address: Shut that down. I have been trying to shut that down for many years and have been unable to do it. It is not as if there are not candidates for some common sense and some sanity in fiscal policy to bring us back into some balance.

We need a revenue base that is a reasonable revenue base. We took a lot of that away about 9 years ago with a vote that I did not cast. Then we need to tighten our belt on spending and get rid of the things that do not work.

I know I have gone far afield, and the Senator from Alabama—I have not heard him gritting his teeth, but he probably is.

My point is this: He raises an important point—an unsustainable fiscal policy. This President inherited an economic wreck; there is no question about that. We are trying to get out of this. But you cannot look out 5 and 10 years and see what we see without understanding this is unsustainable and all of us have to work together to fix it—all of us. I am committed to doing that.

I say to the Senator from Alabama, I hope he will find another vehicle in the next few days on which to offer this amendment to—because Senator Rockefeller and I have put together this FAA reauthorization bill along with Senator Hutchison. We have worked very hard after so many years to finally get it to the floor of the Senate. We want to get this bill passed. Air safety, modernization—all of it—depends on us getting this legislation through the Senate soon.

I thank the Senator from Alabama for stating this position. I expect he will retract or respond. Again, these are all important issues, but we must get this FAA reauthorization bill done.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator Dorgan for his comments and the frustrations we all share. He comes at it from one party’s perspective, and I have my party’s perspective. We can argue these issues for a lot of time.

I have gotten to the point—and I think Senator McCaskill and a lot of Members of the body have as well—that we need to do something that might actually work. I say to Senator Rockefeller and Senator Dorgan we should go forward on this amendment is because the first time we had an amendment with 56 votes and bipartisan support. Then the last time it was 59. We made some more changes to primarily get into the Democrats’ and Republican colleagues that Senator McCaskill still believes could put us in a position to pass this legislation. It will make some difference.

I was at a townhall meeting. The questioner criticized me for something. I said: I wrote a letter about that to the Cabinet person and complained. He sat there and looked at me.

He said: You wrote a letter. Thank you a lot.

I didn’t have much to say. At some point we have to do something. I have made speeches. Senator Dorgan, one of the most eloquent—Members of this body, has made speeches. But we are not doing anything—Members are surging beyond limits. We have a possibility of passage here and that is why I think we should go forward. We have the possibility of reaching this agreement that for 3 years will place in statutory form the budget my Democratic colleagues and I, which is higher than what President Obama is saying we should spend. We could at least have that as a firewall. It would be difficult to go above those amounts, but it would not eliminate spending. We are surging beyond limits. We have a possibility of passage here and that is why I think we should go forward. We have the possibility of reaching this agreement that for 3 years will place in statutory form the budget my Democratic colleagues and I, which is higher than what President Obama is saying we should spend. We could at least have that as a firewall. It would be difficult to go above those amounts, but it would not eliminate spending.

One thing I would like to share with my colleagues is see Senator Dorgan is gone—about the allegations, which are not all wrong, that President Bush and Mr. Greenspan were insignificant concerned about deficit spending after we had a series of surpluses. But first, let me go back. One of the great political efforts in this Congress—and it has had some success and partisan success—is to give President Clinton credit for the balanced budget. Not a dime can be spent by any President that is not appropriated by the U.S. Congress.

Republicans took over the Congress in 1994 and shut down the government in a dispute with President over money he ought to spend. It caused a big controversy. But they fought and fought against spending. People were sleeping in their offices. But the budget got balanced for several years.

We slipped into a recession. We were in a war. As a matter of fact I heard Mr. Greenspan, in effect, say he believed the country could take on more debt. Senator Rockefeller probably remembers essentially that. He served on many of these committees.

He said: I think we can take on more debt.

What Mr. Greenspan and, I think, Mr. Bush did not realize was that once you start taking on more debt, it gets harder and harder to stop. We started a trend of taking on more debt as if it did not matter. Some people even said deficits don’t matter. Some Republicans said deficits don’t matter; we can handle it.

We got into a bad habit. Both parties got into that habit, and it is roaring away today with spending levels the likes of which we have never seen.

We passed a budget that I think has reality in it. I think if we hold to that budget, we might actually work. I say to Senator Rockefeller and Senator Dorgan. We should go forward. We have the possibility of making some more changes to primarily get into the Democrats’ and Republicans’ colleagues that Senator McCaskill still believes could put us in a position to pass this legislation. It will make some difference.

I ask forgiveness of my colleagues for trying to pursue a vote on this amendment. I say to my colleagues, if we get the 60 votes I think it will be an indication that it would not in any way burden the FAA bill. In fact, it might be attractive to some Members of this Senate to vote for the bill if this cap were in it. Some Members who might not otherwise vote for it. I don’t think it would damage the prospects of the bill’s passage. This amendment is building up with increased votes each time. We are near to success. I think it would be a great bipartisan statement of commitment to financial responsibility, and I think it is important to go forward.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise in support of the FAA reauthorization bill that has been put forward by Senator Rockefeller and Senator Hutchison. Both have worked hard on this legislation. I have worked on this legislation for a number of years as well.

My general aviation industry is centered in Wichita KS. It has had a lot of difficulty lately with markets and the recession, and problems overall, and it needs a bit of good news. That would be a bit of good news, having FAA reauthorization. This is an industry that is roughly $150 billion in size. It is located...
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primarily in the United States. It has created over 1.3 million jobs. It is key. It goes across a broad array of disciplines. It is a high-tech manufacturing business that we are very good at. This is something we need to have.

I am privileged of the NextGen technology for navigation and travel across the United States is in the bill. Also in the bill is maintaining inspection procedures that are important for the safety of aircraft, increased funding for essential air service for a State such as mine that has a disproportionate share of the general aviation industry; increased Federal support and provides increased Federal support for small airports.

I think it also important that this legislation does not include language imposing disproportionate and onerous user fees on the general aviation industry. This is something Senator Ron Johnson and I have been concerned about for some period of time, that the general aviation industry would get stuck with a disproportionate share of the funding for the overall FAA infrastructure. That is not in the bill. If it comes back when the House of Representatives in that in the bill, it is going to be something I am going to fight strongly against.

The bill is a good bipartisan bill. It has been worked out. It certainly is not perfect, but it is something that has been worked out over a period of time, over a series of years, over a lot of interests. It is the way we ought to legislate and move forward.

I say as a cautionary tale again to my colleagues that if the bill comes back with provisions from the House that are problems for this body, it is going to stop the bill and it then is not going to happen.

My urgings to my colleagues here and in the Senate would be, let’s keep with the primary design of what this bill has and not try to load it with other things that might be special projects for individuals who are going to kill the bill. I have concerns on any side, whether it is on my side or the other side, of provisions being added that would kill this bill that has been a hard fought, long legislative process for us to move forward. It is a bipartisan piece of legislation. It will create jobs. It will spur further development in our aviation sector, a sector that needs some help and support now. This bill does that.

I can see a lot of ways this bill could get damaged and hurt along the way. I am not opposed to putting amendments in that make sense, and that can continue to move the bill on through the legislative process. I am opposed to those amendments that would kill it and that would substantially harm it when this is something that has been worked on a lot of time, time through several committees to get it moving forward.

For those reasons, I support it. I support it as it is. I think we ought to move forward with it and move forward with it with some speed to help this critical industry in our country, to support safety in flying in this country, to support this legislation.

Mr. President, I yield the floor.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I would like to say a few words about the aviation trust fund reauthorization. I support the bill, and I strongly urge my colleagues to support it as well.

In addition to discussing the bill’s specifics, however, I would like to give some perspective about our current aviation system. Our current system relies on the use of radio detection and ranging—more commonly known as radar. Radar was once a tremendous leap forward; that is, it was a tremendous leap forward right before World War II. Let me take a couple moments to retrace the history of air traffic control, starting before radar.

Before about 1945, we followed prominent landmarks, such as rivers or railway lines, to navigate their routes. Naturally, bad weather and darkness made flying especially hazardous. In the 1920s, commercial night flights relied on transcontinental lighted airway. That is an impressive-sounding name. What was it? It was just a series of bonfires. Local farmers maintained those bonfires across many parts of America. Developing areas could use gas-fueled beacons.

In 1922, the first civil aviation midair collision happened in France. That collision created awareness of the need for some sort of air traffic control. I use the word “control” loosely. It took more than another 10 years before this country’s air traffic control center opened up in Newark, N.J., in 1935. The following year, additional centers went up in Chicago and Cleveland. Elsewhere, the United States was behind the curve, and we can see a sea change. A number of other countries had moved along years before, in the 1970s, is still funding radar. That is a technology that predates the Second World War. Some radar beacons are still located on the same sites as those early bonfire beacons.

NextGen, however, will enable planes to use global positioning systems to continuously transmit location, speed, and altitude to other planes, pilots, controllers, and the FAA. That will improve efficiency and safety. This is a sea change. A number of other countries have already invested in satellite tracking technology. This policy is far behind the curve, and we can make a difference that with the passage of this bill.

How do we pay for NextGen? The Finance Committee proposes the following:

In 2010, we set the tax for general aviation jet fuel at 36 cents a gallon. That is up from the current 21.9 cents a gallon. The general aviation community agreed to this proposal.

The aviation trust fund built on the success of the highway trust fund. The idea behind the aviation trust fund was for the system’s users to pay for its upkeep. Generally speaking, the aviation trust fund has managed to do that, to finance the needs of the air-traveling public.

The aviation trust fund receives about $12 billion a year in user-based taxes. Much of this funds travel into the Airport Improvement Program. The airports in my State of Montana rely heavily on it. The Department of Transportation has estimated that every billion dollars spent in Airport Improvement Program funding creates a average of 6,000 jobs throughout the U.S. economy.

But now we need to do more. Our system needs modernization. We need to improve safety and efficiency. We need to enable direct routes rather than fly along zigzag flight corridors, as we have since the transcontinental lighted airway, and we need to keep up with air traffic growth. Look at how bogged down our New York-New Jersey airspace already is.

We need Continuous Descent Arrival to reduce the amount of fuel that aircraft burn. This reduces both cost and air emissions. During a recent test in 2010, Delta Air Lines flew more than 60 gallons of fuel and cut carbon emissions by up to 1,250 pounds for every flight.

The Senate bill would fund the aviation trust fund for a little more than 3 years. Importantly, the bill would provide needed funds for the establishment of NextGen. NextGen is the Federal Aviation Administration’s plan to use satellite-based technology in order to modernize the Nation’s air traffic system. We need to invest in it in 2010 trust fund, established in the early 1970s, is still funding radar. That is a technology that predates the Second World War. Some radar beacons are still located on the same sites as those early bonfire beacons.

NextGen, however, will enable planes to use global positioning systems to continuously transmit location, speed, and altitude to other planes, pilots, controllers, and the FAA. That will improve efficiency and safety. This is a sea change. A number of other countries have already invested in satellite tracking technology. This policy is far behind the curve, and we can make a difference that with the passage of this bill.

How do we pay for NextGen? The Finance Committee proposes the following:

In 2010, we set the tax for general aviation jet fuel at 36 cents a gallon. That is up from the current 21.9 cents a gallon. The general aviation community agreed to this proposal.

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How do we pay for NextGen? The Finance Committee proposes the following:

In 2010, we set the tax for general aviation jet fuel at 36 cents a gallon. That is up from the current 21.9 cents a gallon. The general aviation community agreed to this proposal.
Second, we treat fractional aircraft; that is, partially owned planes; as general aviation rather than commercial carriers. Owners of fractional aircraft believe this change will preserve their ability to fly and land in Europe. All told, the bill nearly adds an additional $380 million to get NextGen started. More will be needed, especially given the rapid state of technological change. I know that both the Finance Committee and the Commerce Committee plan to monitor NextGen's implementation.

We will have a pretty good debate this week. I look forward to it. But first I wish to thank my colleagues, especially Senator Rockefeller, for his willingness to seek common ground. We have worked together on this for a long time—actually, for several years. In fact, we had an agreement a couple years ago, but due to an extraneous event, it was unable to be realized.

Senator Rockefeller has written a very strong FAA reauthorization. I especially appreciate his continued support for the Essential Air Service Program, a program that matters a great deal to my constituents in eastern Montana.

So let us adopt NextGen to improve safety and improve efficiency. Let us reauthorize the aviation trust fund. It is time to bring American air travel into the 21st century.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

I am permitting an open debate on the motion to order, but it is so ordered.

AMENDMENT NO. 3456 TO AMENDMENT NO. 3452

(Purpose: To reauthorize the DC Opportunity Scholarship Program, and for other purposes)

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

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

THE PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senate from Connecticut [Mr. LIEBERMAN], for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. SYED, Mr. LIEBERMAN, and Mr. VOINOVICH, proposes an amendment numbered 3456 to amendment No. 3452.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent to call up amendment 3456.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. SYED, Mr. LIEBERMAN, and Mr. VOINOVICH, proposes an amendment numbered 3456 to amendment No. 3452.

Mr. LIEBERMAN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. LIEBERMAN. Mr. President, I introduced this amendment with a bipartisan group of cosponsors, Senators Collins, Byrd of West Virginia, FEINSTEIN of California, VOINOVICH of Ohio, and ENSEN of Nevada.

Its purpose is to reauthorize—in fact, to save—the Opportunity Scholarship Program or OSP for students here in the District of Columbia.

We are introducing our amendment to this legislation, and I use the word 'introduce' because the book is yet to be written on how Congress will respond to a request by Congress, there is a reasonable probability that the OSP Program, the scholarship program, will not just be limited to the number of students who are in it now—and, in fact, there have not been any new students admitted in the last 2 years—despite our efforts.

As I explained here on the floor of the Senate yesterday, the current administrator has advised Secretary Duncan that it will no longer—the administrator being a corporation, an entity—that it will no longer administer the program without a reauthorization.

No other entity has yet expressed a willingness to take over, given the constraints imposed by Congress. So despite President Obama's intent, stated in his budget message, to continue this program, admittedly only for those 1,300-plus students currently participating in it, it appears that even that will become impossible.

I think that would be a tragic result. This program has been a lifeline for students in failing schools in the District of Columbia, a scholarship to go to private or faith-based schools where, by all accounts, they are receiving a much better education and being given the talents with which they can make something much greater of their lives.

We first offered our amendment to the American Workers, State, and Business Relief Act, which was passed earlier today. I was proud to support that measure. It is good for the economy, good for people hurting in our economy, good for businesses hurting in the economy. Unfortunately, we were not able to get a vote on this amendment on that bill. As promised, we will be here another attempt to get a vote in the Senate on this issue. It is time sensitive. It is urgent. The life of this program hangs in the balance and, in a very real way, the future of these 1,300-plus children in the District who are benefiting from the program.

The truth is, the FAA reauthorization bill has been referred to as a jobs initiative. I believe it is. What is more important to getting a good job than getting a good education? That is what this bill is all about.

Achievement gaps in our schools, including our schools in the District of Columbia, have a profound impact on the quality of our workforce and on the future of our economy and, in a classically, characteristically American sense, focusing on the individual children who, by twists of fate, have ended up in schools that are not adequately preparing them. I will have more to say about this, but these are schools that I am convinced are not failing schools but, under characteristics, standards created by the Federal Government under the No Child Left Behind Act, are designated as failing schools. The OSP provides these low-income students in the District with a chance at a better education.

Dollar for dollar, this program accomplishes this goal at a very low cost. How many of the 1,300 children in the District of Columbia for several years in my capacity as a ranking member and now chair of the Homeland Security and Governmental Affairs Committee because of the committee's traditional jurisdiction in its governmental affairs aspect over and regarding the District of Columbia, our Nation's Capital.

Last year our committee held a hearing on the Opportunity Scholarship Program and heard testimony from students in the program and their parents. It was evident from their testimony that this program has served as a lifeline to many students who otherwise would have been assigned to schools in which they would not have received a good education, as designated by No Child Left Behind.

One parent whose annual income is only $12,200 testified that she had sought an opportunity scholarship, a voucher for her 5-year-old son after her 17-year-old nephew was shot and killed at the Ballou High School. Her son since has thrived in the Opportunity Scholarship Program, loves his school and his teachers, is part of the reading and debate club, and now wants to be a doctor. His hopes have been fortified and elevated, and his achievement has been remarkably improved. This mother believes that none of this would have happened had her son been forced to stay in the school he was in in the DCPS Public School System.

Another young man, Ronald Hollassie, started in the Opportunity Scholarship Program in sixth grade. He is now a high school student. He told the committee the DC Opportunity Scholarship Program "has changed my life."

Then he said:

No one should take away my future and dreams of becoming a successful young man. I am a member of the Opportunity Scholarship Program and would take the money for the other 1,700 children in this program.

Now, because of the failure of Congress to support the program over the last couple of years or fill the spots opened by graduation, it is down to 1,300 children. Ronald Hollassie became the deputy youth outreach manager for legislative affairs of the District of Columbia and is now applying to college. What he says was right. This program provides a quality education to economically disadvantaged students at half the price of educating students in the Public Schools.

Our committee also heard from Tiffany Dunston. She told us:
Receiving a scholarship was a blessing for my family and put me on the path to success. I grew up in a neighborhood with a lot of poverty and crime. And there were such low expectations in my neighborhood schools. I would watch kids hanging out in the streets and not going to school. . . . My motivation to get the best education possible was as strong as it was for James, who was shot and killed at 17. I am always thinking of what he could have done. . . . With the help of a scholarship my dream [has been] realized.

Those are very moving testimonies, personal anecdotes, affirmations of the worth of the program. But has there been an independent professional evaluation of the program? Yes, there has. Required by Congress, the person chosen to carry out that program is a man named Patrick Wolf, Dr. Patrick Wolf, the principal investigator of the valuation conducted by the U.S. Department of Education’s Institute of Education Sciences. This is a report required by Congress, carried out by an institute under the U.S. Department of Education.

Dr. Patrick Wolf testified that the Opportunity Scholarship Program has had a statistically significant, positive effect on the scores of students in reading in this program. I know some of the critics of the program, some of the opponents have downplayed these results. However, the fact is, as I have learned, most education innovation programs actually fail to show any significant gains, certainly in the first few years.

Dr. Wolf has said when compared to other similarly studied education innovations throughout our country—not talking about the the District of Columbia—"the reading impact of the DC voucher program is the largest achievement impact yet reported." He went on, the principal independent investigator, to say:

The DC voucher program has proven to be the most effective education policy evaluated by the federal government’s official research arm so far.

So why stop it? Why terminate it? Certainly not based on this independent evaluation, certainly not based on the testimony our committee and others have heard from the parents and students involved. The reasons I leave to others, but I fear it is because of the opposition of teachers groups and others who don’t want this kind of competition.

In sum, Dr. Wolf’s study used the gold standard of research methodology and found that the Opportunity Scholarship Program is getting very impressive results. Those who oppose OSP argue in part that vouchers take away funds from the public schools in the District. This is simply false. When it was adopted in Congress, to overcome the argument that it would take money away from the public schools, this program did exactly the opposite. We must want to give every vote to pass the program that whatever amount of money was given for the OPS, the so-called voucher program in the District of Columbia, exactly that amount of money would be added, not subtracted, to the public school budget of the District of Columbia. They otherwise would not have received that money for the public schools.

Incidentally, a similar amount was appropriated for charter schools in Washington. Why? Because there is no one answer at this moment to the challenge to give every child endowed by his Creator with the right to life, liberty, and the pursuit of happiness which, in our time, is very much equated with the right to an equal education. The fact is, previous Congresses have been prepared to support three of these four ways because they were focused not on a single method of educating our children but on benefiting each and every one of our children.

I strongly support Dr. Wolf’s assertion that funds from the public schools in the District. This is simply false. When it was adopted in Congress, to overcome the argument that it would take money away from the public schools, this program did exactly the opposite. We must want to give every vote to pass the program that whatever amount of money was given for the OPS, the so-called voucher program in the District of Columbia, exactly that amount of money would be added, not subtracted, to the public school budget of the District of Columbia. They otherwise would not have received that money for the public schools.

Our amendment also continues to ask for a rigorous evaluation of the merits of the program. At the end of the 5 years, we will have better information on both the effectiveness of this scholarship voucher model and the reform effort in the DC Public Schools. I want to suggest to my colleagues, at the end of this 5-year period, we can determine whether we want to continue to provide Federal support for the opportunity scholarship, school choice programs based on conditions at that time.
who want as much as any child in this country to live a life of success and self-sufficiency and deserve that right as much as any other child in the country.

So I ask my colleagues to consider what is best for our own children. All of us have the resources to essentially exercise school choice, and that is precisely what many of us do because we want the best for our children. But there are many parents around America—in this case, particularly who live in our Nation’s Capital, the place where we work—who have much more limited resources and also want the best for their children. They want to make a choice, which the Opportunity Scholarship Program allows them to make. So I appeal to my colleagues to take up this amendment. Let’s have a vote on it, and let’s act favorably on it to preserve this lifeline for a gifted and hopeful group of children in our Nation’s Capital.

I thank the Chair and yield the floor. The PRESIDING OFFICER (Mr. BECHTEL). The Senator from West Virginia.

MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Maine.

Ms. SNOWE. Mr. President, I ask unanimous consent for 10 additional minutes in morning business.

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

Ms. SNOWE. Thank you, Mr. President.

(The remarks of Ms. SNOWE pertaining to the introduction of S. 3103 are printed in today’s Record under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from North Dakota.

TAX LOOPHOLES

Mr. DORGAN. Mr. President, earlier today we passed some legislation in the Senate that is important and will create jobs in our country, and I filed an amendment that was not considered. I know that was the case with many amendments on the bill. One of the amendments I filed that was never considered, unfortunately, and I hope will be considered in the future deals with the recommendation the President made during his State of the Union Address.

In the State of the Union Address, the President spoke about jobs and said one of the things we ought to do to try to preserve and create jobs in our country is to shut down or eliminate the tax loophole that rewards companies for moving jobs overseas. The President specifically asked in his State of the Union Address for the Congress to eliminate that tax loophole. I have tried to eliminate that loophole I think on four different occasions on the floor of the Senate. We have had four votes. On each occasion, I have failed.

One might ask, well, how on Earth can you fail on an amendment such as that? Well, there are a lot of big companies and groups in this town—the Chamber of Commerce is an example—that like that loophole and want it retained, and they fight very hard to keep the loophole.

Here is what we have. We actually do have a circumstance where if you are on one side of a street corner and you have a competitor on the other side of the street making the identical product you do, earning the identical income you earn, and you decide you are going to move your plant to China, fire your workers, put a padlock on the front door of your manufacturing plant and punch in a new number on the line between you and the person across the street that you used to compete with and still do is that you now have lower labor costs but you also have a tax break given to you by the Federal Government. It is a $133 billion tax break, and regrettably it does. The President’s call to eliminate the tax break is very important, and we ought to heed that call.

I filed an amendment on the last bill, the one that passed today. I did not get a vote on it. I intend to file it again on other pieces of legislation because this Congress, at a time when so many millions of people get up in the morning and put on their clothes and go out looking for work and cannot find work, this Congress has a responsibility to deal with this issue.

Think of this issue of trying to find jobs that are necessary to put 17 million people back to work as trying to fill a bathtub. We are working on a faucet to incentivize and create new jobs, but the drain is wide open, the drain of existing jobs going overseas; in fact, going overseas in search of cheap labor because this country actually rewards you if you move your jobs overseas. This is Hershey’s chocolate. Many people have eaten York Peppermint Patties. York Peppermint Patties were made in a Pennsylvania plant but no longer. It is now Mexican food. This is a famous salt plant in Monterey, Mexico, now making York Peppermint Patties. On its Web site, Hershey’s says:

That cool refreshing taste of mint, dipped in dark chocolate will take you miles away. Apparently meaning even Mexico. So an American brand goes south. That is not terribly unusual.

Hallmark Cards: “When you care enough to send the very best.” It is a privately held Kansas City company. It has been around 100 years. It was founded by a high school dropout who started the company in 1910 with a shoe box of postcards he sold while living out of a YMCA. It is an unbelievable success story, Hallmark Cards. The company became far and away the most successful greeting card company in America, with a reputation of treating its workers fairly—a very good company.

But under current management, with annual revenues over $4 billion, they started to move jobs from Kansas City to three plants in China. It moved thousands of jobs overseas, though it is not required to disclose the specific numbers.

All of the food and products on the mind of a card do you send to a Hallmark worker whose job is now in China? The very best? We have a right in this country to be concerned about that.

I have talked at length about Radio Flyer, the little red wagon, gone from Illinois to China; Huffy bicycle gone from Ohio to China. I spoke about those at length. But there are new ones as well.

Whirlpool. At a time when we are losing many jobs because of the deep recession, Whirlpool announced last year it was shutting down a 1,100-worker factory in Evansville, IN, and moving the work to a factory in Mexico. Whirlpool made this decision even though the company was allocated a $33 million grant by the U.S. Department of Energy as part of the Recovery Act to develop “smart appliances.”

By the way, this is a picture of a Whirlpool worker walking out of his place of employment on the last day. One can wonder what was going through his mind as he understood he was going to have to tell his family he is now out of work. His job still exists, but it exists in a foreign country.

This is Natalie. Natalie worked for Whirlpool. She is 42 years old. She worked at the Whirlpool appliance plant in Evansville for 19 years and in November of last year was told her job is moving to Mexico; $17 an hour was too much to pay, and you can get cheaper labor elsewhere. She described that plant closing “like a punch in the gut.” You can imagine what it is like.

I am told local workers and local officials did everything they could to try to keep that Whirlpool plant in Evansville, IN, but they were unsuccessful.

We do see a lot of people wearing football jerseys. This is a Reebok Peyton Manning jersey. My guess is they are for employees of companies that do not have a better quarterback in professional football. He is quite an extraordinary football player.

Reebok makes this jersey. This jersey is made in El Salvador by a Chinese-owned company. This jersey is made for $80 in the United States and workers are paid 10 cents for the work they do in El Salvador to make it.

Let me say that again. The workers get 10 cents, one thin dime, and the customers pay $80 for the Peyton Manning Reebok football jersey. Here is a photograph that shows the conditions of a sweatshop in El Salvador owned by the Chinese. According
to the National Labor Committee that investigates these things, workers are forced to put in 12 to 15 hours of unpaid overtime each week. They earn wages that are 77 percent lower than the basic subsistence wage for the region. This is the photograph of the home of a worker in the Chongqing sweatshops. You can see the repressive poverty that exists there, and they get a dime for a jersey the company is paid $300 for on the store shelf in the United States.

La-Z-Boy chairs announced it would eliminate 1,050 employees in Dayton, OH, and move production plants to Mexico. I have spoken about La-Z-Boy previously. A few days ago when I talked about jobs, I talked about how La-Z-Boy went to Pennsylvania and bought Pennsylvania House Furniture. Pennsylvania House Furniture is a high-end furniture company, using special Pennsylvania wood to make terrific furniture. They had great craftsmen that competed with La-Z-Boy bought the company. They did not want to have competition for La-Z-Boy in the country, so they moved Pennsylvania House Furniture to China and shipped the Pennsylvania wood, the furniture together, and shipped the furniture back to the United States.

On the last day of work at the Pennsylvania House Factory, a company that had been around for 100 years, on the 3rd of March, the plant was open, all those craftsmen who were proud of their jobs and proud of their work, when the last piece of Pennsylvania House Furniture came off the assembly line, they turned it over, and on the bottom of that last piece of furniture, every single worker at that plant came over and took the pen and signed their name. Somebody in this country has a piece of furniture that they do not quite understand. It has, on its bottom, the signature of craftsmen who worked for a company for 100 years making fine furniture in America. They wanted to do that because they wanted to sign their name to a quality piece of furniture made by an American worker who was proud of their job.

La-Z-Boy chairs sent Pennsylvania House Furniture to China. Now we understand La-Z-Boy furniture has announced it will eliminate 1,050 jobs in Dayton, OH, and move the production to a plant in Mexico. They moved other jobs to China. I have spoken previously. A few days ago when I talked about jobs, I talked about how La-Z-Boy went to Pennsylvania and bought Pennsylvania House Furniture. Pennsylvania House Furniture is a high-end furniture company, using special Pennsylvania wood to make terrific furniture. They had great craftsmen that competed with La-Z-Boy bought the company. They did not want to have competition for La-Z-Boy in the country, so they moved Pennsylvania House Furniture to China and shipped the Pennsylvania wood, the furniture together, and shipped the furniture back to the United States.

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made possible by millions of dollars, and who use them to shape public opinion, must lead responsibly and constructively.

Walter Dellinger, a distinguished attorney with a long record of public service, tells from personal experience the story of one attorney who is being smeared in these attacks. The glimpse he offers into this issue is so clear and compelling that I will have printed in the RECORD the full text of his piece, which appeared in the Washington Post on March 9.

This attack is not about transparency, nor about some purported conflict of interest. The Department of Justice set that canard to rest with its February 18 letter. This is about a partisan and personal attack. Many of the forces that have been defending John Yoo and other Bush-Cheney administration lawyers are the very ones seeking to smear these Justice Department attorneys. It is shameful. These Americans did what they are supposed to do, and what American lawyers have always done—provide legal counsel no matter what the charge or how unpopular the person. That is what John Adams did when he defended the British. This dedication deserves thanks, not reproach. The military and civilian lawyers who have previously accepted the difficult task of providing representation to individuals who have been detained by the United States in terrorism cases did no wrong and do not deserve this attack. A video that Ted Starr, lawyers from the Reagan and Bush administrations, know that and agree. It is saddening and wrong that shallow partisan operatives would sink so low.

I ask unanimous consent that copies of the Justice Department letter and articles and editorials be printed in the RECORD.

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

[From the Washington Post, Mar. 9, 2010]

**AL-QAEDA 7 SMEAR CAMPAIGN IS AN ASSAULT ON AMERICAN VALUES**

(By Eugene Robinson)

The word “McCarthyism” is overused, but in this case it’s mild. Liz Cheney, the former vice president’s ambitious daughter, has in her hand a list of Justice Department lawyers whose “values” she has the gall to question. She ought to spend the time examining her own, then find out what she can find out about them.

A group that Liz Cheney co-chairs, called Keep America Safe, has spent the past two weeks viciously attacking the Justice Department officials they accuse of “pro- or advocated for terrorist detainees” before joining the administration. In other words, they did what lawyers are supposed to do in this country: ensure that even the most unpopular defendants have adequate legal representation and that the government obeys the law.

Liz Cheney is not ignorant, and neither are the other co-chairs of her group, advocate Debra Burlingame and pundit William Kristol, who writes a monthly column for The Washington Post. They know as well as John Adams’ representation of the British soldiers charged in the Boston Massacre”—in other words, older than the nation itself.

That quote is from a letter by a group of conservative attorneys charging that several former high-ranking officials of the Bush-Cheney administration, legal scholars who have supported draconian detention and interrogations—counsel to President Bush, Lieutenant Colonel John W. Stob—has blasted the “shameful series of attacks” in which Liz Cheney has been the principal mouthpiece. Among the signers are prominent law firm attorneys who were deputy attorney general under John Ashcroft; Peter Keisler, who was acting attorney general for a time during George W. Bush’s second term; and John Yoo, the associate deputy attorney general who authored the White House counsel during Bush’s first term.

“To suggest that the Justice Department should not employ talented lawyers who have advocated on behalf of detainees maligns the patriotism of people who have taken honorable positions on contested questions,” the letter states.

But maligning is apparently the whole point of the exercise. The smear campaign by Cheney, Yoo, and their friends with keep America safe. It can only be an attempt to inflict political damage on the Obama administration by portraying the Justice Department as soft on terrorism. The most prominent of the nine Justice officials, Principal Deputy Solicitor General Neal Katyal, represented Osama bin Laden’s driver, Salim Hamdan, in a case that went to the Supreme Court. The court sided with Hamdan and ruled that the Bush administration’s military tribunals were unconstitutional. Are Liz Cheney and her pals angry that Katyal was right? Or do they also question the “values” and patriotism of the five justices who voted with the majority?

The letter from the conservative lawyers points out that “in terrorism detentions and trials alike, defense lawyers are playing, and will continue to play, a key role.” It notes that when detainees tried in civilian or military courts, they will have access to counsel—and that Guantanamo inmates, even if they do not face formal charges, have a right to a review of their detention. It is the federal courts—not defense lawyers—that have made all of this crystal clear. If Cheney and her group object, they should prepare a blanket denunciation of the federal judiciary. Or maybe what they really don’t like is that pesky old Constitution, with all its checks, balances, and guarantees of due process. How inconvenient to live in a country that respects the rule of law.

But there is one more thing seriously.

This is really part of a death-by-a-thousand-cuts strategy to wound President Obama politically. The charge of softness on terrorism—or terrorist suspects—is absurd; Obama has brought far more resources and focus to the war against al-Qaeda in Afghanistan than the Bush-Cheney administration cared to summon. Since Obama’s opponents can’t attack him on substance, they resort to atmospherics. They distort. They insinuate. They sully. They blow smoke.

This time, obviously, they went too far. But the next Big Lie is probably already in the works. Scourged-earth groups like Keep America Safe, running Liz Cheney, daughter of former Vice President Dick Cheney, and William Kristol, a conservative activist (who wrote a Times Op-Ed column in 2008). The group recently published a video that went all the way to the Supreme Court. Ms. Cheney conveniently omitted a letter that the Constitution was defended. The most prominent of the nine Justice officials, Principal Deputy Solicitor General Neal Katyal, represented Osama bin Laden’s driver. Let’s do that.

Mr. Hamdan was the subject of a legal battle that went all the way to the Supreme Court. Ms. Cheney conveniently omitted that the court ruled that the military commissions system being used to try detainees like him was illegal. Republican senators then sponsored legislation to fix the tribunals. They did not do the job well, but the issue might never have arisen without the lawyers who argued on behalf of Mr. Hamdan, some of whom were military uniformed.

In order to attack the government lawyers, Ms. Cheney and other critics have to twist the role of lawyers in the justice system. In requiring that the Bush administration’s military tribunals, they were in no way advocating for terrorism. They were ensuring that deeply disliked individual were able to make their case in court, even one charged with terrorism—and that the Constitution was defended.

It is not the first time that the right has tried to obstruct American justice. In reaction to the real issues surrounding detention policy by attacking lawyers. Charles Stimson, the deputy assistant secretary of defense for detainee affairs under George W. Bush, urged corporations not to do business with leading law firms that were defending Guantánamo detainees. He resigned soon after that.

Lawyers with the ideological causes are demonized with impunity, it will be difficult for unpopular people to get legal representation—and constitutional rights are being undermined from within.

These voices—often heard on Fox News—are going after Justice Department lawyers who represented Guantánamo detainees even if some of them make mistakes. It is not nearly enough to say that these lawyers did nothing wrong. In fact, they upheld the highest standards of their profession and advanced the cause of democratic justice. The Justice Department is right to stand up to this ugly bullying.

Senator Charles Grassley, Republican of Iowa, has been pressing Attorney General Eric Holder Jr. since November to reveal the names of lawyers on his staff who have done legal work for Guantanamo detainees. The Justice Department said last month that there were nine political appointees who had represented the detainees in challenges to their confinement. They were following all of the relevant conflict-of-interest rules. It later confirmed their names when Fox News figured out who they were.

It did not take long for the lawyers to become a conservative target, branded the “Gitmo 9” by a group called Keep America Safe, run by Liz Cheney, daughter of former Vice President Dick Cheney, and William Kristol, a conservative activist (who wrote a Times Op-Ed column in 2008). The group released a video that was all the way to the Supreme Court. Ms. Cheney conveniently omitted what the court ruled that the military commissions system being used to try detainees like him was illegal. Republican senators then sponsored legislation to fix the tribunals. They did not do the job well, but the issue might never have arisen without the lawyers who argued on behalf of Mr. Hamdan, some of whom were military uniformed.

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That is a high price to pay for scoring cheap political points.
[From the Washington Post, Mar. 5, 2010]

A SHAMEFUL ATTACK ON THE U.S. LEGAL SYSTEM

(By Walter Dellinger)

It never occurred to me on the day that Defender General Rehband Snyder and Lt. Cmrd. William Kuebler of the Navy appeared in my law firm’s offices to ask for our assistance in carrying out their duties as military defense lawyers that the young lawyer who worked with me on that matter would be publicly attacked for having done so. And yet this week that lawyer and eight other members of our firm’s military defense attorney team were attacked in a video released by a group called Keep America Safe (whose board members include William Kristol and Elizabeth Cheney) which provided legal assistance to detainees before joining the department. The video questions their loyalty to the United States, asking: “DOJ: Department of Jihad?” and “Who are theseoverview officials? . . . Whose values do they share?”

Here, in brief, is the story of one of those lawyers.

In June 2007, I was at a federal judicial conference when I received an urgent message to call the Defense Department. The caller was Capt. Kuebler, a uniformed Navy officer who had been detailed to the Office of Military Commissions. As part of his military duties, he had been assigned to represent Omar Khadr, a Guantánamo detainee who was to be tried before a military commission. Kuebler told me that the U.S. Supreme Court had agreed that he should review the case of another detainee who had been a part of the same lower court proceeding as Khadr. Because Kuebler’s client had not been in the courtroom at the Supreme Court, this situation raised some complex questions of court practice with which Kuebler was unfamiliar. Kuebler’s military superior suggested he ask whether I could assist him in analyzing the applicable Supreme Court rule.

It was a Friday night. I called Karl Thompson, a lawyer at my firm who had previously been a Supreme Court law clerk, and asked whether he could look into the question over the weekend. I told Thompson that the military lawyers assigned to these cases had a very burdensome workload and that it seemed that Kuebler could really use our help. Thompson was busy with other work at the firm, he said, he would somehow find time for this as well.

Over the next several months, Thompson (in addition to his work for Kuebler) provided assistance to Kuebler and his Defense Department colleague in their briefs before the Supreme Court and, in Khadr’s case, the lower courts. Khadr’s case raises important questions, including the legal status of juvenile detainees (he was 15 years old at the time of this separate proceeding) which he’s just returned. “I’m not the kind of guy who gets up every morning and says, ‘What do I need to take the unusual step of laying off another 50, or so.’” Kuebler

That those in question would have their patriotism, loyalty and values attacked by reputable public figures such as Elizabeth Cheney and journalists such as Kristol is as depressing as it is surprising. I have written on this subject in many ways for years. What has become of our civic life in America? The only word that can do justice to the personal attacks on these fine lawyers is the phrase “the sanctity of our legal system.”

TRIBUTE TO JAKE BURTON

Mr. LEAHY. Mr. President, I am pleased to have the opportunity to honor a dear friend and true entrepreneur, Jake Burton. As founder and owner of Burton Snowboards, a company whose name has become synonymous with the successes of this popular winter sport, Jake Burton has built an empire from the ground up starting, first in his Londonderry, VT, garage. His is a true tale of perseverance and triumph over obstacles great and small; where others saw only insurmountable challenges, Jake saw possibility.

As a young man starting out with a vision, Jake sought to sell the world on traditional Vermont fashion, paying personal visits to ski areas hesitant to embrace snowboarding. To this day, Jake makes a point of personally testing each of his products on the slopes before putting them on the market. His commitment to quality and his investment in his employees continues to pay off. Jake recognizes the value of a homegrown company and takes nothing for granted. His competitive edge and style set him apart from the others in his line of work and serve him well as he continues to define the future of snowboarding. Marcelle and I have been fortunate to call Jake and his wife Donna our friends for many years. They are admirable Vermonters and exemplify of how the pursuit of a dream through honest hard work is still the cornerstone of American business.

On February 15, 2010, the Burlington Free Press published an article entitled “Jake Burton: Chairman of the (snow)board.” In the article, Mr. Burton was quoted as saying the following:

“This is Jake Burton’s life—a major cool one.

As the founder, cultural guru and chief prankster of the world’s largest snowboard company—and the guy who almost single-handedly turned snowboarding into a multi-billion dollar industry to do as he pleases—Jake Burton’s style seems to be more money selling apparel, often to folks who’ve never been on a board, than it makes snowboard sales.

But the Olympic participation is more about image than sales, because the Games come at the tail of the season. “The timing of our trade shows is awkward,” he says. “We’re not affecting consumer buying in mid-February, when people who go gaga over the team’s tattered-blue-jean look won’t be able to buy it.”

It would not be our style to sell Olympic uniforms,” Burton said. “We, as a company, are about utility.”

What Burton, the company, is about is “cool.” While the company is as synonymous with the winter sports lifestyle as it is with its innovations, Burton is part of the American business culture, and that culture is defined by what can be achieved through honest hard work. More and more, people are learning that the cornerstone of American business is the pursuit of a dream through honest hard work, and that is still the cornerstone of American business.

With the Winter Olympics under way in Vancouver, Burton will be a star of the Olympic snowboarding scene, which looks like a pair of ripped blue jeans and a loose flannel shirt. Not necessarily what buttoned-up Olympic officials had in mind. The outfit has a more resort-appropriate flavor. “It’s not patriotic, you should throw everyone wearing blue jeans and flannel shoveling snow out of the course.”

Still, the ride has been bumpy lately in snowboardland. The sport of free spirits is under greater scrutiny since 22-year-old Kevin Pearce, one of its stars and a Burton rider, was almost killed in an accident while training for the Olympics.

As with the March 5th, 2010, Congressional Record — Senate Edition, S1355

March 10, 2010

CONGRESSIONAL RECORD — SENATE

[From the Burlington Free Press, Feb. 15, 2010]

JAKE BURTON: CHAIRMAN OF THE (SNOW)BOARD

(By Bruce Horovitz, USA Today)

His office has no desk. No inbox. Not even a wastebasket.

But it has a sprawling wooden table for mounting bindings onto snowboards, a sofa the size of a small living room and a golden retriever named Maia, who’s made the company’s product design training for the Olympics.

This is Jake Burton’s life—a major cool one.

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with snowboarding as Kleenez is with tissue, the hard part is staying cool. It helps, Bur-
ton said, that Burton Snowboards’ decisions aren’t dictated by Wall Street, “but are made by a guy and his family who snowboard 100 days a year.”

His leadership style includes traits such as: He can’t stand losing. Terje Haakonsen, a Burton snowboarder recently regarded as the world’s top snowboarder, says Burton constantly challenges him at everything from snowboarding to swimming. “Jake just doesn’t do that,” he says.

He can’t stand shoddy quality. During his 100 days of snowboarding, Burton isn’t goof-
ing off. He tests most of the company’s equipment. “It’s important that you’re always thinking about it,” he says. Burton’s CEO Laurence Petdevin said, “He has no patience for anything that jeopardizes the riding experience.”

He can’t stand boredom. One morning five years ago at a sales meeting in New Zealand, Burton asked Dave Downing, who does outside marketing for Burton, if he was up for surfing and boarding—the same day. The two sneaked off the meeting and took a char-
tered helicopter to a beach to surf then to a mountain to snowboard.

He can’t stand moving things alone. Burton will test any product the design team sends him, says Chris Doyle, who oversees product development. He was the first—and last—person to sign off on an internal fan ven-
tilation system controlled by a pocket switch. He gave the all-clear to a glove, a hot seller this year, that comes with a beer-can holder. Burton had asked designers to work months on new products, Burton has turned them up-
side-down—or even nixed them—based on a suggestion from a teenage boarder on a ski lift.

He can’t stand serious. At a recent round-
table with top executives and team riders, Burton broke it into “a no-holds-barred wrestling match,” said Greg Dacyshyn, com-
pany creative director. “Jake will take on anyone at anything.”

He can’t stand still. Shaun White, the Bur-
ton rider who is an Olympic gold medalist and one of the U.S. team’s great hopes in Vancouver, says there’s no stopping Burton on a slope. “When he’s in the trees, he doesn’t ripping turns. He’s a wild man.”

He can’t stand combs. Jake’s wife, Donna, who helps run the company and has been married to Jake for 22 years since meeting him at an after-party, remembers her mother’s comment after first meeting him: “I don’t think he combs his hair.”

INAUSPICIOUS BEGINNING

That he got this far in business surprises no one more than the guy who was born Jake Burton Carpenter, but goes by just Jake Bur-
ton. “I was a punk. I got kicked out of board-
ing school at 15.”

For one thing, he was a self-described “loser” in shop class. But wanting to im-
prove the design of “Snuffer” snowboards that were briefly popular when he was a kid, he made a new kind of board in his London-
derry, Vt., garage.

He created his first business plan to sell snowboards on an index card. He figured if he could move 30 boards a day, he could sell 350 the entire first year and run up debt that nearly wiped him out.

But when he sold 700 boards the next year, he decided he was onto something. Until the next setback, that is. His bank cut off fi-
nancing in 1984 when its executives decided snowboarding was a passing fad.

He became a one-man cheerleading squad. He visited hundreds of ski hills that had banned snowboarding, try-

95TH ANNIVERSARY OF THE AMERICAN MEDICAL WOMEN’S ASSOCIATION

Mr. BOXER. Mr. President, I take this opportunity to recognize the 95th anniversary of the American Medical Women’s Association, AMWA. AMWA is the nation’s largest, multispecialty organization for women in medicine.

The American Medical Women’s As-
sociation was founded in 1915 in Chi-
cy to Dr. Bertha Van Hoosen. At the time, women physicians were a minority, representing only 5 to 6 percent of all physicians in the United States. With the creation of AMWA, Dr. Van Hoosen intended “to bring Medical Women into communication with each other for the exchange, and to encourage social and harmonious rel-
lations within and without the profes-
sion.”

Since its inception 95 years ago, AMWA’s membership has grown sig-
ificantly. With more than 13,000 mem-
bers today, AMWA has become a strong, and trusted voice for women’s health and the advancement of women in med-
cine at the local, national, and interna-
tional level. For nearly a century, AMWA has empowered its members to be leaders in improving health for all, within a model that reflects the unique perspective of women.

AMWA’s members include physi-
cians, residents, medical students, and health care professionals, all of whom are engaged in making a difference in the communities they serve. AMWA’s charitable program, the American Women’s Hospital Service, has provided international relief for more than 90 years, supporting clinics all over the world. The Journal of Wom-
en’s Health, AMWA’s official journal, is a trusted resource for research and information on a wide range of wom-
en’s health issues, and has been cited by the New York Times, Wall Street Journal, US News and World Report, and MSNBC.com. Through its many educational programs, support and mentorship of young women physi-
cians, health care advocacy, and the provision of excellence in medicine and scientific research, AMWA’s members are truly champions for women’s health.

Since 1915, the American Medical Women’s Association has served as the official voice of women physicians in America. On its 95th anniversary, I commend the American Medical Women’s Associa-
tion for its tireless efforts to advance women in medicine, and look forward to its many future successes.
March 10, 2010

EXECUTIVE MESSAGES REFERRED

As in executive session the President Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(Additional nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED ON MARCH 15, 1995, WITH RESPECT TO IRAN—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication stating that the emergency declared on March 15, 1995, is to continue in effect beyond March 15, 2010.

The crisis between the United States and Iran resulting from actions and policies of the Government of Iran that led to the declaration of a national emergency on March 15, 1995, has not been resolved. The actions and policies of the Government of Iran are contrary to the interests of the United States in the region and pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and maintain in force comprehensive sanctions against Iran to respond to this threat.

BARACK OBAMA

THE WHITE HOUSE,
March 10, 2010.

MESSAGES FROM THE HOUSE

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4547. An act to designate the facility of the United States Postal Service located at Station Road in Cheyney, Pennsylvania, as the “Captain Luther H. Smith, U.S. Army Air Forces Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4624. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the “SPC Nicholas Scott Hartge Post Office”.

At 12:26 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4785. An act to provide authority to continue the Federal emergency declared on March 15, 1995, for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes.

At 1:05 p.m., a message from the House of Representatives, delivered by Ms. Noland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4383. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

MESSAGES REFERRED

The following bills were read the first and the second time by unanimous consent, and referred as indicated:

H.R. 4547. An act to designate the facility of the United States Postal Service located at Station Road in Cheyney, Pennsylvania, as the “Captain Luther H. Smith, U.S. Army Air Forces Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4624. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the “SPC Nicholas Scott Hartge Post Office”;

MESSAGES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S1357

CONGRESSIONAL RECORD—SENATE
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–5021. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Low Pathogenic Avian Influenza; Voluntary Control Program and Payment of Indemnity” (Docket No. APHIS–2009–0108) received in the Office of the President of the Senate on March 3, 2010; to the Committee on Finance.

EC–5029. A communication from the Deputy Attorney General, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled “Researcher Identification Card” (RIN 0960–AD59) received in the Office of the President of the Senate on March 3, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5030. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission’s Annual Report of the Administration of the Government in the Sunshine Act for Calendar Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–5031. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a legislative proposal relative to implementation of important international agreements concerning nuclear terrorism and nuclear materials; to the Committee on the Judiciary.

EC–5032. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a legislative proposal relative to implementation of treaties concerning maritime terrorism and the maritime transportation of weapons of mass destruction; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOGGETT, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 483. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, and for other purposes (Rept. No. 111–161).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions:

Patrick K. Nakamura, of Alabama, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2016.

Sara A. Gelser, of Oregon, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

By Mr. WICKER:

S. 3097. A bill to provide for a term expiring September 17, 2012.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3100. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir; to the Committee on Energy and Natural Resources.

S. 3101. A bill to reduce barriers to entry in Federal contracting, and for other purposes;
to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mrs. SHAHEEN, Mr. JOHNSON, Mr. LOGAN, Mr. BENNET, and Mr. GRAHAM)

S. 3102. A bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE:

S. 3103. A bill to help small businesses create new jobs and drive our Nation’s economic recovery; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred to the Committee on Foreign Relations, as indicated:

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. Con. Res. 53. A concurrent resolution recognizing and congratulating the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Medical Services Memorial; to the Committee on the Judiciary.

By Mr. NELSON of Florida (for himself, Mr. McCAIN, Mr. KERRY, Mr. MENENDEZ, Mr. DODD, and Mr. LEMIEUX):

S. Con. Res. 54. A concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in the custody of the Government of Cuba, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 78

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 78, a bill to amend the Internal Revenue Code of 1986 to provide a full exclusion for gain from certain small business stocks.

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mr. PYOR) was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. Begich) was added as a cosponsor of S. 582, a bill to prohibit the Truth in Lending Act to protect consumers from usury, and for other purposes.

S. 634

At the request of Mr. HARKIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii (Mr. INOUYE) 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. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor 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. 1137

At the request of Mr. FEINGOLD, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1137, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiro-practic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer’s average sales price.

S. 1256

At the request of Ms. CANTWELL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1256, a bill to amend title XIX of the Social Security Act to establish financial incentives for States to expand the provision of long-term services and supports to Medicaid beneficiaries who do not reside in an institution, and for other purposes.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from Alaska (Ms. BURRIS) and the Senator from New York (Mrs. GILLIBRAND) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1273, a bill to amend the Public Health Service Act to provide for the establishment of permanent national systems for multiple sclerosis, Parkinson’s disease, and other neurological diseases and disorders.

S. 1558

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1558, a bill to amend title 37, United States Code, to provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training.

S. 1559

At the request of Mr. MERKLEY, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1559, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1604

At the request of Ms. KLORCHIAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1604, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for eldercare expenses.

S. 1606

At the request of Mr. LEARY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1601, 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 consumer choice.

S. 1709

At the request of Mr. LUGAR, the name of the Senator from California (Mr. BINGE) was added as a cosponsor of S. 1709, a bill to provide for the establishment of the President’s Commission on the Bicentennial of the United Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiro-practic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1967

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1967, a bill to amend title X of the Social Security Act to establish a new Medicare program for those individuals who are permanently and totally disabled as a result of a terminal illness.

S. 1982

At the request of Mr. KENNEDY, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1982, a bill to amend title X of the Social Security Act to establish a new Medicare program for those individuals who are permanently and totally disabled as a result of a terminal illness.

S. 2012

At the request of Ms. GILLIBRAND, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2012, a bill to amend title X of the Social Security Act to establish a new Medicare program for those individuals who are permanently and totally disabled as a result of a terminal illness.
(Mrs. Feinstei

(Mrs. Murray) was added as a co-sponsor of S. 2994, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses, and for other purposes.

S. 3036

At the request of Mr. Bayh, the names of the Senator from Missouri (Mrs. McCaskill), the Senator from Georgia (Mr. Chambless) and the Senator from New York (Mr. Schumer) were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3039

At the request of Mr. Wyden, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 3056, a bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas.

S. 3093

At the request of Mr. Dorgan, the names of the Senator from Idaho (Mr. Risch) and the Senator from South Dakota (Mr. Johnson) were added as cosponsors of S. 3093, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3095

At the request of Mr. Inhofe, the names of the Senator from Georgia (Mr. Chambliss), the Senator from Idaho (Mr. Risch), the Senator from Mississippi (Mr. Wicker), the Senator from Idaho (Mr. Crapo), the Senator from Texas (Mr. Cornyn), the Senator from Nevada (Mr. Ensign), the Senator from South Carolina (Mr. Graham), the Senator from Massachusetts (Mr. Brown), the Senator from Texas (Ms. Hutchison), the Senator from Oklahoma (Mr. Coburn), the Senator from Nebraska (Mr. Johanns), the Senator from Kansas (Mr. Roberts), the Senator from Kentucky (Mr. Bunning), the Senator from Arizona (Mr. Kyl), the Senator from South Dakota (Mr. Thune) and the Senator from Arizona (Mr. McCain) were added as cosponsors of S. 3095, a bill to reduce the deficit by establishing discretionary caps for non-security spending.

S. RES. 412

At the request of Mrs. Gillibrand, the names of the Senator from Louisiana (Ms. Landrieu) and the Senator from Ohio (Mr. Brown) were added as cosponsors of S. Res. 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month."

AMENDMENT NO. 3417

At the request of Mr. DeMint, the name of the Senator from Nevada (Mr. Ensign) was added as a cosponsor of S. 3417, an amendment to S. 3036, the bill to repeal a section of the Energy Policy Act of 2005 related to exportation and importation of natural gas. The amendment proposes to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.
perhaps a demonstration of what is happening structurally within the budget, not affected by any particular emergency.

Mandatory spending has now grown to 54 percent. Interest costs are from 7 to 8 percent, and two of them constitute roughly two-thirds of the budget. From 1966 to 2008, mandatory spending now is twice as big in its proportion of the budget than it used to be. Defense spending has shrunk to a half of what it was in the 1960s, and nondefense discretionary spending is about the same.

All right. Now back to the question: Why did I pick 1966 as the year to start with? Because that is the year the Federal Government got into the medical business and enacted Medicare. Since then, we have added Medicaid. Today, when you talk about mandatory spending, Social Security is no longer the dominant factor. It is a combination of Social Security, Medicare, and Medicaid.

I will leave aside the issue of the value of those programs. I am just talking about the money we are spending here. Today, as we argue over Congressional spending, we only have a third of the budget to talk about, and half of that, roughly, is defense spending.

Let’s go to fiscal year 2009. Mandatory spending has grown to 59 percent. The interest costs are 5 percent. Defense will have shrunk, nondefense will have shrunk. The reason the interest costs are shrinking is because we are borrowing money at a lower rate by virtue of the things that have happened with the financial tsunami.

But now let’s go out 10 years to 2020 and see where we will be. In 10 years, mandatory spending will have grown to 58 percent. The interest costs will have grown to 13 percent, and defense and nondefense together will constitute only 12 percent of the budget. If defense shrinks to 15 percent of the budget, it begins to bite very seriously into America’s role in national security around the world.

One author I have looked at who has talked about America’s role in the world in a very thoughtful way looks ahead to this, and he says the greatest threat to America’s position in the world is not China, it is not India, it is not North Korea. It is Medicare. The greatest threat to America’s ability to sustain itself and its national security is coming from the growth of mandatory spending.

If we spend all of our time arguing over those tiny things that make good copy in newspapers and on television and do not address this inexorable growth, we will discover that the Congress has become irrelevant. Three-fourths of the budget of Congress will already be spent before the Congress even meets, and only one-fourth will be left for us to talk about, and that one-fourth will include our concern for national security, and you will see how everything else will get squeezed out.

I had that hit me directly as we had the debate last year on the budget resolution for fiscal year 2010. Standing at this very place, I looked down at the bill that was presented and sitting here on a podium, and it projected Federal revenues for fiscal year 2010 at $2.2 trillion—double what we had with the economic meltdown. Then on the next page it said: mandatory spending, $2.2 trillion. That meant everything we do in government in fiscal year 2010, other than mandatory spending. The war in Afghanistan, the FAA which controls the airplanes, the national parks, our embassies overseas, the FBI, all of our law enforcement, the border security—everything, every single dime we spend in government, other than mandatory spending, in fiscal year 2010 had to be borrowed. We did not have a single dime of tax revenue available to pay for anything in government because it was all taken up in mandatory spending.

All right. What does this do to us long term as a nation?

People keep talking about the national debt and how it is growing and growing and growing. Actually, the national debt is growing and growing and growing over the years. Here is a chart that shows the national debt measured in the way it should be measured, as a percentage of the gross domestic product, the size of the national debt with respect to the size of the economy.

To illustrate why this is the way to do it—I have often used this example on the Senate floor—I ran a company before I came here. When I became the CEO of that company it was very small. It had a debt of $75,000. When I stepped down to retire prior to running for the Senate, the debt was $7.5 million. One might say: Well, Bob Bennett, you are not a very good manager, you took $75,000 and turned it into $7.5 million. Then you look at the debt the way you should look at it.

At the time I became the CEO of that company, they were doing under $300,000 a year in total revenue. They had no margin at all. Every dime they took in, in revenue, was eaten up with costs, and they could not make the payments on the $75,000 debt. The $75,000 debt threatened the survival of the company. When we had a $7.5 million debt, which we did begin, I had a $80 million in business, and we had a 15-percent margin on sales. We were earning more per year than the whole debt we had, and the only reason we didn’t pay it off is because we had some prepayment penalties built into the mortgages we had established. So I wasn’t such a bad steward after all, if you make the measure totally on the basis of the size of the debt. I was a good steward if you make it on the measure of the debt in relationship to the size of the enterprise.

That is what this chart shows: the national debt as a percentage of the size of the enterprise, to use business terms; in this case, the size of the economy.

We see that just after the Second World War our national debt was well over 100 percent of GDP, and in the two decades after the Second World War, we had shrunk from over 100 percent of GDP to close to 30 percent of GDP. Even though it was going up in nominal dollars, it was coming down as a percentage because the economy was growing so rapidly. Then, once again, we added to our debt in Vietnam, and we added Medicare, and we see this is the trough. It begins to grow and it begins to grow.

When we get to the end of the Cold War, it turns down again because of two things: No. 1, our defense spending goes down and the economy booms. We get tremendous growth as a result of the end of the Cold War. It was at 46.9 percent when Medicare and Medicaid got started, and not much different in 1969 by the end of the Cold War. 53 percent. This shows the historic level it has been.

OK. Now, this is the history, and the blue line shows the projections that the Obama administration has given us as to what will happen under their plan. People keep talking about projections is that they are all wrong. We don’t know whether they are wrong on the high side or the low side, but we know they are always wrong. What usually happens is that the projections are always optimistic and circumstances come in with a result that is less than we had hoped for.

So if we take this as an optimistic projection, we are saying when we get to 2020, which is only a decade away—only 10 years away—the national debt will be back up very close to what it was at the end of the Second World War. That is unacceptable. Everyone in this Chamber knows that entitlement spending is the driving force behind all of this. Everyone in this Chamber knows shaving back a little on this program or cutting out a particular grant on another program will have no real impact on this if we don’t have the courage to deal with entitlement spending.

So today I am introducing a bill to deal with entitlement spending. I have no illusions that it is going to pass in this Congress, but I wish to lay it down so we at least have a marker from where we have already done that with Social Security.

Several years ago, when I was chair of the Joint Economic Committee, I held a series of hearings on Social Security and discovered that we can indeed solve the Social Security problem. We can move numbers around a little and say to everyone who is currently drawing Social Security: You will continue to draw Social Security throughout your lifetime, adjusted for inflation. Nothing will happen to it. Furthermore, your children will have the same level of Social Security benefits that you draw adjusted for inflation through their lifetimes without any
danger to it, and their children can draw Social Security throughout their lifetimes at exactly the same level adjusted for inflation, without a tax increase.

How is that possible? The way it is possible is to say we are only going to allow Social Security benefits to grow as rapidly as inflation grows. We already have built into the program that we are going to pay Social Security plus inflation, plus a nice little kicker along the way. That nice little kicker along the way over 10 years, and then 20 years, then 30 years pretty soon gets us into the kind of trouble I have described. If we say, no, we will allow it to grow with respect to inflation, but we will not allow it to grow any more rapidly than that, then the kind of thing that happened here can happen again. As the economy grows more rapidly than the inflation rate, we will see the national debt begin to come down, we will see the pressure on national security ease, and we will see the greatest concern that Americans have about the financial situation begin to be addressed in the way it was addressed in the years after the Second World War.

I am not saying we abolish entitlement programs. There are some of my constituents who say that is the thing to do: just abolish Medicare; abolish Social Security. I say, yes, we want to abolish these things but keep the taxes because that is what we would have to do if we are going to get the financial circumstance we like. No, over time, we can do this without abolishing these programs, but we have to see to it they do not grow.

So here is what my bill will do. It will control the growth of entitlement spending by reinstating spending limits and saying entitlement programs cannot grow at a rate faster than the inflation rate. That will mean to the future generations that they adopt this bill: OK, we can still spend for Medicare, we can still spend for Medicaid, we can still do Social Security, but we can’t add things to it in such a way that will cause it to grow more rapidly than inflation, No. 1. No. 2, do the same thing with all nondefense discretionary spending. We will allow it to grow each year in accordance with the inflation rate, but we will not allow increases in nondefense discretionary spending more than the inflation rate.

Then, No. 3, enforce the spending caps with automatic spending reductions and budget points of order, the details of the kind of thing we get into around here all the time.

The bill is very simple, very straightforward, but it gives the kind of direction that many of the solutions that have been proposed around here don’t do. Many of the solutions we have heard here sound great, and they are very complicated—that point of order lies along with that situation there—but, overall, we are turning our backs on two-thirds of the Federal spending. We say we would not address them because these programs are popular, and we don’t want to offend the voters by saying something has to be done with the most popular programs in America. I find the voters are saying we have to deal with this. We have to have the courage to deal with it, which means we have to have the courage to deal with entitlement spending and not just focus on nondefense discretionary spending.

The final thing my bill will do is to prohibit the creation of any new mandatory programs, which is, again, part of the problem we have had. I close by repeating a question I asked my constituents as I am making this presentation to them. I say: How many of you know who Willie Sutton was? Most of my audience is young enough not to know the answer to that question, but there are a few who say Willie Sutton was a bank robber, and that is true. He wasn’t a very good bank robber because he kept getting caught. Each time he would serve his sentence and then he would go out after he had been released from prison and he would rob another bank.

Finally, somebody said to him—and this is why we remember Willie Sutton, not for being a bank robber but for the comment he made. Somebody said: Willie, why do you keep robbing banks? He said: Because that is where the money is.

We look at the national debt, we look at the problems we face, and we ask the question: Where is the money? We have to rein in the entitlement spending because that is where the money is. It is two-thirds of the budget now, three-fourths of the budget within 10 years. If we continue to ignore the growth of entitlement spending and focus entirely on the rest of it, that makes good press but not good policy. We will find our financial situation is up here, our national debt will be as high as it was with the percentage of GDP at war time for the Second World War, and our national security will be threatened to the point that our entire posture around the world will be changed, simply because we would not be able to afford it.

It is for that reason that I send to the desk an act that may be cited as the Economic Disaster Prevention Act of 2010 that deals with spending limits on entitlement programs as well as spending limits on discretionary spending, and the prohibition of any new mandatory spending programs.

By Mr. MERKLEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. BONNIE of Ohio, and Mrs. SHAHEEN)

S. 3098. A bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEVIN. Mr. President, I would like to relay a story that says a great deal about how the worst financial crisis since the Great Depression came to be.

In 2006, a bond trader at Lehman Brothers struck up a conversation with one of the firm’s college interns. When the trader asked the intern, who had not yet begun his senior year, what he was doing on his winter vacation, the young man replied that he would be trading derivatives for Lehman. That was a surprise, but the shock came when the intern said he was given him $150 million of its own money for this college student to bet on risky derivatives.

Now, one college junior and his $150 million trading mill brought the entire financial system close to collapse. But it is just this brand of recklessness that led to the need for multibillion-dollar bailouts and to the worst recession in decades, one that left millions of Americans without a job.

The losses that Lehman and other large financial firms racked up, trading on their own account and not on the behalf of investors, helped build the bonfire that nearly engulfed our entire financial system.

That is why I have joined Senators MERKLEY, KAUFMAN, SHERRID BROWN, and SHAHEEN to introduce the Protect Our Recovery Through Oversight of Proprietary Trading Act, or PROP Trading Act. With this legislation, we attempt to rein in some of the reckless practices that led to economic catastrophe, the proprietary trading and hedge fund operations that lost billions of dollars, caused the collapse of some of our biggest financial institutions, and pushed other major financial firms to the brink of collapse.

This legislation would accomplish several important goals to ensure that the abuses of recent years don’t lead to another crisis. It would ban taxpayer insured banks, and their affiliates and subsidiaries, from engaging in proprietary trading that is, trading on their own behalf and not on the behalf of investors, helped build the bonfire that nearly engulfed our entire financial system. That is why I have joined Senators MERKLEY, KAUFMAN, SHERRID BROWN, and SHAHEEN to introduce the Protect Our Recovery Through Oversight of Proprietary Trading Act, or PROP Trading Act. With this legislation, we attempt to rein in some of the reckless practices that led to economic catastrophe, the proprietary trading and hedge fund operations that lost billions of dollars, caused the collapse of some of our biggest financial institutions, and pushed other major financial firms to the brink of collapse.

This legislation would accomplish several important goals to ensure that the abuses of recent years don’t lead to another crisis. It would ban taxpayer insured banks, and their affiliates and subsidiaries, from engaging in proprietary trading that is, trading on their own behalf and not on the behalf of investors. It would ban taxpayer insured banks from investing in or sponsoring hedge funds or private equity funds. Nonbank institutions that are critically important to the systemic health of the financial system, I. e., those that have been deemed “too big to fail,” would be subject to new capital requirements and limits on their ability to trade on their own behalf or invest in hedge funds or private equity funds. Federal regulators would set those requirements and limits. And our legislation would prohibit underwriters of asset-backed securities from engaging in transactions that create a conflict of interest with respect to the securities they package and sell.

The reaction of Wall Street has been swift. Proprietary trading, they tell us, was not a large factor in creating the financial crisis. And restrictions on proprietary trading would have no effect in preventing the next crisis.

On both points, they are wrong. Here is why.
While Wall Street claims that proprietary trading was a tiny part of its operations before the crisis, their financial reports during the boom years tell a different story. Firms such as Goldman Sachs and Lehman Brothers earned half their profit on proprietary trades when markets were booming. Bank of America reported in a 2008 regulatory filing that losses in “large proprietary trading and investment positions” had “a direct and large negative impact on earnings.” JP Morgan Chase warned in its 10K filing for 2008 that it held large “positions in securities in markets that lack pricing transparency or liquidity,” presumably proprietary positions. Likewise, Goldman Sachs told regulators that the collapse of proprietary asset values “have had a direct and large negative impact” on its earnings.

What these firms are saying in the dry, lawyery language of SEC filings is that they had been betting big, and losing big, and those failed bets had done them serious harm.

How much harm? By August of 2008, according to one estimate, the nation’s largest financial firms had suffered $220 billion on proprietary trading. Only a Wall Street trader could dismiss such losses as immaterial; in fact, that total is about one-third the size of the Wall Street rescue package we were forced to approve. Nearly every major financial institution suffered major losses in proprietary trades. Lehman Brothers, whose bankruptcy was a major contributor to the financial crisis, in 2006 derived more than half its revenue from proprietary trading. Only a Wall Street trader could dismiss such losses as immaterial; in fact, that total is about one-third the size of the Wall Street rescue package we were forced to approve. Nearly every major financial institution suffered major losses in proprietary trades. Lehman Brothers, whose bankruptcy was a major contributor to the financial crisis, in 2006 derived more than half its revenue from proprietary trading.

Our Nation’s Energy Policy Needs Major Overhaul

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Ms. SNOWE. Mr. President, I rise March 10, 2010.
and impress upon my colleagues that if we are serious about assisting our Na-
tion’s small-businesses—the very cata-
lysts that will lead us out of the long-
est and deepest recession since World
War II—we cannot devolve once again
into more delays. To that end, I filed
an amendment in the tax extenders
legislation before this Chamber which
included a package of six bipartisan,
achievable policy reforms designed to
facilitate an entrepreneurial environ-
ment under which our Nation’s almost
30 million small businesses can cre-
ate new jobs. I had hoped to offer this
amendment, which I am introducing
today as a freestanding bill called the
Small Business Job Creation Act, but
after talking with the majority leader
at length last week, I decided to forgo
that opportunity, as the leader indi-
cated to me personally—and to the en-
tire Senate—that he, too, is anxious to
address a small business jobs bill in the
coming weeks.

Now that we have cleared the tax ex-
tenders package today and are taking
up the long overdue Federal Aviation
Administration reauthorization legis-
lation, I hope the Senate as well will
consider the jobs package that will in-
clude small business initiatives that
are so vital and imperative to the well-
being of small businesses throughout
the country and that we can address
this issue before the Easter recess.

As ranking member of the Senate
Small Business Committee, it is my
beginning of an effort to tout the
work our committee has accomplished
in this Congress.

As one of the most bipartisan panels
in the Congress, I appreciate the chair,
Senator LANDRÉN, who has built on
the foundation of 22 hearings and
roundtables and reported out a series of
bipartisan bills on topics ranging
from access to capital, to exporting,
and, just last week, small business con-
tracting reform. I truly appreciate Chair
Landrieu’s approach in bringing a
collaboration in the committee on
these key issues. Most of the provisions
I am championing here tonight origi-
nated from the work we have accom-
plished together in the committee as
well.

When it comes to this jobs agenda, I
would have preferred a different ap-
proach to advancing it—one that was
more comprehensive and robust, frank-
lly. This kind of piecemeal strategy is
not one I would embrace. It is not one
the New York Times approves of, ei-
ther, for that matter. In fact, an edi-
torial of theirs this week contained the
following observation:

[The danger is that with stopgap measures
boosting the headline job numbers, Congress
and the Administration will avoid the heavy
lifting that is required to clear away the
wreckage of the recession.

So it is not enough to say jobs, jobs,
jobs are the new mantra. That must be
the mantra, indeed, of this Con-
gress that deserves rigorous action, not
just in dribs and drabs but as the full-
tilt agenda of this institution.

Make no mistake, time is of the es-
set if we are to assist our Nation’s
small businesses. Nowhere is this the
test meeting that challenge more imme-
diate than with our Nation’s small
businesses, which at each turn and in
every sector are having to struggle, not
only to stay alive but paying the price at
the expense of job creation and reversing
our dire economic downturn.

Based on what I have heard firsthand
from numerous small business forums in
Maine that I have held, not only this
year but also for the entire year of 2009,
business owners are desperate for relief, and they want an-
swers to the pervasive uncertainty they are confronted with on so many
levels.

For example, as indicated on this
chart, in an economic climate devoid of
continuity on tax policy, skyrocketing
health care costs, onerous regulations,
or volatile energy prices, how can small businesses expect to hire a new
employee, buy additional equipment,
expand operations, or accurately fore-
cast their operating costs? The regret-
table fact is, they cannot as long as
they remain not just unsure but un-
standably anxious about whether or
not their tax bills are due another tax,
levy a new mandate, promulgate another regulation, or create more bu-
reaucracy.

A solid foundational starting point
would be enacting the provisions in the
amendment which I un-

The Congressional Record is a daily publication of the United States Congress that contains the full text of speeches and other communications by members of Congress. This document is an excerpt from the Congressional Record, Senate edition, for March 10, 2010, featuring remarks by Senator Mary Landrieu (D-LA) discussing the Small Business Job Creation Act and the need for comprehensive policy reforms to assist small businesses. The speech highlights the challenges small businesses face, such as uncertainty about tax policy and other economic pressures, and emphasizes the importance of bipartisan solutions. The senator advocates for a unified approach to addressing small business needs, rather than piecemeal strategies. The speech concludes with a call for action to create jobs and reverse the economic downturn.
Chair LANDRIEU.

I understand some of my colleagues oppose using unobligated stimulus funds as an offset, citing Congressional Budget Office data that the Recovery Act is actually a net cost of $275 billion, but I believe it is our obligation to continually assess and reassess whether the Recovery Act is working because, after all, stimulus is supposed to be timely, targeted, and temporary. In two of the three instances it has not met those goals. In fact, as we have noted in this following chart, just $238 billion of the $787 billion that was enacted last February—only 37 percent of the total—has actually been spent. When you consider just the $275 billion of the stimulus’s appropriated funding for expenditures such as contracts, grants, and loans, just $81.6 billion, or 30 percent, has been paid out.

That is where I am. Where I believe we need to re-examine the three critical criteria of timely, targeted, and temporary. Obviously, for timeliness and being targeted, we have not met those goals. That is why I think we should redirect some of these stimulus funds to other purposes that are more effective, more immediate to do the job.

That is where our small businesses enter the equation, with these initiatives I have identified that are absolutely paramount to helping small businesses to create jobs across this country. After all, we are depending on small businesses to lead us out of this economic downturn. They have been the job generators in the past. They have created two-thirds of all the net new jobs in America.

We need to create millions and millions of jobs. We have 100,000 new entrants in the market every month, so we have to move expeditiously. That is the point here tonight.

I have an array of initiatives that are very critical and vital to small business and job generation. One, we have to move expeditiously. That is why I am proposing to fully offset the cost of my provision with unspent, unobligated funds that we appropriated as part of the stimulus.

I understand some of my colleagues oppose using unobligated stimulus funds as an offset, citing Congressional Budget Office data that the Recovery Act is actually a net cost of $275 billion, but I believe it is our obligation to continually assess and reassess whether the Recovery Act is working because, after all, stimulus is supposed to be timely, targeted, and temporary. In two of the three instances it has not met those goals. In fact, as we have noted in this following chart, just $238 billion of the $787 billion that was enacted last February—only 37 percent of the total—has actually been spent. When you consider just the $275 billion of the stimulus’s appropriated funding for expenditures such as contracts, grants, and loans, just $81.6 billion, or 30 percent, has been paid out.

That is where I am. Where I believe we need to re-examine the three critical criteria of timely, targeted, and temporary. Obviously, for timeliness and being targeted, we have not met those goals. That is why I think we should redirect some of these stimulus funds to other purposes that are more effective, more immediate to do the job.

That is where our small businesses enter the equation, with these initiatives I have identified that are absolutely paramount to helping small businesses to create jobs across this country. After all, we are depending on small businesses to lead us out of this economic downturn. They have been the job generators in the past. They have created two-thirds of all the net new jobs in America.

We need to create millions and millions of jobs. We have 100,000 new entrants in the market every month, so we have to move expeditiously. That is the point here today.

I have an array of initiatives that are very critical and vital to small business and job generation. One, we have to do it immediately. Two, we have to be focused and we have to provide some certainty of policy so that small businesses can look down the road and see what types of policies are emanating from Washington, DC.

As I said to the Secretary of the Treasury recently, would you take a risk in making investments today? Would you take a risk knowing what you are hearing in Washington? Since we will see more costs as a result of potential health care legislation, adding more costs to small businesses—and there is no question that with the costs to be paid, which is saddled in that legislation, that really is another hidden tax, just as the alternative minimum tax. It will raise taxes
62 percent, and it is not indexed for inflation. So we know what the exponential growth in that tax will become for small businesses. That is an example. Ten months does not make a policy of certainty with respect to tax relief.

We need to provide continuity of that policy with respect to tax relief, and small business expensing is certainly part of it. We can expand the loan limits under the SBA’s programs, and (a) and (b) we need to demonstrate they can work. They did work in the years in which we expanded those programs. It has been demonstrated nationwide and certainly conclusively in my State. So why not move expeditiously to address those issues?

Finally, we can pay for it. We can re-direct the stimulus. I think that is the most conservative, effective approach to paying for this legislation because, after all, if we have only spent 30 percent of the appropriated funds under stimulus, we need to create millions and millions of jobs in addition to offsetting the new entrants into the market every month. We have a 9.7 percent unemployment rate. That means we have to get to work, and the only way we can do that is to put these initiatives to work before the Easter recess. Let’s not delay and defer. We have time to do it now. It has broad unanimous support in the Senate Small Business Committee. There is no reason we cannot accomplish this goal now.

I appreciate the majority leader’s indication and commitment that he will bring a small business package to the floor. I urge the leader and I urge all Members of the Senate to support doing that before the Easter recess because we need to adopt it now, not months from now, because people depend on these jobs. There is uncertainty about whether Main Streets in their communities, and what are they seeing is trouble. They are wondering whether the hardware store is going to stay open, or the bakershop. That creates either certainty or uncertainty; that is what creates either despair or hope.

So I hope we would move and that we would move with a sense of urgency with respect to small businesses. If we are depending on them, then we have to get to work now. There is no reason, no rationale, no excuse for not taking action in this Chamber in this Congress that can be signed by the President and that we can move forward on. So we should strive with every fiber of our beings to help these longtime beacons of our economy, which is going to give hope to all Americans. What they deserve is to see action that will create the kind of certainty, give them the kinds of resources that they deserve, and do it in a fiscally responsible manner.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 53—RECOGNIZING AND CONGRATULATING THE CITY OF COLORADO SPRINGS, COLORADO, AS THE NEW OFFICIAL SITE OF THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL SERVICE AND THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL

Mr. BENNET (for himself and Mr. UDALL of Colorado) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 53

Whereas in 1972, Julian Stanley Wise founded the first volunteer rescue squad in the United States, the Roanoke Life Saving and First Aid Crew, and Virginia subsequently took the lead in honoring the thousands of people nationwide who give their time and energy to community rescue squads;

Whereas in 1993, to further recognize the selfless contributions of emergency medical service personnel, the Virginia General Assembly, with the support of the Virginia Ambulance Association, established the Virginia Volunteer Ambulance squad; and

Whereas Orlando Zapata Tamayo (referred to in this preamble as "Zapata"), a 42-year-old plumber and bricklayer and a member of the Alternative Republican Movement and the National Civic Resistance Committee, died on February 23, 2010, in the custody of the Government of Cuba after conducting a hunger strike for more than two weeks in protest against his inhumane detention.

Whereas Orlando Zapata Tamayo (referred to in this preamble as "Zapata"), a 42-year-old plumber and bricklayer and a member of the Alternative Republican Movement and the National Civic Resistance Committee, died on February 23, 2010, in the custody of the Government of Cuba after conducting a hunger strike for more than two weeks in protest against his inhumane detention.

Whereas Orlando Zapata Tamayo (referred to in this preamble as "Zapata"), a 42-year-old plumber and bricklayer and a member of the Alternative Republican Movement and the National Civic Resistance Committee, died on February 23, 2010, in the custody of the Government of Cuba after conducting a hunger strike for more than two weeks in protest against his inhumane detention.

Whereas Reina Luisa Tamayo has asserted that her son Orlando Zapata Tamayo was denied water during his incarceration and has called "on the world to demand the freedom of the other prisoners and brothers unfairly sentenced so that what happened to my boy, my second child, who leaves behind no physical legacy, no child or wife, does not happen again."
was administered fluids intravenously and died hours later; whereas on February 25, 2010, Freedom House condemned the Government of Cuba for...torture, and lack of medical attention that led to the death of political prisoner Orlando Zapata Tamayo; whereas Zapata was arrested in 2003 on charges of contempt for authority, public disorder, and disobedience, and was initially sentenced to 3 years in prison; whereas he was later convicted of additional “acts of defiance” while in prison and was resented to a total of 36 years; whereas in 2003, Zapata and approximately 75 other peaceful supporters of the Varela Project were arrested during the “Black Spring” and were sentenced to harsh prison terms; whereas more than 23,000 Cubans have signed on to the Varela Project, which seeks a referendum on civil liberties, including freedom of speech, amnesty for political prisoners, support for private business, a new electoral law, and a general election; whereas in 2003, Amnesty International designated Zapata as a prisoner of conscience; whereas the Government of the United States raised the plight of Zapata during migration talks on February 19, 2010, and urged the Government of Cuba to provide all necessary medical care; whereas on February 23, 2010, Secretary of State Hillary Clinton said in response to the death of Zapata, “We send our condolences to his family and we also reiterate our strong objection to the actions of the Cuban government. This is a prisoner of conscience who was sentenced for years for speaking his mind, for seeking democracy, for standing on the side of values that are universal, who engaged in a hunger strike.”; whereas on February 25, 2010, the Inter-American Commission on Human Rights reported that at least 50 dissidents were detained or forced to remain in their homes to prevent them from attending the wake and funeral for Zapata; whereas the Department of State’s 2009 Country Report on Human Rights states that Cuba continues to have an “arrestment” that continues to deny its citizens basic human rights and continues to commit numerous human rights abuses; whereas Human Rights Watch states, “Cuba remains the one country in Latin America that represses virtually all forms of political dissent. The government continues to enforce political conformity using criminal prosecutions, long- and short-term detention, harassment, denial of employment, and travel restrictions,” and whereas in 2008 annual report, the Inter-American Commission on Human Rights reported that “restrictions on political rights, on freedom of expression, and on the dissemination of ideas, the failure to hold elections, and the absence of an independent judiciary in Cuba combine to create a permanent panorama of patched rights for the Cuban citizenry”; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the life of Orlando Zapata Tamayo; whereas on February 23, 2010, highlights the lack of democracy in Cuba and the injustice of the brutal treatment of more than 200 political prisoners by the Government of Cuba; (2) calls for the immediate release of all political prisoners detained in Cuba; (3) pays tribute to the courageous citizens of Cuba who are engaging in peaceful efforts to exercise their basic human rights; (4) supports freedom of speech and the rights of journalists and bloggers in Cuba to express their views without repression by government authorities and denounces the use of intimidation and violence by the Government of Cuba to restrict and suppress freedom of speech, freedom of expression, freedom of assembly, and freedom of the press; (5) desires that the people of Cuba be able to enjoy due process and the right to a fair trial; and (6) calls on the United States to continue policies that focus on respect for the fundamental tenets of freedom, democracy, and human rights in Cuba and encourage peaceful demonstrations with the aspirations of the people of Cuba.

Mr. NELSON of Florida. Mr. President, today I am submitting a concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 25, 2010 in Cuba. To the family, friends, and former House condemned the Government of Cuba by the death of political prisoner Orlando Zapata, who was imprisoned for years for speaking of defiance and resented to a total of 36 years. In 2003, Amnesty International declared Zapata a “prisoner of conscience” in recognition of his extraordinary courage.

Mr. Zapata went on a hunger strike in December 2009 to demand respect for his personal safety and to protest his inhumane treatment by the prison authorities and resolved to the regime’s resolve. In the end, he was prohibited from receiving medical attention and lost his life in what Freedom House has called Cuba’s “deplorable prison conditions.”

To Orlando Zapata Tamayo’s mother, family, and friends, the United States Senate sends our sincere condolences for your loss. To Mr. Zapata’s former colleagues and freedom fighters, we stand in solidarity with you in your struggle against the Cuban regime. Courageous Cubans like Mr. Zapata continue to fight for their freedom. Courageous Cubans like Mr. Zapata continue to suffer abuses merely for engaging in peaceful efforts to exercise their basic human rights. We have seen the regime crackdown on other dissidents and political prisoners in the wake of Zapata’s death.

Orlando Zapata Tamayo did not die in vain. Freedom-loving people everywhere must hold the Cuban regime responsible for the tragic death of Zapata Tamayo and for all the political prisoners and dissidents in custody in Cuba.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3452. Mr. ROCKEFELLER proposed an amendment to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients.

SA 3453. Mr. SESSIONS (for himself and Mrs. McCaskill) proposed an amendment to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3454. Mr. DI MINTI (for himself, Mr. Mccain, Mr. Coburn, Mr. Grassley, and Mr. Fischer) submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3455. Mr. CRAPO (for himself and Mr. Risch) submitted an amendment intended to be proposed by him to the bill H.R. 1586, superseded which was placed on the calendar.

SA 3456. Mr. LIEBERMAN (for himself, Ms. Collins, Mrs. Feinstein, Mr. Byrd, Mr. Ensign, and Mr. Voinovich) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.
SA 3457. Mr. CRAPO (for himself and Mr. Risch) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra, which was ordered to lie on the table.

SA 3458. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra, which was ordered to lie on the table.

SA 3459. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, supra.

SA 3460. Mr. DORGAN (for Mr. FENNOGOLD) proposed an amendment to the bill S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord’s Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord’s Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

SA 3461. Mr. HATCH, and Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received by certain TARP recipients; which was ordered to lie on the table.

SA 3463. Mr. BENNETT (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received by certain TARP recipients; which was ordered to lie on the table.

SA 3464. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, supra.

SA 3465. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, supra.

TEXT OF AMENDMENTS

SA 3452. Mr. ROCKEFELLER proposed an amendment to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

Strike out all after the enacting clause and insert the following:


SEC. 102. Passenger facility charge pilot program.

SEC. 103. Amendments to grants assurances.

SEC. 104. Airport planning and development.

SEC. 105. Amendments to allowable costs.

SEC. 106. Delineation of Next Generation Air Transportation System projects.

SEC. 201. Reform of passenger facility charge authority.

TITLE II—AIRPORT IMPROVEMENTS

SEC. 202. Passenger facility charge pilot program.

SEC. 203. Amendments to grant assurances.

SEC. 204. Government share of project costs.

SEC. 205. Amendments to allowable costs.

SEC. 206. Sale of private airport to public sponsor.

SEC. 207. Government share of certain air traffic control costs.

SEC. 208. Miscellaneous amendments.

SEC. 209. State block grant program.

SEC. 210. Airport funding of special studies of air carriers operating flights for tickets sold for air transportation.

SEC. 211. Grant eligibility for assessment of flight procedures.

SEC. 212. Safety-critical airports.

SEC. 213. Environmental mitigation demonstration pilot program.

SEC. 214. Allowable project costs for airport development program.


SEC. 216. Research improvement for aircraft.

SEC. 217. United States Territory minimum guarantee.

SEC. 218. Merrill Field Airport, Anchorage, Alaska.
TITLE VI—AVIATION RESEARCH

SEC. 601. Airport cooperative research program.

SEC. 602. Reduction of noise, emissions, and energy consumption from civilian aircraft.

SEC. 603. Production of alternative fuel technology for civilian aircraft.

SEC. 604. Production of clean coal fuel technology for civilian aircraft.

SEC. 605. Advisory committee on future of aeronautics.

SEC. 606. Research program to improve airfield pavement.

SEC. 607. Wake turbulence, volcanic ash, and weather research.

SEC. 608. Incorporation of unmanned aircraft systems into FAA plans and policies.

SEC. 609. Reauthorization of center of excellence in applied research and training in the use of advanced materials in transport aircraft.

SEC. 610. Pilot program for zero emission airport vehicles.

SEC. 611. Reduction of emissions from airport power sources.

SEC. 612. Siting of windfarms near FAA navigational aids and other assets.

SEC. 613. Research and development for equipment to clean and monitor the engine and APU bleed air supplied on pressurized aircraft.

TITLE VII—MISCELLANEOUS

SEC. 701. General authority.

SEC. 702. Human intervention management study.

SEC. 703. Airport program modifications.

SEC. 704. Miscellaneous program extensions.

SEC. 705. Extension of competitive access reports.

SEC. 706. Updates on overflights.


SEC. 708. FAA technical training and staffing.

SEC. 709. Commercial air tour operators in national parks.

SEC. 710. Phaseout of Stage 1 and 2 aircraft.

SEC. 711. Weight restrictions at Teterboro Airport.

SEC. 712. Pilot program for redevelopment of airport properties.

SEC. 713. Transporting musical instruments.

SEC. 714. Recycling plans for airports.

SEC. 715. Disadvantaged Business Enterprise Program adjustments.

SEC. 716. Front line manager staffing.

SEC. 717. Study of helicopter and fixed wing air ambulance services.

SEC. 718. Repeal of certain limitations on Metropolitan Washington Airports Authority.

SEC. 719. Study of aeronautical mobile telemetry.

SEC. 720. Flightcrew member pairing and crew resource management techniques.

SEC. 721. Consolidation or elimination of obsolete, redundant, or otherwise unnecessary reports: use of electronic media format.

SEC. 722. Line check evaluations.

TITLE VIII—AIRPORT AND AIRWAY TRUST FUND PROVISIONS AND RELATED TAXES

SEC. 800. Amendment of 1986 Code.

SEC. 801. Extension of taxes funding Airport and Airway Trust Fund.

SEC. 802. Extension of Airport and Airway Trust Fund expenditure authority.

SEC. 803. Modification of excise tax on kerosene used in aviation.

SEC. 804. Air traffic control system modernization account.

SEC. 805. Treatment of fractional aircraft ownership programs.

SEC. 806. Termination of exemption for small aircraft on nonestablished lines.

SEC. 807. Transparency in passenger tax disclosures.

TITLE IX—BUDGETARY EFFECTS

SEC. 901. Budgetary effects.

SEC. 2. AMENDMENT FOR TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed by the words "amend section (a) . . ." or a similar expression, or by the words "repeal section (a) . . .", the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. EFFECTIVE DATE.

Except as otherwise expressly provided, this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—AUTHORIZATIONS

SEC. 101. OPERATIONS.

Section 106(k)(1) is amended by striking subparagraphs (A) through (E) and inserting the following:

(a) $9,336,000,000 for fiscal year 2010; and

(b) $9,620,000,000 for fiscal year 2011.

SEC. 102. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) is amended by striking paragraphs (1) through (5) and inserting the following:

(1) $3,500,000,000 for fiscal year 2010, of which $500,000,000 is derived from the Air Traffic Control System Modernization Account of the Airport and Airways Trust Fund; and

(2) $3,600,000,000 for fiscal year 2011, of which $500,000,000 is derived from the Air Traffic Control System Modernization Account of the Airport and Airways Trust Fund.

SEC. 103. RESEARCH AND DEVELOPMENT.

Section 48102 is amended—

(1) by striking subsection (a) and inserting the following:

(4) in general—Not more than the following amounts may be appropriated to the Secretary of Transportation out of the Airport and Airways Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502) for conducting civil aviation research and development under sections 4504, 4505, 4507, 4509, and 4511 through 4513 of this title:

(1) $200,000,000 for fiscal year 2010.

(2) $206,000,000 for fiscal year 2011.

(3) (A) research projects that combine research on future training requirements for aircraft maintenance and power plant licensees; or

(B) research on the impact of new technologies and procedures, particularly those related to aircraft flight deck management functions, and on training requirements for pilots and air traffic controllers.

(2) by striking "2007" in subsection (a)(1)(A) and inserting "2011"; and

(3) by striking "2007" in subsection (a)(2) and inserting "2011.

SEC. 104. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

Section 48103 is amended by striking paragraphs (1) through (6) and inserting the following:

(1) $1,000,000,000,000 for fiscal year 2010; and

(2) $1,190,000,000,000 for fiscal year 2011.

SEC. 105. OTHER AVIATION PROGRAMS.

Section 48114 is amended—

(1) by striking "2007" in subsection (a)(1)(A) and inserting "2011";

(2) by striking "defense." in paragraph (4) and inserting "defense;" and

(3) by adding at the end thereof the following:

(5) a list of projects that are part of the Next Generation Air Transportation System Projects.

SEC. 106. DURATION OF NEXT GENERATION AIR TRANSPORTATION SYSTEM PROJECTS.

Section 4505(b) is amended—

(1) by striking "and" after the semicolon in paragraph (3);

(2) by striking "defense." in paragraph (4) and inserting "defense; and"; and

(3) by adding at the end thereof the following:

(5) a list of projects that are part of the Next Generation Air Transportation System Projects.

SEC. 107. FUNDING FOR ADMINISTRATIVE EXPENSES FOR AIRPORT PROGRAMS.

(a) IN GENERAL.—Section 48105 is amended to read as follows:

(4) *48105. Airport programs administrative expenses.

(1) $94,000,000 for fiscal year 2010.

(2) $96,000,000 for fiscal year 2011.

*48105. Airport programs administrative expenses.

The amount made available under section 48103 of this title, the following may be available for administrative expenses relating to the Airport Improvement Program, passenger facility charges, and others: oversight, national airport system planning, airport standards development and enforcement, airport certification, airport-related environmental actions (including legal services), and other airport-related activities (including airport technology research), to remain available until expended—

(1) for fiscal year 2010, $94,000,000; and

(2) for fiscal year 2011, $96,000,000.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 48 is amended by striking the item relating to section 48105 and inserting the following:

48105. Airport programs administrative expenses.

TITLE II—AIRPORT IMPROVEMENTS

SEC. 201. REFORM OF PASSENGER FACILITY CHARGE STREAMLINING.

(a) PASSENGER FACILITY CHARGE STREAMLINING.—Section 40117(c) is amended to read as follows:

(7) PROCEDURAL REQUIREMENTS FOR IMPOSITION OF PASSENGER FACILITY CHARGE.—

(1) IN GENERAL.—An eligible agency must submit to those air carriers and foreign air carriers operating at the airport with a significant business interest, as defined in paragraph (3), and to the Secretary and make available to the public annually a report, in a format required by the Secretary, on the status of the eligible agency’s passenger facility charge program, including—

(2) research on the impact of new technologies and procedures, particularly those related to aircraft flight deck management functions, and on training requirements for pilots and air traffic controllers.

(3) research on future training requirements on projected changes in regulatory requirements for aircraft maintenance and power plant licensees; or

(4) research on the impact of new technologies and procedures, particularly those related to aircraft flight deck management functions, and on training requirements for pilots and air traffic controllers.

(5) a list of projects that are part of the Next Generation Air Transportation System Projects.

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“(A) the total amount of program revenue held by the agency at the beginning of the 12 months covered by the report;

(B) the total amount of program revenue collected by the agency during the period covered by the report;

(C) the amount of expenditures with program revenue made by the agency on each eligible airport-related project during the period covered by the report;

(D) each airport-related project for which the agency plans to collect and use program revenue during the 12-month period covered by the report, including the amount of revenue projected to be used for such project;

(E) the agency's financial plan to collect during the next 12-month period covered by the report;

(F) a description of the notice and consultation with air carriers and foreign air carriers under paragraph (3), and with the public under paragraph (4), including a copy of any adverse comments received and how the agency responded; and

(G) any other information on the program that the Secretary may require.

(2) IMPLEMENTATION.—Subject to the requirements for intermodal ground access projects set forth in paragraphs (3), (4), (5), and (6), the eligible agency may implement the planned collection and use of passenger facility charges in accordance with its report upon filing the report as required in paragraph (1).

(3) CONSULTATION WITH CARRIERS FOR NEW PROJECTS.—

(A) An eligible agency proposing to collect or use passenger facility charge revenue for a project not previously approved by the Secretary or not included in a report required by paragraph (1) that was filed in a prior year shall provide reasonable notice and an opportunity for public comment on the planned collection and use of program revenue before providing the report required in paragraph (1).

(B) The Secretary shall prescribe by regulation what constitutes reasonable notice under this paragraph, which shall at a minimum include—

(i) that the eligible agency provide public notice of intent to collect a passenger facility charge so as to inform those interested persons and agencies that may be affected;

(ii) appropriate methods of publication, which may include notice in local newspapers of general circulation or other local media, or posting notice on the agency's Internet website; and

(iii) submission of public comments no later than 45 days after the date of the publication of the notice.

(4) OBJECTIONS.—

(A) Any interested person may file with the Secretary a written objection to a proposed project included in a notice under this paragraph provided that the filing is made within 30 days after submission of the report specified in paragraph (1).

(B) The Secretary shall not approve any project unless the agency responds to a filed objection, the Secretary shall make a determination whether or not to terminate authority to collect the passenger facility charge for the project, based on the filed objection. The Secretary shall state the reasons for any determination. The Secretary may only terminate authority as follows:

(i) the project is not an eligible airport-related project;

(ii) the eligible agency has not complied with the financial plan for the proposed project; and

(iv) in the case of a proposed increase in the passenger facility charge level, the level is not authorized by this section.

(D) Upon issuance of a decision terminating authority, the public agency shall prepare a financial plan for the collection and use of program revenue collected under the terminated authority and restore the funds for use on other authorized projects.

(E) Except as provided in subparagraph (C), the eligible agency may implement the planned collection and use of a passenger facility charge in accordance with its report upon filing the report as specified in paragraph (1).

(5) APPROVAL REQUIREMENT FOR INCREASED PASSENGER FACILITY CHARGE OR INTERMODAL GROUND ACCESS PROJECT.—

(A) An eligible agency may not collect or use a passenger facility charge to finance an intermodal ground access project, or increased passenger facility charges in accordance with its report, unless the application contains information and be in the form that the Secretary may require by regulation but, at a minimum, must include copies of comments received during the comment period described by subparagraph (C).

(B) Before submitting an application under this paragraph, an eligible agency must provide air carriers and foreign air carriers operating at the airport, and the public, with reasonable notice of and an opportunity to comment on a proposed intermodal ground access project or the increased passenger facility charge. Such notice and opportunity to comment shall conform to the requirements of paragraphs (3) and (4).

(C) After receiving an application under this paragraph, the Secretary may provide air carriers, foreign air carriers and other interested persons notice and an opportunity to comment on the application. The Secretary shall make a final decision on the application not later than 120 days after receiving it.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCES.—

(A) Section 40117(a) is amended—

(i) by striking ‘‘FEE’’ in the heading for subsections (c) and (d), and (ii) by striking ‘‘CHARGE’’ and ‘‘CHARGES’’ in the subsection captions for subsections (e) and (m), and inserting ‘‘CHARGE’’ and ‘‘CHARGES’’, respectively.

(B) Section 40117 is amended to read as follows:

'’s 40117. Passenger facility charges'.

(2) LIMITATIONS ON APPROVING APPLICATIONS.—

Section 40117(d)(4) is amended—

(A) by striking ‘‘subsection (c) of this section to finance a specific and inserting ‘‘subsection (c)(6) of this section to finance an intermodal ground access’’;

(B) by striking ‘‘specific’’ in paragraph (1); and

(C) by striking paragraph (2) and inserting the following:

‘‘(2) the project is an eligible airport-related project; and’’;

(D) by striking ‘‘each of the specific projects’’ and ‘‘in paragraph (3)’’;

(E) by striking paragraph (4).

(3) LIMITATIONS ON IMPOSING CHARGES.—

Section 40117(f)(1)(e) is amended to read as follows:—

'(e) the project must be approved by the Secretary in accordance with this paragraph.'
passenger facility charge revenue to determine whether a passenger facility charge is excessive or that passenger facility revenue is not being used as provided in this section. The Comptroller shall establish regulations establishing procedures for complaints and investigations. The regulations may provide for the final agency decision without resort to an oral evidentiary hearing. The Secretary shall not accept complaints filed under this paragraph until after the issuance of regulations establishing complaint procedures.”.

(6) PILOT PROGRAM FOR PFC AT NONHUB AIRPORTS.—Section 40117(l) is amended—

(A) by striking “(c)” in paragraph (2) and inserting “(c)(3)” and

(B) by striking “October 1, 2009,” in paragraph (7) and inserting “the date of issuance of regulations under subsection (c) of this section, as amended by the FAA Aeronautical Research Modernization and Safety Improvement Act.”

(7) PROHIBITION ON APPROVING PFC APPLICATIONS FOR AIRPORT REVENUE DIVERSION.—Section 47111(e) is amended by striking “sponsor” the second place it appears in the first sentence and all that follows and inserting “sponsor. A sponsor shall not propose collection or use of passenger facility charges for any new projects under paragraphs (3) through (6) of section 47111(c) unless the Secretary determines that the sponsor has taken corrective action to address the violation and the violation no longer exists.”.

SEC. 202. PASSENGER FACILITY CHARGE PILOT PROGRAM.

(a) IN GENERAL.—Section 40117 is amended by adding at the end thereof the following:

“(n) ALTERNATIVE PASSENGER FACILITY CHARGE COLLECTION PILOT PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a pilot program at not more than 6 airports under which an eligible agency may impose a passenger facility charge under this section without regard to the dollar amount limitations set forth in paragraph (1) or (4) of subsection (b) if the participating eligible agency meets the requirements of paragraph (2).

“(2) COLLECTION REQUIREMENTS.—

“(A) DIRECT COLLECTION.—An eligible agency participating in the pilot program—

“(i) may collect the charge from the passenger either via the Internet, or, in any other reasonable manner; but

“(ii) may not require or permit the charge to be collected by an air carrier or foreign air carrier in any segment.

“(B) PFC COLLECTION REQUIREMENT NOT TO APPLY.—Subpart C of part 158 of title 14, Code of Federal Regulations, does not apply to the collection of the passenger facility charge imposed by an eligible agency participating in the pilot program.

“(b) STUDY OF ALTERNATIVE MEANS OF COLLECTING FPCS.—

“(1) IN GENERAL.—The Comptroller General shall conduct a study of alternative means of collecting passenger facility charges imposed under section 40117 of title 49, United States Code, that would permit such charges to be collected without being included in the ticket price. In the study, the Comptroller General shall consider, at a minimum—

“(A) collection options for arriving, connecting, and departing passengers at airports;

“(B) cost sharing or fee allocation methods based on passenger travel to address connecting traffic; and

“(C) alternatives to the collection of airfares collected by domestic and international airports that are not included in ticket prices.

“(2) REPORT.—No later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report on the study to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure containing the Comptroller General’s findings, conclusions and recommendations.

SEC. 203. AMENDMENTS TO GRANT ASSURANCES.

Section 47107 is amended—

(1) by striking “made;” in subsection (a)(1)(D) and inserting “made, except that, if there is a change in airport design standards that the Secretary determines is beyond the owner or operator’s control that requires the owner or operator to transfer to another airport the use of the airport or the use of an existing airport facility, the Secretary, upon the request of the owner or operator, may grant funds available under section 47114 to pay the cost of relocating or replacing such facility;”;

(2) by striking “purpose;” in subsection (c)(2)(A)(i) and inserting “purpose, which includes serving as noise buffer land;”;

(3) by striking “paid to the Secretary for deposit in the Fund if another eligible project does not exist.” in subsection (c)(2)(B)(ii) and inserting “reinvested in another project at the airport or transferred to another airport as the Secretary prescribes;” and

(4) by redesignating paragraph (3) of subsection (c) as paragraph (4) and inserting after paragraph (2) the following:

“(3) In approving the reimbursement or transfer of proceeds under paragraph (2)(C)(iii), the Secretary shall give preference, in descending order, to—

“(A) reinvestment in an approved noise compatibility project;

“(B) reinvestment in an approved project that is eligible for funding under section 47117(e);

“(C) reinvestment in an airport development project that is eligible for funding under section 47114, 47115, or 47117 and meets the requirements of this chapter;

“(D) transfer to the sponsor of another public project to be reinvested in an approved noise compatibility project at such airport; and

“(E) payment to the Secretary for deposit in the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502).”.

SEC. 204. GOVERNMENT SHARE OF PROJECT COSTS.

(a) FEDERAL SHARE.—Section 47109 is amended—

(1) by striking “subsection (b) or subsection (c)” in subsection (a) and inserting “subsection (b), (c), or (e);” and

(2) by adding at the end the following:

“(e) SPECIAL RULE FOR TRANSITION FROM SMALL HUB TO MEDIUM HUB STATUS.—If the status of a small hub primary airport changes to a medium hub primary airport, the United States Government’s share of allowable project costs for the airport may not exceed 95 percent for 2 fiscal years following such change in hub status.

(b) AIRPORTS.—Section 47114(c)(3)(B) is amended by striking “year 2002,” and inserting “years 2010 and 2011.”.

SEC. 205. AMENDMENTS TO ALLOWABLE COSTS.

Section 47110 is amended—

(1) by striking subsection (d) and inserting the following:

“(d) RELOCATION OF AIRPORT-OWNED FACILITIES.—The Secretary may determine that the costs of relocating or replacing an airport-owned facility are allowable for an airport development project at an airport only if—

“(1) the Government’s share of such costs is paid with funds apportioned to the airport sponsor under sections 47114(c)(1) or 47114(d)(2); and

“(2) the Secretary determines that the re-location or replacement is required due to a change in the Secretary’s design standards; and

“(3) the Secretary determines that the change is beyond the control of the airport sponsor;”;

(2) by striking “facilities, including fuel farms and hangars,” in subsection (b) and inserting “facilities, as defined by section 47102;”

(3) by adding at the end the following:

“(i) BIRD-DETECTING RADAR SYSTEMS.—Within 180 days after the date of enactment of this Act, the Administrator shall analyze the conclusions of ongoing studies of various types of commercial sabreตาs available bird radar systems, based upon that analysis, if the Administrator determines such systems have no negative impact on existing navigational aids and that the expenditure of such funds is appropriate, the Administrator shall allow the purchase of bird-detecting radar systems as an allowable airport development project costs subject to sub-paragraph’s (a)(1) and (a)(2). If the Administrator determines that such radar systems will not improve or negatively impact airport safety, the Administrator shall issue a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on why that determination was made.”.

SEC. 206. SALE OF PRIVATE AIRPORT TO PUBLIC SPONSOR.

Section 47133(b) is amended—

(1) by resetting the text of the subsection as indented paragraph 2 ems from the left margin;

(2) by inserting “(1)” before “Subsection”;

(3) by adding at the end thereof the following:

“(2) In the case of a privately owned airport,

subsection (a) shall not apply to the proceeds from the sale of the airport to a public sponsor if—

“(A) the sale is approved by the Secretary;

“(B) funding is provided under this title for the airport by the public sponsor’s acquisition; and

“(C) an amount equal to the remaining unamortized portion of the original grant, amortized over a 20-year period, is repaid to the Secretary by the public sponsor for deposit in the Trust Fund for airport acquisitions.

“(3) This subsection shall apply to grants issued on or after October 1, 1996.”.

SEC. 207. GOVERNMENT SHARE OF CERTAIN AIR PROJECT COSTS.

Notwithstanding section 47109(a) of title 49, United States Code, the Federal Government’s share of allowable project costs for a grant made in fiscal years 2008, 2009, 2010, or 2011 under chapter 471 of that title for a project described in paragraph (2) or (3) of that section shall be 85 percent.

SEC. 208. MISCELLANEOUS AMENDMENTS.

(a) TECHNICAL CHANGES TO NATIONAL PLAN OF INTEGRATED AIRPORT SYSTEMS.—Section 47103 is amended—

(1) by striking “each airport to—” in subsection (a) and inserting “the airport system to—”;

(2) by striking “system in the particular airport” in subsection (a)(1) and inserting “system, including connection to the surface transportation network;”;

(3) by striking “aeronautics; and” in subsection (a)(2) and inserting “aeronautics;”;

(4) by striking subsection (a)(3);

(5) by inserting “and” after the semicolon in subsection (b)(1);

(6) by striking paragraph (2) of subsection (b) and redesignating paragraph (3) as paragraph (2).
(7) by striking "operations, Short Takeoff and Landing/Very Short Takeoff and Landing aircraft operations," in subsection (b)(2), as redesignated, and inserting "operations;" and

(8) by striking "status of the" in subsection (d).

(b) UNIFORM VETERANS PREFERENCE DEFINITION.—Section 47112(c) is amended—

(1) by striking "separated from" in paragraph (1)(B) and inserting "discharged or released from active duty in;" and

(2) by adding at the end of paragraph (1) the following:

"(C) ‘Afghanistan-Iraq war veteran’ means an individual who served in the armed forces during period beginning on September 20, 2001, and ending on the date prescribed by Presidential proclamation or by law as the last date of Operation Iraqi Freedom;".

(3) by striking "veterans and" in paragraph (2) and inserting "veterans, Afghan-istan war veterans, and;"; and

(4) by adding at the end of that paragraph the following:

"(3) An individual who served in the armed forces during period beginning on September 20, 2001, and ending on the date prescribed by Presidential proclamation or by law as the last date of Operation Iraqi Freedom.".

(c) ANNUAL REPORT.—Section 47131(a) is amended—

(1) by striking "April 1" and inserting "June 1"; and

(2) by striking paragraphs (1) through (4) and inserting the following:

"(1) a summary of airport development and planning completed;

(2) a summary of individual grants issued; and

(3) the amount of discretionary and apportioned funds allocated; and

(4) the allocation of appropriations; and;

(d) SUNSET.—Section 47137 is repealed effective September 30, 2008.

(e) CORRECTION TO EMISSION CREDITS PROVI- SION.—Section 47139 is amended—

(1) by striking "47126(3)(F)." in paragraph (a); and

(2) by striking "47126(3)(F), 47126(3)(K), 47126(3)(L), or 47140" in subsection (b) and inserting "47126(3)(L)"; and

(f) DISCRETIONARY FUND.—Section 47143 is amended—

(1) by striking "§ 47143. Environmental mitigation demon- stration pilot program."

(2) by striking "§ 47114. Environmental mitigation demonstration pilot program."
this subchapter, an environmental mitigation demonstration project approved under this section shall be treated as eligible for assistance under this subchapter.

"(b) Air Traffic Control Modernization Oversight Board.—A public-use airport shall be eligible for participation in the pilot.

"(c) SELECTION CRITERIA.—In selecting from among applicants for participation in the pilot program, the Secretary may give priority consideration to environmental mitigation demonstration projects that—

"(1) will achieve the greatest reductions in aircraft noise, airport emissions, or airport water quality impacts either on an absolute basis, or on a per-dollar-of-funds expended basis; and

"(2) will be implemented by an eligible consortium.

"(d) FEDERAL SHARE.—Notwithstanding any other provision of this subchapter, the United States Government's share of the costs of a project carried out under this section shall be 50 percent.

"(e) MAXIMUM AMOUNT.—Not more than $2,500,000 shall be available by the Secretary in grants under this section for any single project.

"(f) IDENTIFYING BEST PRACTICES.—The Administrator may develop and publish information identifying best practices for reducing or mitigating aviation impacts on noise, air quality, or water quality in the vicinity of airports, based on the projects carried out under the pilot program.

"(g) DEFINITIONS.—In this section:

"(1) 'Air Traffic Control Modernization Oversight Board' means the term 'eligible consortium' means a consortium that comprises 2 or more of the following entities:

"(A) Businesses operating in the United States.

"(B) Public or private educational or research organizations located in the United States.

"(C) Entities of State or local governments in the United States.

"(D) Federal laboratories.

"(2) 'Environmental mitigation demonstration project' means a project that—

"(A) demonstrates new conceptual environmental mitigation techniques or technology with associated benefits, which have already been proven in laboratory demonstrations;

"(B) demonstrates potential for efficient adaptation or integration of new concepts to airport operations; and

"(C) will demonstrate whether new techniques for environmental mitigation identified in research are—

"(i) practical to implement at or near multiple public use airports; and

"(ii) capable of reducing noise, airport emissions, or water quality impacts in measurable significant amounts.

"(b) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47142 the following:

"47143. Environmental mitigation demonstration project—program.

SEC. 214. ALLOWABLE PROJECT COSTS FOR AIRPORT DEVELOPMENT PROGRAM.

Section 47102(3)(G) is amended by inserting "including acquiring glycol recovery vehicles, after "aircraft," a

SEC. 216. RESEARCH IMPROVEMENT FOR AIRCRAFT.

Section 4504(b) is amended—

"(1) by striking "and" after the semicolon in paragraph (6);

"(2) by striking "aircraft," in paragraph (7) and inserting "aircraft;" and

"(3) by adding at the end thereof the following:

"(8) to conduct research to support programs designed to reduce gases and particulates emitted.

SEC. 217. UNITED STATES TERRITORY MINIMUM GUARANTEE.

Section 47114(e) is amended—

"(1) by inserting "AND ANY UNITED STATES TERRITORY IN THE UNITED STATES TERRITORY OF ANCHORAGE, ALASKA," in the subsection heading; and

"(2) by adding at the end thereof the following:

"(8) UNITED STATES TERRITORY MINIMUM GUARANTEE.—In any fiscal year in which the total amount apportioned to airports in a United States Territory under subsections (c) and (d) is less than 1.5 percent of the total amount apportioned to all airports under those subsections, the Secretary may apportion to the local authority in any United States Territory responsible for airport development projects in that fiscal year an amount equal to the difference between 1.5 percent of the total amounts apportioned under subsections (c) and (d) in that fiscal year and the amount otherwise apportioned under those subsections to airports in a United States Territory in that fiscal year.

SEC. 218. MERRILL FIELD AIRPORT, ANCHORAGE, ALASKA.

(a) IN GENERAL.—Notwithstanding any other provision of law, including the Federal Airport Act (as in effect on August 8, 1958), the United States releases, without monetary consideration, all restrictions, conditions, and limitations on the use, encumbrance, or conveyance of the Town Site of Anchorage, Alaska, more particularly described as Tracts 22 and 24 of the Fourth Addition to the Town Site of Anchorage, Alaska, as shown on the plat of U.S. Survey No. 1456, accepted June 13, 1923, on file in the Bureau of Land Management, Department of Interior.

(b) GRANTS.—Notwithstanding any other provision of law, the municipality of Anchorage shall be released from the repayment of any fees, obligations, or payments owed by the municipality to the Federal Aviation Administration with respect to any land described in subsection (a) that is subsequently conveyed to or used by the Department of Transportation and Public Facilities of the State of Alaska for the construction or reconstruction of a federally subsidized highway project.

TITLE III—AIR TRAFFIC CONTROL MODERNIZATION AND FAA REFORM

SEC. 301. AIR TRAFFIC CONTROL MODERNIZATION AND OVERSIGHT BOARD.

Section 106(p) is amended to read as follows:

"(1) Air Traffic Control Modernization Oversight Board.—

"(2) MEMBERSHIP.—The Board shall be comprised of the individual appointed or designated under section 303 of the FAA Air Transportation Modernization and Safety Improvement Act (who shall serve ex officio without the right to vote) and 9 other members, who shall be

"(A) the Administrator and a representative from the Department of Defense;

"(B) 1 member who shall have a fiduciary responsibility to represent the public interest; and

"(C) 6 members representing aviation interests as follows:

"(i) 1 representative that is the chief executive officer of an airport.

"(ii) 1 representative that is the chief executive officer of a passenger or cargo air carrier.

"(iii) 1 representative of a labor organization representing employees at the Federal Aviation Administration that are involved with the operation of the air traffic control system.

"(iv) 1 representative with extensive operational experience in the general aviation community.

"(v) 1 representative from an aircraft manufacturer.

"(vi) 1 representative of a labor organization representing employees at the Federal Aviation Administration who are involved with maintenance of the air traffic control system.

"(vii) APPOINTMENT AND QUALIFICATIONS.—

"(A) Members of the Board appointed under paragraphs (2)(B) and (2)(C) shall be appointed by the President, by and with the advice and consent of the Senate.

"(B) Members of the Board appointed under paragraphs (2)(B) and (2)(C) shall be citizens of the United States and shall be appointed without regard to political affiliation and solely on the basis of their professional expertise and experience in the following areas and, in the aggregate, should collectively bring to bear expertise in—

"(1) management of large service organizations;

"(2) customer service;

"(3) management of large procurements;

"(4) information and communications technology;

"(5) organizational development; and

"(6) labor relations.

"(C) Of the members first appointed under paragraphs (2)(B) and (2)(C)—

"(i) 2 shall be appointed for a term of 3 years;

"(ii) 1 shall be appointed for a term of 2 years;

"(iii) 1 shall be appointed for a term of 3 years; and

"(iv) 1 shall be appointed for a term of 4 years.

"(D) FUNCTIONS.—

"(A) IN GENERAL.—The Board shall—

"(i) review and provide advice on the Administration's modernization programs, budget, and cost accounting system; and

"(ii) review the Administration's strategic plan and make recommendations on the non-safety program portions of the plan, and provide advice on the safety programs of the plan.

"(iii) review the operational efficiency of the air traffic control system and make recommendations on the operational and performance metrics for fiscal year 2011.

"(iv) approve procurements of air traffic control equipment in excess of $100,000,000;

"(v) approve by July 31 of each year the Administrator's budget request for facilities and equipment prior to its submission to the Office of Management and budget, including which programs are proposed to be funded from the Air Traffic control system Modernization Account of the Airport and Airway Trust Fund;

"(vi) approve the Federal Aviation Administration Capital Investment Plan prior to its submission to the Congress;

"(vii) annually review and make recommendations on the NextGen Implementation Plan;

"(viii) approve the Administrator's selection of the Chief NextGen Officer appointed
(ix) approve the selection of the head of the Joint Development Office:

(B) MEETINGS.—The Board shall meet on a
regular and periodic basis or at the call of
the Chairman or of the Administrator:

(C) STAFF.—The Administration may give the Board ap-
propriate access to relevant documents and personnel of
the Administration, and the Admin-
istration shall make available, consistent
with the authority to withhold commercial and
other proprietary information under section
5, cost data associated with the acquisition and operation of air traffic
control systems. Any member of the Board
who receives commercial or other propri-
etary information shall be subject to the
provisions of section 1005 of title 18,
pertaining to unauthorized disclo-
sure of such information.

(6) ADMINISTRATIVE MATTERS.—

(A) TERMS OF MEMBERS.—Except as pro-
vided in paragraph (3)(C), members of the Board
appointed under paragraph (2)(B) and
(2)(C) shall be appointed for a term of 4
years.

(B) REAPPOINTMENT.—No individual may
be appointed to the Board for more than 8
years total.

(C) VACANCY.—Any vacancy on the Board
shall be filled in the same manner as the
original position. Any member appointed to
fill a vacancy occurring before the expira-
tion of the term for which the member’s
predecessor in office was appointed shall be appointed for a term of 4
years.

(D) CONTINUATION IN OFFICE.—A member
of the Board whose term expires shall con-
tinue to serve until the date on which the
member’s successor takes office.

(E) REMOVAL.—Any member of the Board
appointed under paragraph (2)(B) or (2)(C) may be removed by the President for cause.

(F) CLAIMS AGAINST MEMBERS OF THE
BOARD.—

(i) In general.—A member appointed to
the Board shall have no personal liability under State or Federal law with respect to any claim arising out of or resulting from an act or omission while a member with respect to which an applicable law
or the absence of the chairman.

(ii) Effect on other law.—This subpara-
graph shall not be construed:

(I) to affect any other immunity or pro-
tection that may be available to a member of
the Board under applicable law with re-
spect to such transactions;

(II) to confer any right or remedy against
the United States under applicable
law;

(iii) to limit or alter in any way the immu-
nity in paragraph (I) of the applicable law
for Federal officers and employees.

(G) ETHICAL CONSIDERATIONS.—Each mem-
ber of the Board appointed under paragraph
(2)(B) must certify to the member—

(i) that does not have a pecuniary interest in,
or own stock in or bonds of, an aviation or
aeronautical enterprise, except in an interest in a diversified mutual fund or an interest
that is exempt from the application of sec-
tion 208 of title 18;

(ii) does not engage in another business
related to aviation or aeronautics;

(iii) is not a member of any organization
that engages, as a substantial part of its ac-
tivities, in activities to influence aviation-
related matters;

(H) CHAIRMAN; VICE CHAIRMAN.—The Board
shall elect a chair and a vice chair from
among its members, each of whom shall
serve for a term of 2 years. The vice chair
shall perform the duties of the chairman in
the absence of the chairman.

(I) COMPENSATION.—Each member shall re-
ceive any compensation or other benefits
from the Federal Government for serving on
the Board, except for compensation benefits
for implementation of subsection (I) of chapter 81
of title 5 and except as provided under sub-
paragraph (J).

(J) EXPENSES.—Each member of the Board
shall be paid actual travel expenses and per
diem in lieu of subsistence expenses when away from his or her usual place of
residence, in accordance with section 5703 of
title 5.

(K) BOARD RESOURCES.—From resources
otherwise available to the Administrator, the
Chairman shall appoint such staff to as-
sist the Board and provide impartial anal-
ysis, and the Administrator shall make
available to the Board such information and
administrative services and assistance, as
may reasonably be required to enable the
Board to carry out its responsibilities under
this subsection.

(L) QUORUM AND VOTING.—A simple major-
ity of members present and voting shall be re-
quired for the Committee to take action.

(M) AIR NAVIGATION SYSTEMS.

(i) In general.—The term ‘air naviga-
tion system’ has the meaning given
to that term in section 4902a.

SEC. 302. NEXTGEN MANAGEMENT.

(a) IN GENERAL.—The Administrator shall
appoint or designate an individual, as the
Chief NextGen Officer, to be responsible for
implementation of all NextGeneration
Programs associated with the Next Generation
Air Transportation System.

(b) SPECIFIC DUTIES.—The individual ap-
pointed or designated under subsection (a) shall—

(1) oversee the implementation of all Ad-
ministration NextGen programs;

(2) coordinate implementation of those
NextGen programs with the Office of Man-
agement and Budget;

(3) develop an annual NextGen implemen-
tation plan;

(4) ensure that Next Generation Air Trans-
portation System implementation activities are planned in such a manner as to require the Administrator to allow for the incorporation of novel and currently
unknown technologies into the System in the
future and that current decisions do not
bias future decisions unfairly in favor of ex-
isting technology at the expense of innova-
tion; and

(5) oversee the Joint Planning and Devel-
opment Office’s facilitation of cooperation
among all Federal agencies whose operations and interests are affected by implementation
of the NextGen programs.

SEC. 303. FACILITATION OF NEXT GENERATION
AIR TRAFFIC SERVICES.

Section 106(1) is amended by adding at the end the
following:

(7) AIR TRAFFIC SERVICES.—In deter-
mmining what actions to take, by rule or
through an agreement or transaction under
paragraph (6) or under section 4502, to per-
mit non-Government providers of commu-
nications, navigation, surveillance or other
services to provide such services in the Na-
tional Airspace System, or to require
such services, the Administrator shall con-
sider whether such actions would—

(A) promote the safety of life and prop-
erty;
SEC. 308. NEXT GENERATION FACILITIES NEEDS ASSESSMENT.

(a) FAA CRITERIA FOR FACILITIES REALIGNMENT.—After the date of enactment of this Act, the Administrator, after providing an opportunity for public comment, shall publish final criteria to be used in making the Administrator’s recommendations for the realignment of services and facilities to assist in the transition to next generation facilities and help reduce capital, operating, and administrative costs with no adverse effect on safety.

(b) REALIGNMENT RECOMMENDATIONS.—Within 9 months after publication of the criteria, the Board shall publish a list of the services and facilities that the Administrator recommends for realignment, including a justification for each recommendation and a description of the costs and savings of such transition, in the Federal Register and allow 45 days for the submission of public comments to the Board. In addition, the Administrator upon request shall hold a public hearing in any community that would be affected by a recommendation in the report.

(c) STUDY BY BOARD.—The Air Traffic Control Modernization Oversight Board established by section 106(p) of title 49, United States Code, shall study the Administrator’s recommendations for realignment and the opportunities, risks, and benefits of realigning services and facilities of the Administration to help reduce capital, operating, maintenance, and administrative costs with no adverse effect on safety.

(d) REVIEW AND RECOMMENDATIONS.—(1) Based on its review and analysis of the Administrator’s recommendations and any public comment it may receive, the Board shall make its independent recommendations for realignment of aviation services or facilities and submit its recommendations in a report to the President, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure.

(2) The Board shall explain and justify in its report any recommendation made by the Board that is different from the recommendations made by the Administrator pursuant to subsection (b).

(e) REALIGNMENT DEFINED.—In this section, the term ‘‘realignment’’—

(1) means a relocation or reorganization of functions or personnel responsibilities, including a facility closure, consolidation, deconsolidation, collocation, decombing, decoupling, split, or inter-facility or inter-departmental realignment that results in a realignment of employees; and

(2) does not include a reduction in personnel resulting from workload adjustments.

SEC. 309. NEXT GENERATION AIR TRANSPORTATION SYSTEM IMPLEMENTATION OFFICE.

(a) IMPROVING COOPERATION AND COORDINATION AMONG PARTICIPATING AGENCIES.—Section 709 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended—

(1) by inserting ‘‘strategic and cross-agency’’ after ‘‘manage’’ in subsection (a)(1);

(2) by adding at the end of subsection (a)(1) ‘‘The Administrator shall, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and the head of any other Department or Federal agency from which the Secretary of Commerce requests assistance under subparagraph (A) shall designate an implementation office to be responsible for—(i) carrying out the Department or agency’s Next Generation Air Transportation System implementation activities with the Office; (ii) liaison and coordination with other Departments and agencies involved in Next Generation Air Transportation System activities; and (iii) managing all Next Generation Air Transportation System programs for the Department or agency, including necessary budgetary and staff resources, including, for the Federal Aviation Administration, the Next Generation Air Transportation System projects described in section 44501(b)(5) of title 49, United States Code.’’;

(3) by adding ‘‘(D) a schedule of rulemakings required to implement the Next Generation Air Transportation Modernization and Safety Improvement Act, the head of each such Department or agency shall execute a written agreement the Administrator and each exclusive bargaining representative certified under section 7114 of title 5, United States Code, of affected employees execute a written agreement regarding the proposed realignment.’’;

(b) REALIGNMENT DEFINED.—In this section, the term ‘‘realignment’’—

(1) means a reorganization of functions or personnel responsibilities, including a facility closure, consolidation, deconsolidation, collocation, decombing, decoupling, split, or inter-facility or inter-departmental realignment that results in a realignment of employees; and

(2) does not include a reduction in personnel resulting from workload adjustments.

SEC. 310. REALIGNMENT OF AIR NAVIGATION FACILITIES.

Section 40102(a)(3)(C) is amended by—

(1) by striking ‘‘compensation;’’ and inserting ‘‘compensation and the amount received may be credited to the appropriate account when the amount is received; and’’;

(2) by striking ‘‘information, signaling, radio-directional finding, or radio or other electromagnetic communication; and’’ in subparagraph (C) and inserting ‘‘aeronautical and meteorological information to air traffic control facilities or aircraft, supplying communication, navigation or surveillance equipment for air-to-ground or air-to-air applications;’’;

(3) by striking ‘‘another structure’’ in subparagraph (D) and inserting ‘‘any structure, equipment;’’;

(4) by striking ‘‘aircraft,’’ in subparagraph (D) and inserting ‘‘aircraft; and’’; and

(5) by adding at the end the following:

‘‘(E) buildings, equipment, and systems dedicated to the National Airspace System.’’

SEC. 311. IMPROVED MANAGEMENT OF PROPERTY INVENTORY.

Section 40110(a)(2) is amended by striking ‘‘compensation;’’ and inserting ‘‘compensation, and the amount received may be credited to the appropriate account when the amount is received; and’’.

SEC. 312. EDUCATIONAL REQUIREMENTS.

The Administrator shall make payments to the Department of Defense for the education of dependent children of those Administration employees in Puerto Rico and Guam as they are subject to transfer by policy and practice and meet the eligibility requirements of section 302(a) of the FAA Air Transportation Modernization and Safety Improvement Act.

SEC. 313. FAA PERSONNEL MANAGEMENT SYSTEM.

Section 40122(a)(2) is amended to read as follows:

‘‘(2) DISPUTE RESOLUTION.—

(A) MEDIATION.—If the Administrator does not reach an agreement under paragraph (1) or subsection (g)(2)(C) with the exclusive bargaining representatives, the services of the Federal Mediation and Conciliation Service shall be used to reach such agreement in accordance with part 1425 of title 29, Code of Federal Regulations. The Administrator and bargaining representatives may use mutual agreement adopt procedures for the resolution of disputes or impasses arising in the negotiation of a collective-bargaining agreement.

(B) ARBITRATION.—If the services of the Federal Mediation and Conciliation Service under subparagraph (A) do not lead to an agreement, the Administrator and the bargaining representatives submit their issues in controversy to the Federal Service Impasses Panel in accordance with section 7119 of title 5. The Panel shall assist their issues in controversy by asserting jurisdiction and ordering binding arbitration by a private arbitration board consisting of 5 members in accordance with sec-
names of arbitrators with Federal sector experience from the director of the Federal Mediation and Conciliation Service to be provided to the Administrator and the bargaining representatives. Within 10 days after receiving the list, the parties shall select one person. The 2 arbitrators shall then select a third person from the list within 7 days. If the arbitrators are unable to agree on the third person, the parties shall select the third person by alternately striking names from the list until only 1 name remains. If the arbitrators do not agree on the framing of the issues to be submitted, the arbitration board shall frame the issues. The arbitration board shall give the parties a full and fair opportunity to present their case in person, by counsel, or by other representatives as they may elect. Decisions of the arbitration board shall be conclusive and binding upon the parties. The arbitration board shall render its decision within 90 days after its appointment. The Administrator and the bargaining representative shall share costs of the arbitration equally. The arbitration board shall take into consideration the effect of decisions on Federal Aviation Administration’s ability to attract and retain a qualified workforce and the Federal Aviation Administration’s budget.

“(C) EFFECT.—Upon reaching a voluntary agreement or at the conclusion of the binding arbitration under subparagraph (A) above, the final agreement, except for those matters decided by the arbitration board, shall be subject to ratification by the exclusive representative, if so requested by the exclusive representative and approved by the head of the agency in accordance with subsection (g)(2)(C).

“(D) ENFORCEMENT.—Enforcement of the provisions of this paragraph shall be in the United States District Court for the District of Columbia.’’.

SEC. 314. ACCELERATION OF NEXTGEN TECHNOLOGIES.

(a) OEP AIRPORT PROCEDURES.—

(1) IN GENERAL.—Within 6 months after the date of enactment of this Act, the Administrator shall submit to the OEP, for air traffic control operational changes, to operations, including the procedures to be implemented under this section, a list of 50 airports that are subject to ratification by the exclusive representative.

(2) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement:

(A) 30 percent of the required procedures within 18 months after the date of enactment of this Act;

(B) 60 percent of the procedures within 36 months after the date of enactment of this Act; and

(C) 100 percent of the procedures before January 1, 2014.

(b) EXPANSION OF PLAN TO OTHER AIRPORTS.—

(1) IN GENERAL.—No later than January 1, 2014, the Administrator shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, and air carriers, that includes a plan for applying the procedures, requirements, criteria, and metrics described in subsection (a)(1) to other airports across the Nation.

(2) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement:

(A) 25 percent of the required procedures at such other airports before January 1, 2015;

(B) 50 percent of the procedures at such other airports before January 1, 2016;

(C) 75 percent of the procedures at such other airports before January 1, 2017; and

(D) 100 percent of the procedures before January 1, 2018.

(c) ESTABLISHMENT OF PRIORITIES.—The Administrator shall meet the charter of the Performance-Based Navigation Aviation Rulemaking Committee as necessary to authorize and request it to establish priorities for the development, certification, publication, and implementation of the navigation performance and area navigation procedures based on their potential safety and congestion benefits.

(d) COORDINATED AND EXPEDITED REVIEW.—Navigation performance and area navigation procedures developed, certified, published, and implemented under this section shall be presumed to be covered by a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations) under chapter 3 of part 150 for Federal political entities by the Administrator determines that extraordinary circumstances exist with respect to the procedures.

(e) DEPLOYMENT PLAN FOR NATIONWIDE DATA COMMUNICATIONS SYSTEM.—Within 1 year after the date of enactment of this Act, the Administrator shall submit a plan for implementation of a nationwide communications system to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure. The plan shall include—

(1) clearly defined budget, schedule, project organization, and leadership requirements;

(2) specific implementation and transition steps; and

(3) baseline and performance metrics for measuring the Administration's progress in implementing the plan.

(f) IMPROVED PERFORMANCE STANDARDS.—Within 90 days after the date of enactment of this Act, the Administrator shall submit a report to the Senate committee on commerce, science, and transportation and the House of Representatives Committee on Transportation and Infrastructure that—

(A) evaluates whether utilization of ADS–B, RNP, and other technologies as part of the NextGen Air Transport System implementation plan will display the position of aircraft more accurately and frequently so as to enable a more efficient use of existing airspace infrastructure and reduce consumption of aviation fuel and aircraft engine emissions;

(2) evaluates the feasibility of reducing aircraft separation standards in a safe manner as a result of implementation of such technologies; and

(3) if the Administrator determines that such standards can be reduced safely, includes a timetable for implementation of such reduced standards.

SEC. 315. ADS–B DEVELOPMENT AND IMPLEMENTATION.

(a) IN GENERAL.—

(1) REPORT REQUIRED.—Within 90 days after the date of enactment of this Act, the Administrator shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure detailing the Administration's program and schedule for integrating ADS–B technology into the National Airspace System. The report shall include—

(A) clearly defined budget, schedule, project organization, leadership, and the specific implementation or transition steps required to achieve these ADS–B ground station installations;

(B) a transition plan for ADS–B that includes date-specific milestones for the implementation of new capabilities into the National Airspace System;

(C) identification of any potential operational or workforce changes resulting from deployment of ADS–B;

(D) detailed plans and schedules for implementation of advanced operational procedures and ADS–B air-to-air applications; and

(E) baseline and performance metrics in order to measure the agency’s progress.

(2) IDENTIFICATION AND MEASUREMENT OF BENEFITS.—In the report required by paragraph (1), the Administrator shall identify actual benefits that will accrue to National Airspace System users from deployment of ADS–B and provide and explanation of the metrics used to quantify those benefits.

(b) RULEMAKING.—

(1) ADS–B OUT.—Not later than 45 days after the date of enactment of this Act the Administrator shall—

(A) complete the initial rulemaking proceeding (Docket No. FAA–2007–29303; Notice No. 07–15; 72 FR 56947) to issue guidelines and regulations for ADS–B Out technology that—

(i) include the initial ADS–B Out technology that will be required under NextGen;

(ii) subject to paragraph (3), require all aircraft to be equipped with such technology by 2018; and

(iii) identify—

(I) the type of such avionics required for aircraft for all classes of airspace; and

(II) the expected costs associated with the avionics; and

(III) the expected uses and benefits of the avionics; and

(B) issue a rulemaking proceeding to issue any additional guidelines and regulations for ADS–B Out technology not addressed in the initial rulemaking.

(2) ADS–B IN.—Not later than 45 days after the date of enactment of this Act the Administrator shall initiate a rulemaking proceeding to issue guidelines and regulations for ADS–B In technology that—

(A) identify the ADS–B In technology that will be required under NextGen;

(B) subject to paragraph (3), require all aircraft to be equipped with such technology by 2018; and

(C) identify—
(i) the type of such avionics required of aircraft for all classes of airspace; (ii) the expected costs associated with the avionics; and (iii) the expected uses and benefits of the avionics.

(3) Readiness Verification.—Before the date on which all aircraft are required to be equipped with ADS-B technology pursuant to rulemakings under paragraphs (1) and (2), the Air Traffic Control Modernization Oversight Board shall verify that—

(A) the necessary ground infrastructure is installed and functioning properly;

(B) certification standards have been approved; and

(C) the appropriate operational platforms interface safely and efficiently.

(4) Use.—Within 18 months after the date of enactment of this Act, the Administrator shall develop, in consultation with appropriate employee groups, a plan for the use of ADS–B technology for surveillance and active air traffic control by 2015. The plans shall—

(1) include provisions to test the use of ADS–B prior to the 2015 deadline for surveillance and active air traffic control in specific regions of the country with the most congested airspace;

(2) identify the equipment required at air traffic control facilities and the training required for air traffic controllers;

(3) develop procedures, in consultation with appropriate employee groups, to conduct air traffic management in mixed environment; and

(4) establish a policy in these test regions, with consultation from appropriate employee groups, to provide incentives for equipage with ADS–B technology by giving priority to aircraft equipped with such technology before the 2015 and 2018 equipage deadlines.

SEC. 316. EQUIPAGE INCENTIVES.

(a) In General.—The Administrator shall issue a report that—

(1) identifies incentive options to encourage the equipage of aircraft with NextGen technologies, including a policy that gives priority to aircraft equipped with ADS–B technology;

(2) assesses the costs and benefits of each option; and

(3) includes input from industry stakeholders, including passenger and cargo air carriers, manufacturers, and general aviation aircraft operators.

(b) Deadline.—The Administrator shall issue the report before the earlier of—

(1) 18 months after the date of enactment of this Act; or

(2) the date on which aircraft are required to be equipped with ADS–B technology pursuant to rulemakings under section 315(b) of this Act.

SEC. 317. PERFORMANCE METRICS.

(a) In General.—No later than June 1, 2010, the Administrator shall establish and track National Airspace System performance metrics, including, at a minimum—

(1) the allowable operations per hour on runways;

(2) average gate-to-gate times;

(3) fuel burned between key city pairs;

(4) operations using the advanced procedures implemented under section 314 of this Act;

(5) average distance flown between key city pairs; and

(6) average gate arrival delay for all arrivals.

(b) Reports.—

(1) Initial Report.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that contains—

(A) a description of the metrics that will be used to measure the Administration’s progress in implementing NextGen Air Transportation System capabilities and operational results; and

(B) information about how any additional metrics were developed.

(2) Annual Progress Report.—The Administrator shall submit an annual progress report to those committees on the Administrator’s progress in implementing NextGen Air Transportation System.

SEC. 318. CERTIFICATION STANDARDS AND SOURCES.

(a) In General.—Within 6 months after the date of enactment of this Act, the Administrator shall develop a plan to accelerate and streamline the process for certification of NextGen technologies, including—

(1) updated project plans and timelines to meet the deadlines established by this title; and

(2) identification of the specific activities needed to certify core NextGen technologies, including the establishment of NextGen technical requirements for the manufacture of equipage, installation of equipage, airline operational procedures, pilot training standards, air traffic control procedures, and air traffic controller training;

(3) staffing requirements for the Air Certification Service and the Flight Standards Service, and measures addressing concerns expressed by the Air Transport Association Inspector General and the Comptroller General regarding staffing needs for modernization;

(4) an assessment of the extent to which the Administrator will use third parties in the certification process, and the cost and benefits of this approach; and

(5) performance metrics to measure the Administrator’s progress.

(b) Certification Integrity.—The Administrator shall take no distinction between public or privately owned equipment, systems, or services used in the National Airspace System when determining certification of Ground Based Augmentation System technology; and

SEC. 319. UNMANNED AERIAL SYSTEMS.

(a) In General.—Within 1 year after the date of enactment of this Act, the Administrator shall develop a plan to accelerate the integration of unmanned aerial systems into the National Airspace System that—

(1) creates a pilot project to integrate such vehicles into the National Airspace System at 4 test sites in the National Airspace System by 2012;

(2) creates a safe, non-exclusionary airspace designation that may be used by the Administrator and unmanned flight operations in the National Airspace System;

(3) establishes a process to develop certification flight standards, and air traffic requirements for such vehicles at the test sites;

(4) dedicates funding for unmanned aerial systems research and development to certification, flight standards, and air traffic requirements; (5) encourages leveraging and coordination of such research and development activities with the National Aeronautics and Space Administration and the Department of Defense;

(6) includes input from industry stakeholders, including aircraft manufacturers, small businesses, and representative organizations; and

(7) ensures the unmanned aerial system technology integration plan is incorporated in the Administrator’s NextGen Air Transportation System implementation plan; and

(8) provides for verification of the safety of the vehicles and navigation procedures before their integration into the National Airspace System.

(b) Test Site Criteria.—The Administrator shall take into consideration geographical and climate diversity in determining where the test sites are to be established under the pilot project required by subsection (a)(1) to be located.

SEC. 320. SURFACE SYSTEMS PROGRAM OFFICE.

(a) In General.—The Air Traffic Organization shall—

(1) evaluate the Airport Surface Detection Equipment-Model X program for its potential contribution to implementation of the NextGen initiative;

(2) evaluate airport surveillance technologies and associated collaborative surface movement software for potential contributions to implementation of NextGen surface management; and

(3) accelerate implementation of the program;

and

(4) carry out such additional duties as the Administrator may require.

(b) Expedited Certification and Utilization.—The Administrator shall—

(1) consider options for expediting the certification of Ground Based Augmentation System technology; and

(2) develop a plan to utilize such a system at the 25 Operational Evolution Partnership airports by September 30, 2012.

SEC. 321. STAKEHOLDER COORDINATION.

(a) In General.—The Administrator shall establish a process for including qualified representatives selected by each exclusive collective bargaining representative of employees of the Administration who are likely to be affected by the planning, development, and deployment of air traffic modernization projects (including the Next Generation Air Transportation System) in, and collaborating with, such employees in the planning, development, and deployment of those projects.

(b) Participation.—

(1) Bargaining Obligations and Rights.—Participation in the process described in subsection (a) shall not be construed as a waiver of any bargaining obligations or rights under section 4022(a)(1) or 4022(b)(2)(C) of title 49, United States Code.

(2) Capacity and Compensation.—Exclusive collective bargaining representatives and selected employees participating in the process described in subsection (a) shall—

A) serve in a collaborative and advisory capacity; and

B) receive appropriate travel and per diem expenses in accordance with the travel policies of the Administration in addition to any regular compensation and benefits.

(c) Report.—No later than 180 days after the date of enactment of this Act, the Administrator shall submit a report on the implementation of this section to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.
SEC. 322. FAA TASK FORCE ON AIR TRAFFIC CONTROL FACILITY CONDITIONS.

(a) ESTABLISHMENT.—The Administrator shall appoint a Task Force to be known as the “FAA Task Force on Air Traffic Control Facility Conditions.”

(b) MEMBERSHIP.

(1) COMPOSITION.—The Task Force shall be composed of 15 members appointed by the Administrator under paragraph (1)(A).

(A) 7 members shall be appointed by the Administrator for a term of 5 years.

(B) 4 members shall be representatives of labor unions representing employees who work at field facilities of the Administration.

(C) 4 members shall be representatives of unions representing employees who work at field facilities of the Administration.

(2) DESIGNATION.—The members appointed by the Administrator under paragraph (1)(A) shall be designated, from among the individuals appointed under subsection (b)(1), an individual to serve as chairperson of the Task Force.

(3) TERMS.—Members shall serve terms of 5 years and shall receive per diem in lieu of subsistence, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(c) STAFF.—The Task Force shall be composed of such personnel as the Administrator determines to be necessary to carry out the provisions of this section.

(d) OTHER STAFF AND SUPPORT.—Upon request of the Task Force, the Administrator shall provide the Task Force with professional and administrative staff and other support, on a reimbursable basis, to the Task Force to assist it in carrying out its duties under this section.

(e) OBTAINING OFFICIAL DATA.—The Task Force may secure directly from any department or agency of the United States information (other than information required by any statute of the United States to be kept confidential by such department or agency) necessary for the Task Force to carry out its duties under this section. Upon request of the administrator for the Task Force, the head of that department or agency shall furnish such information to the Task Force.

(f) DUTIES.—

(1) STUDY.—The Task Force shall undertake a study of—

(A) the conditions of all air traffic control facilities across the Nation, including towers, centers, and terminal radar air control; (B) the employment of the Administration relating to respiratory ailments and other health conditions resulting from exposure to mold, asbestos, poor air quality, radiation, and facility-related hazards in facilities of the Administration;

(C) conditions of such facilities that could interfere with such employees’ ability to effectively perform their duties;

(D) the ability of managers and supervisors of such employees to promptly document and seek remediation for unsafe facility conditions;

(E) whether employees of the Administration who report facility-related illnesses are treated fairly; and

(F) the utilization of scientifically approved remediation techniques in a timely fashion once hazardous conditions are identified in a facility of the Administration.

(2) FACILITY CONDITION INDICES.—The Task Force shall report annually to the Administrator on the facility condition indices of the Administration for inclusion in the recommendations under subsection (g).

(3) RECOMMENDATION.—The recommendations of the Task Force shall be recommendations as it considers necessary to—

(A) prioritize those facilities needing the most immediate attention in order of the greatest risk to employee health and safety;

(B) ensure that the Administration is using scientifically approved remediation techniques in all facilities; and

(C) assist the Administration in making programmatic changes so that aging air traffic control facilities do not deteriorate to unsafe levels.

(4) REPORT.—Not later than 6 months after the date on which initial appointments of members to the Task Force are completed, the Task Force shall submit a report to the Administrator, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure on the activities of the Task Force, including the recommendations of the Task Force under subsection (g).

(D) IMPLEMENTATION.—Within 30 days after receipt of the Task Force report under subsection (b), the Administrator shall submit to the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a report that includes a plan and timeline to implement the recommendations of the Task Force and to align future budgets and priorities of the Administration accordingly.

(E) TERMINATION.—The Task Force shall terminate on the last day of the 30-day period beginning on the date on which the report under subsection (b) is submitted.


SEC. 323. STATE ADS–B EQUIPAGE BANK PILOT PROGRAM.

(a) IN GENERAL.—

(1) COOPERATIVE AGREEMENTS.—Subject to the provisions of this section, the Secretary of Transportation may enter into cooperative agreements with States to establish ADS–B equipage banks for making loans and providing other assistance to public entities for projects eligible for assistance under this section.

(B) available for use in providing loans and other assistance to projects eligible for assistance from the account; and

(C) ensure that any loan from the bank will bear interest at or below market interest rates, as determined by the State, to make the project that is the subject of the loan feasible;

(D) ensure that the term for repaying any loan will not exceed 10 years after the date of the first payment on the loan; and

(2) to the greatest extent practicable, distribute the placement of new trainee air traffic controllers at those facilities every year in order to avoid training bottlenecks;

(3) to provide the Los Angeles International Air Traffic Control Tower facility, the Southern California Terminal Radar Approach Control facility, and the Northern California Terminal Radar Approach Control facility a sufficient number of contract instructors, classroom space (including off-site locations as needed), and simulators for a surge in the number of new air traffic controllers at those facilities; and

(4) to provide priority to certified professional controllers-in-training when filling staffing vacancies at those facilities.

SEC. 324. IMPLEMENTATION OF INSPECTOR GENERAL ATC RECOMMENDATIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, but no later than 1 year after that date, the Administrator of the Federal Aviation Administration shall—

(b) FUNDING.—

(1) SEPARATE ACCOUNT.—An ADS–B equipage account shall be established under this section to—

(A) maintain a separate aviation trust fund account for Federal funds contributed to the bank under paragraph (2).

(b) FUNDING.—

(c) FORMS OF ASSISTANCE FROM ADS–B EQUIPAGE BANKS.—An ADS–B equipage bank established under this section may make loans or provide other assistance to a public entity in an amount equal to all or part of the cost of carrying out a project eligible for assistance under this section, and the obligations of any loan or other assistance provided for such project may be subordinated to any other debt financing for the project.

(d) QUALIFYING PROJECTS.—Federal funds in the ADS–B equipage account of an ADS–B equipage bank established under this section shall be available only to the extent that the Secretary considers necessary to—

(e) REQUIREMENTS.—In order to establish an ADS–B equipage bank under this section, each State establishing such a bank shall—

(f) FUNDING.—

(1) separately account for funds made available under this section, and the obligations of any loan or other assistance provided for such project may be subordinated to any other debt financing for the project.

(2) to the greatest extent practicable, provide priority to certified professional controllers-in-training when filling staffing vacancies at those facilities.

(3) to provide the Los Angeles International Air Traffic Control Tower facility, the Southern California Terminal Radar Approach Control facility, and the Northern California Terminal Radar Approach Control facility a sufficient number of contract instructors, classroom space (including off-site locations as needed), and simulators for a surge in the number of new air traffic controllers at those facilities; and

(4) to the greatest extent practicable, distribute the placement of new trainee air traffic controllers at those facilities every year in order to avoid training bottlenecks;

(5) to provide the Los Angeles International Air Traffic Control Tower facility, the Southern California Terminal Radar Approach Control facility, and the Northern California Terminal Radar Approach Control facility a sufficient number of contract instructors, classroom space (including off-site locations as needed), and simulators for a surge in the number of new air traffic controllers at those facilities; and

(6) to the greatest extent practicable, distribute the placement of new trainee air traffic controllers at those facilities every year in order to avoid training bottlenecks;
(1) the Federal Aviation Administration’s annual controller workforce plan;
(2) the Administration’s facility-by-facility authorized staffing ranges, and
(3) notify the controller staffing levels submitted to the Congress, the Administrator may not consider an individual to be an air traffic controller unless that individual is a certified professional controller.

SEC. 235. DEFINITIONS.
In this title:
(1) ADMINISTRATION.—The term ‘‘Administration’’ means the Federal Aviation Administration.
(2) ADMINISTRATOR.—The term ‘‘Administrator’’ means the Administrator of the Federal Aviation Administration.
(3) NEXTGEN.—The term ‘‘NextGen’’ means the Next Generation Air Transportation System.
(4) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Transportation.

TITLES IV—AIRLINE SERVICE AND SMALL COMMUNITY AIR SERVICE IMPROVEMENT

SUBTITLE A—CONSUMER PROTECTION

SEC. 401. AIRLINE CUSTOMER SERVICE COMMIT- MENT.
(a) IN GENERAL.—Chapter 417 is amended by adding at the end the following:
‘‘SUBCHAPTER IV—AIRLINE CUSTOMER SERVICE

§ 41781. Air carrier and airport contingency plans for long-on-board tarmac delays

(a) DEFINITION OF TARMAC DELAY.—The term ‘‘tarmac delay’’ means the holding of an aircraft on the ground before taking off or after landing with no opportunity for its passengers to disembark.

(b) REQUIREMENTS OF AIR CARRIER AND AIR- PORT PLANS.—Not later than 60 days after the date of the enactment of the FAA Air Transportation Modernization and Safety Improvement Act, each air carrier and airport operator shall submit, in accordance with the requirements under this section, a proposed contingency plan to the Secretary of Transportation for review and approval.

(c) MINIMUM STANDARDS.—The Secretary of Transportation shall establish minimum standards for contingency plans required to be submitted under this section to ensure that such plans effectively address long-on-board tarmac delays and provide for the health and safety of passengers and crew.

(d) AIR CARRIER PLANS.—The plan shall require each air carrier to implement at a minimum the following:

(i) PROVISION OR ESSENTIAL SERVICES.—Each air carrier shall provide for the essential needs of passengers on board an aircraft at an airport in any case in which the departure of a flight is delayed or disembarkation of passengers on an arriving flight that has landed is substantially delayed, including—

(A) adequate food and potable water;

(B) toilet facilities;

(C) cabin ventilation and comfortable cabin temperatures; and

(D) access to necessary medical treatment.

(ii) RIGHT TO DEPLAN.—

(A) IN GENERAL.—Each air carrier shall submit a proposed contingency plan to the Secretary of Transportation that identifies a clear time frame under which passengers would be permitted to deplane a delayed aircraft. After the Secretary has reviewed and approved the proposed plan, the air carrier shall make the plan available to the public.

(B) DELAYS.—

(i) IN GENERAL.—As part of the plan, except as provided in clause (ii), an air carrier shall provide passengers with the option of deplaning and returning to the terminal at which such deplaning could be safely completed, or deplaning at the terminal if—

(A) 3 hours have elapsed after passengers have boarded the aircraft, the aircraft doors are closed, and the aircraft has not departed; or

(B) 3 hours have elapsed after the aircraft has landed and the passengers on the aircraft have been unable to deplane.

(ii) FREQUENCY.—The option described in clause (i) shall be offered to passengers at a minimum not less often than once during each successive 3-hour period that the plane remains on the ground.

(iii) EXCEPTIONS.—This subparagraph shall not apply if—

(A) the pilot of such aircraft reasonably determines that the aircraft will depart or be unloaded at the terminal not later than 30 minutes after the 3-hour delay; or

(B) the pilot of such aircraft reasonably determines that permitting a passenger to deplane would jeopardize passenger safety or security.

(c) APPLICATION TO DIVERTED FLIGHTS.—This section applies to aircraft without regard to whether they have been diverted to an airport other than the original destination.

(d) REPORTS.—Not later than 30 days after any flight experiences a tarmac delay lasting at least 3 hours, the air carrier responsible for such flight shall submit a written description of the incident and its resolution to the Aviation Consumer Protection Office of the Department of Transportation.

(e) AIRPORT PLANS.—Each airport operator shall submit a proposed contingency plan under subsection (b) that contains a description of—

(A) how the airport operator will provide for the deplanement of passengers following a long tarmac delay; and

(B) how, to the maximum extent practicable, the airport operator will provide for the sharing of facilities and make gates available at the airport for use by aircraft experiencing such delays.

(f) UPDATES.—The Secretary shall require periodic reviews and updates of the plans as necessary.

(g) APPROVAL.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Secretary shall—

(A) review the initial contingency plans submitted under subsection (b); and

(B) approve plans that closely adhere to the standards described in subsections (d) or (e), whichever is applicable.

(2) UPDATES.—Not later than 60 days after the submission of an update under subsection (f) or an initial contingency plan by a new air carrier or airport, the Secretary shall—

(A) review the plan; and

(B) approve the plan if it closely adheres to the standards described in subsections (d) or (e), whichever is applicable.

(h) CHRONICALLY DELAYED FLIGHTS.—The term ‘‘chronically delayed flight’’ means a flight that fails to arrive on time (as such term is defined in section 234.1 of title 14, Code of Federal Regulations) at least 40 percent of the time during the most recent 3-month period for which data is available.

(1) DEFINITION OF TARMAC DELAY.—The term ‘‘chronically delayed flight’’ means a flight that fails to arrive on time (as such term is defined in section 234.1 of title 14, Code of Federal Regulations) at least 40 percent of the time during the most recent 3-month period for which data is available.

(2) DISCLOSURE TO CUSTOMERS.—The term ‘‘chronically delayed flight’’ means a flight that fails to arrive on time (as such term is defined in section 234.1 of title 14, Code of Federal Regulations) at least 40 percent of the time during the most recent 3-month period for which data is available.

(3) COMPLAINTS OF CUSTOMER SERVICE.—The term ‘‘chronically delayed flight’’ means a flight that fails to arrive on time (as such term is defined in section 234.1 of title 14, Code of Federal Regulations) at least 40 percent of the time during the most recent 3-month period for which data is available.

(4) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the date of enactment of this Act.

SEC. 402. EXPANSION OF DOT AIRLINE CONSUMER COMPLAINT INVESTIGA- TIONS.
(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Transportation shall investigate consumer complaints regarding—

(i) flight cancellations;

(ii) compliance with Federal regulations concerning overbooking seats;

(iii) delays, damage, or loss of baggage; and

(iv) difficulties with related airline claims procedures.

S13820

CONGRESSIONAL RECORD — SENATE
March 10, 2010

§ 41781. Air passenger complaints hotline and information

(a) IN GENERAL.—Section 41722 is amended by adding at the end the following:

(1) PUBLICATION OF LIST OF FLIGHTS.—Each air carrier holding a certificate issued under section 41102 that conducts scheduled passenger air transportation shall, on a monthly basis—

(A) publish and update on the Internet website of the air carrier a list of chronically delayed flights operated by such air carrier; and

(B) share such list with each entity that is authorized to book passenger air transportation for such air carrier for inclusion on the Internet website of an entity.

(2) DISCLOSURE TO CUSTOMERS WHEN PUR- CHASING TICKETS.—For each individual who books passenger air transportation on the Internet website of an entity that is authorized to book passenger air transportation for an air carrier, for any flight for which data is reported to the Department of Transportation under part 234 of title 14, Code of Federal Regulations, such air carrier or entity, as the case may be, shall prominently disclose to such individual, before such individual makes such booking, the following:

(A) The on-time performance for the flight if the flight is a chronically delayed flight.

(B) The cancellation rate for the flight if the flight is a chronically canceled flight.

(3) DEFINITIONS.—In this subsection:

(A) CHRONICALLY DELAYED FLIGHT.—The term ‘‘chronically delayed flight’’ means a regularly scheduled flight that has failed to arrive on time (as such term is defined in section 234.2 of title 14, Code of Federal Regulations) at least 40 percent of the time during the most recent 3-month period for which data is available.

(B) CHRONICALLY CANCELED FLIGHT.—The term ‘‘chronically canceled flight’’ means a regularly scheduled flight at least 30 percent of which have been canceled during the most recent 3-month period for which data is available.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section, which sums shall remain available until expended.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 417 is amended by adding at the end the following:

‘‘SUBCHAPTER IV—AIRLINE CUSTOMER SERVICE

41781. Air carrier and airport contingency plans for long-on-board tarmac delays.

41782. Air passenger complaints hotline and information.’’
(4) problems in obtaining refunds for unused or lost tickets or fare adjustments;
(5) incorrect or incomplete information about fares, discount fare conditions and availability, frequent flyer rewards, and fare increases;
(6) the rights of passengers who hold frequent flier miles, or equivalent redeemable awards earned through customer-loyalty programs; and
(7) deceptive or misleading advertising.

(b) BUDGET NEEDS REPORT.—The Secretary shall provide, as an annex to its annual budget request, an estimate of resources which would have been sufficient to investigate all such claims the Department of Transportation received in the previous fiscal year. The report shall be transmitted to the Congress when the President submits the budget of the United States to the Congress under section 1105 of title 31, United States Code.

SEC. 404. ESTABLISHMENT OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

(a) IN GENERAL.—The Secretary of Transportation shall establish an advisory committee for aviation consumer protection to advise the Secretary concerning air transportation customer service improvements, including those required by subsection IV of chapter 49 of title 49, United States Code.

(b) MEMBERS.—The Secretary shall appoint members of the advisory committee comprised of one representative each of—
(1) an air carrier;
(2) airport operators;
(3) State or local governments who has expertise in consumer protection matters; and
(4) a nonprofit public interest group who has expertise in consumer protection matters.

(c) VACANCIES.—A vacancy in the advisory committee shall be filled in the manner in which the original appointment was made.

(d) TRAVEL EXPENSES.—Members of the advisory committee shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(e) CHAIRPERSON.—The Secretary shall designate, from among the individuals appointed under subsection (b), an individual to serve as chairperson of the advisory committee.

(f) DUTIES.—The duties of the advisory committee shall include—
(1) gathering information about aviation consumer protection programs and providing recommendations for the improvement of such programs, if needed; and
(2) making recommendations to establish additional aviation consumer protection programs, if needed.

(g) REPORT.—Not later than February 1 of each of the first 2 calendar years beginning after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing—
(1) the recommendations made by the advisory committee during the preceding calendar year; and
(2) an explanation of how the Secretary has implemented each recommendation and, for each recommendation not implemented, the Secretary’s reason for not implementing the recommendation.

SEC. 405. DISCLOSURE OF PASSENGER FEES.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, the Secretary of Transportation shall complete a rulemaking action to require each air carrier operating in the United States under part 121 of title 49, Code of Federal Regulations, to—
(1) checked baggage or oversized or heavy baggage;
(2) meals, beverages, or other refreshments;
(3) seats in exit rows, seats with additional space, or other preferred seats in any given class of travel;
(4) purchasing tickets from an airline ticket agent or by electronic communication, prior to the purchase of a ticket;
(5) any other good, service, or amenity provided by the air carrier, as required by the Secretary;
(6) PUBLICATION; UPDATES.—In order to ensure that the fee information required by subsection (a) is both current and widely available to the travelling public, the Secretary—
(1) may require an air carrier to make such information available to passengers, and notify passengers of the availability of such information when advertising airfares; and
(2) shall require air carriers to update the information as necessary, but no less frequently than every 90 days unless there has been no increase in the amount or type of fees shown in the most recent publication.

(b) DISCLOSURE REQUIREMENT FOR SELLERS OF TICKETS FOR FLIGHTS.—Section 41712 is amended by adding at the end the following:

(c) DISCLOSURE REQUIREMENT FOR SELLERS OF TICKETS FOR FLIGHTS.—

(i) IN GENERAL.—It shall be an unfair or deceptive practice under subsection (a) for any ticket agent, air carrier, or person offering to sell tickets for air transportation on a flight of an air carrier to not disclose, whether verbally in oral communication with a passenger or by written or electronic communication, prior to the purchase of a ticket—
(1) the name (including any business or corporate name) of the air carrier providing the air transportation; and
(2) if the flight has more than one flight segment, the name of each air carrier providing the air transportation for each such flight segment.

(ii) INTERNET OFFERS.—In the case of an offer to sell tickets described in paragraph (1) on an internet website, the disclosure of the information required by paragraph (1) shall be provided on the first display of the Web site following a search of a requested itinerary in a format that is easily visible to a viewer.

SUBTITLE B—ESSENTIAL AIR SERVICE; SMALL COMMUNITIES

SEC. 411. EAS CONNECTIVITY PROGRAM.

Section 406(a) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking “may” and inserting “shall”.

SEC. 412. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ELIGIBILITY.

Section 406(b) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking “September 30, 2007,” and inserting “September 30, 2011.”

SEC. 413. EAS CONTRACT GUIDELINES.

Section 41373(a)(1) is amended—
(1) by striking “and” after the semicolon in subparagraph (B); and
(2) by inserting “or” after the period in subparagraph (C) and inserting “and” after the period in subparagraph (D).

(2) by striking “airmen” and inserting “airmen.”

(3) by striking paragraphs (2)(A) and (2)(B).
under subchapter II of chapter 417 of title 49, United States Code, include a marketing plan.

SEC. 418. RURAL AVIATION IMPROVEMENT.

(a) COMMUNITIES ABOVE PER PASSENGER SUBSIDY CAP.—

(1) IN GENERAL.—Subchapter II of chapter 417 is amended by adding at the end the following:

**§ 41749. Essential air service for eligible places above per passenger subsidy cap**.—

(a) PROPOSALS.—A State or local government may submit a proposal to the Secretary for compensation for an air carrier to provide air transportation to a place described in subsection (b).

(b) PLACE DESCRIBED.—A place described in this subsection is a place which—

(1) that is otherwise an eligible place; and

(2) for which the per passenger subsidy exceeds the dollar amount allowable under this subchapter.

(c) DECISIONS.—Not later than 30 days after receiving a proposal under subsection (a) for compensation for an air carrier to provide air transportation to a place described in subsection (b), the Secretary shall—

(1) decide whether to provide compensation for the air carrier to provide air transportation to the place; and

(2) approve the proposal if the State or local government or a person is willing and able to pay the difference between—

(A) the per passenger subsidy; and

(B) the dollar amount allowable for such subsidy under this subchapter.

(d) COMPENSATION PAYMENTS.—

(1) IN GENERAL.—The Secretary shall pay compensation under this section at such time and in such manner as the Secretary determines appropriate.

(2) DURATION OF PAYMENTS.—The Secretary shall continue to pay compensation under this section only as long as—

(A) the State or local government or person agreeing to pay compensation under subsection (c)(2) continues to pay such compensation; and

(B) the Secretary decides the compensation is necessary to maintain air transportation to the place.

(e) REVIEW.

(1) IN GENERAL.—The Secretary shall periodically review the type and level of air service provided under this section.

(2) NOTIFICATION.—The Secretary may make appropriate adjustments in the type and level of air service to a place under this section based on the review under paragraph (1) and consultation with the affected community and the State or local government or person agreeing to pay compensation under subsection (c)(2).

(f) ENDING, SUSPENDING, AND REDUCING AIR TRANSPORTATION.—An air carrier providing air transportation to a place under this section may end, suspend, or reduce such air transportation if, not later than 30 days before ending, suspending, or reducing such air transportation, the air carrier provides notice of the intent of the affected air carrier to end, suspend, or reduce such air transportation to—

(1) the Secretary;

(2) the affected community; and

(3) the State or local government or person agreeing to pay compensation under subsection (c)(2).

(2) CLEARENCE AMENDMENT.—The table of contents for chapter 417 is amended by adding after the item relating to section 41748 the following new item:

**41749. Essential air service for eligible places above per passenger subsidy cap**.

(b) PREFERRED ESSENTIAL AIR SERVICE.—

(1) IN GENERAL.—Subchapter II of chapter 417, as amended by subsection (a), is further amended by adding after section 41749 the following:

**§ 41750. Preferred essential air service**.—

(a) PROPOSALS.—A State or local government may submit a proposal to the Secretary of Transportation for compensation for a preferred air carrier described in subsection (b) to provide air transportation to an eligible place.

(b) PREFERRED AIR CARRIER DESCRIBED.—A preferred air carrier described in this subsection is an air carrier that—

(1) submits an application under section 41733(c) to provide air transportation to an eligible place;

(2) is not the air carrier that submits the lowest cost bid to provide air transportation to the eligible place; and

(3) is an air carrier that the affected community prefers to provide air transportation to the eligible place instead of the air carrier that submits the lowest cost bid.

(c) DECISIONS.—Not later than 90 days after receiving a proposal under subsection (a) for compensation for a preferred air carrier described in subsection (b) to provide air transportation to an eligible place, the Secretary shall—

(1) decide whether to provide compensation for the preferred air carrier to provide air transportation to the eligible place; and

(2) approve the proposal if the State or local government or a person is willing and able to pay the difference between—

(A) the rate of compensation the Secretary would provide to the air carrier that submits the lowest cost bid to provide air transportation to the eligible place; and

(B) the rate of compensation the preferred air carrier estimates to be necessary to provide air transportation to the eligible place.

(d) COMPENSATION.—

(1) IN GENERAL.—The Secretary shall pay compensation under this section at such time and in such manner as the Secretary determines is appropriate.

(2) DURATION OF PAYMENTS.—The Secretary shall continue to pay compensation under this section only as long as—

(A) the State or local government or person agreeing to pay compensation under subsection (c)(2) continues to pay such compensation; and

(B) the Secretary decides the compensation is necessary to maintain air transportation to the place.

(e) REVIEW.

(1) IN GENERAL.—The Secretary shall periodically review the type and level of air service provided under this section.

(2) NOTIFICATION.—The Secretary may make appropriate adjustments in the type and level of air service to a place under this section based on the review under paragraph (1) and consultation with the affected community and the State or local government or person agreeing to pay compensation under subsection (c)(2).

(f) ENDING, SUSPENDING, AND REDUCING AIR TRANSPORTATION.—An air carrier providing air transportation to a place under this section may end, suspend, or reduce such air transportation if, not later than 30 days before ending, suspending, or reducing such air transportation, the air carrier provides notice of the intent of the preferred air carrier to end, suspend, or reduce such air transportation to—

(1) the Secretary;

(2) the affected community; and

(3) the State or local government or person agreeing to pay compensation under subsection (c)(2).

(2) CLEARENCE AMENDMENT.—The table of contents for chapter 417, as amended by subsection (a), is further amended by adding after the item relating to section 41749 the following new item:

**41750. Preferred essential air service**.—

(c) RESTORATION OF ELIGIBILITY TO A PLACE DETERMINED BY THE SECRETARY TO BE INELIGIBLE FOR SUBSIDIZED ESSENTIAL AIR SERVICE.—Section 41733 is amended by adding at the end the following:

(1) EXCLUSION OF ELIGIBILITY FOR SUBSIDIZED ESSENTIAL AIR SERVICE.—

(1) IN GENERAL.—If the Secretary of Transportation terminates the eligibility of any other- wise eligible basic essential air service by an air carrier for compensation under subsection (c), a State or local government may submit to the Secretary a proposal for restoring such eligibility.

(2) DETERMINATION BY SECRETARY.—If the per passenger subsidy required by the proposal submitted by a State or local government under paragraph (1) does not exceed the per passenger subsidy cap provided under this subchapter, the Secretary shall issue an order restoring the eligibility of the otherwise eligible place to receive basic essential air service by an air carrier for compensation under subsection (c).

(2) OFFICE OF RURAL AVIATION.—

(1) ESTABLISHMENT.—There is established within the Office of the Secretary of Transportation the Office of Rural Aviation.

(f) ADMINISTRATIVE FUNCTIONS.—The functions of the Office are—

(1) to develop a uniform 4-year contract for air carriers providing essential air service to communities under subchapter II of chapter 417 of title 49, United States Code;

(2) to develop a mechanism for comparing applications submitted by air carriers under section 41733(c) to provide essential air service to communities, including comparing—

(A) estimates from air carriers on—

(i) the cost of providing essential air service; and

(ii) the revenues air carriers expect to receive when providing essential air service; and

(B) estimated schedules for air transportation; and

(3) to select an air carrier from among air carriers applying to provide essential air service, based on the criteria described in paragraph (2).

(g) EXTENSION OF AUTHORITY TO MAKE AGREEMENTS UNDER THE ESSENTIAL AIR SERVICE PROGRAM.—Section 41749(e)(2) is amended by striking “2009” and inserting “2011”.

(h) ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.—Section 41737 is amended by adding at the end thereof the following:

(1) FUEL COST SUBSIDY DISREGARD.—Any amount provided as an adjustment in compensation pursuant to subsection (a)(1)(D) shall be disregarded for the purpose of determining whether the amount of compensation provided under this subchapter with respect to an eligible place exceeds the dollar amount allowable under this subchapter.

SUBTITLE C—MISCELLANEOUS

SEC. 431. CLASSIFICATION OF AIR CARRIER FEE DISPUTES.

(a) IN GENERAL.—Section 47129 is amended by—

(1) by striking the section heading and inserting the following:

**47129. Resolution of airport-air carrier and foreign air carrier disputes concerning air- port fees**.

(2) by inserting “AND FOREIGN AIR CARRIER” after “CARRIER” in the heading for subsection (d);
(3) by inserting “and foreign air carriers” after “carrier” in the heading for subsection (d)(2);
(4) by striking “air carrier” each place it appears and inserting “air carrier or foreign air carrier”;
(5) by striking “air carriers’” each place it appears and inserting “air carrier’s or foreign air carrier”;
(6) by striking “air carriers” and inserting “air carriers or foreign air carriers”;
(7) by striking “(as defined in section 40102 of this title)” and inserting “(as those terms are defined in section 40102 of this title)”;
(b) CONFORMING AMENDMENT.—The table of contents for chapter 47 is amended by striking the item relating to section 47129 and inserting the following:

“§47129. Resolution of airport-air carrier and foreign air carrier disputes concerning airport fees.”

SEC. 432. CONTRACT TOWER PROGRAM.
(a) Cost-Benefit Requirement.—Section 47124(b)(1) is amended—
(1) by inserting “(A) after ‘(1)’; and “(b) If the Secretary determines that a tower already operating under this program has an asset utilization ratio of less than 1.0, the airport sponsor or State or local government having jurisdiction over the airport shall not be required to pay the portion of the cost of the tower not so required to carry out the program established under paragraph (3) of this section.”;
(b) Cost Exceeding Benefits.—Subparagraph (D) of section 47124(b)(3) is amended—
(1) by striking “benefit.” and inserting “benefit, with the maximum allowable local cost share for FAA Part 139 certified airports capped at 20 percent for those airports with fewer than 50,000 annual passenger enplanements.”;
(c) Funding.—Subparagraph (E) of section 47124(b)(3) is amended—
(1) by striking “and” after “2006’; and “(2) by adding “and” after “2007.”;
(2) by striking “2007” and inserting “2007, $9,500,000 for fiscal year 2010, and $10,000,000 for fiscal year 2011” after “2007’; and “(3) by inserting “and” after “paragraph.” the following: “If the Secretary finds that all or part of an amount made available under this subparagraph is not required during a fiscal year to carry out this paragraph, the Secretary may use such fiscal year’s amount not so required to carry out the program established under subsection (b)(1) of this section.”;
(d) Federal Share.—Subparagraph (C) of section 47124(b)(4) is amended by striking “$1,500,000.” and inserting “$2,000,000.”;
(e) Safety Audits.—Section 47124 is amended by adding at the end the following: “(8) Access to records or databases systems.—(a) Notwithstanding section 534 of title 28 and the implementing regulations for such section (28 C.F.R. part 20), the Administrator of the Federal Aviation Administration shall issue a plan to develop an installation and deployment schedule for systems the Administration is installing to alert controllers and flight crews to potential runway incursions. The plan shall be integrated into the annual Federal Aviation Administration NextGen Implementation Plan.

SEC. 501. RUNWAY SAFETY EQUIPMENT PLAN.
(a) Authorization of Appropriations.—Notwithstanding section 2309, the Administrator of the Federal Aviation Administration shall issue a plan to develop an installation and deployment schedule for systems the Administration is installing to alert controllers and flight crews to potential runway incursions. The plan shall be integrated into the annual Federal Aviation Administration NextGen Implementation Plan.

SEC. 502. JUDICIAL REVIEW OF DENIAL OF AIRMAN CERTIFICATES.
(a) Judicial Review of NTSB Decisions.—Section 47703(d) is amended by adding at the end the following: “(3) Judicial Review.—A person substantially affected by an order of the Board under this subsection, or the Administrator when the Administrator decides that an order of the Board will have a significant adverse impact on the Administrator, may obtain judicial review of the order under section 46110 of this title. The Administrator shall be made a party to the judicial review proceeding. No order of the Board in any such case are conclusive if supported by substantial evidence.”;
(b) Conforming Amendment.—Section 115(c) is amended by striking “section 47709” or “inserting ‘section 47709(d), 47709, or’.

SEC. 503. RELEASE OF DATA RELATING TO ABANDONED DOCKETS, CERTIFICATES AND SUPPLEMENTAL TYPE CERTIFICATES.
(a) Definitions.—The terms defined in subsection (b) shall have the meanings given to those terms in this section;
(b) Sense of Congress.—The sense of Congress is that the Administrator may use during such fiscal year the amount not so required to carry out the program established under subsection (b)(1) of this section; and
(c) Safety Management System.— "(c) Safety Management System.—"(1) the Armed Forces is comprised of approximately 1,450,000 members who are stationed on active duty at more than 6,000 military bases in 146 different countries; (2) the United States is indebted to the members of the Armed Forces, many of whom are in grave danger due to their engagement in, or exposure to, combat; (3) military service, especially in the current war against terrorism, often requires members of the Armed Forces to be separated from their families on short notice, for long periods of time, and under very stressful conditions; (4) the unique demands of military service often preclude members of the Armed Forces from purchasing discounted advance airline tickets in order to visit their loved ones at home; and (5) it is the patriotic duty of the people of the United States to support the members of the Armed Forces who are defending the Nation’s interests around the world at great personal sacrifice.

TITULAR V—SAFETY

SUBTITLE A—AVIATION SAFETY

TITLE V—SAFETY
in that State who is commissioned under the laws of that State.

"(c) System of Documented Criminal Justice Information Defined.—In this section, the term ‘system of documented criminal justice information’ means any law enforcement databases, systems, or communications containing information concerning identifications, criminal history, warrants, convictions, arrest warrants, or wanted or missing persons, including the National Crime Information Center and its incorporated criminal identification, arrest warrants, or wanted or missing persons databases, the National Law Enforcement Telecommunications System.

"(b) Conforming Amendment.—The table of contents for chapter 401 is amended by inserting after the item relating to section 40129 the following:

"40130. FAA access to criminal history records or databases systems.

SEC. 506. PILOT FATIGUE.

(a) Flight and Duty Time Regulations.—

(1) In general.—In accordance with paragraph (2), the Administrator of the Federal Aviation Administration shall issue regulations, based on the best available scientific information—

(A) to specify limitations on the hours of flight and duty time allowed for pilots to address the problem of pilot fatigue; and

(B) to require part 121 air carriers to develop and implement fatigue risk management plans.

(2) Deadlines.—The Administrator shall issue—

(A) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under paragraph (1); and

(B) not later than one year after the date of enactment of this Act, a final rule under paragraph (1).

(b) Fatigue Risk Management Plan.—

(1) Submission of fatigue risk management plan by part 121 air carriers.—Not later than the date of enactment of this Act, each part 121 air carrier shall submit to the Administrator for review and approval a fatigue risk management plan.

(2) Contents of plan.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme that enables the management of fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on pilots; and

(iii) fatigue measurement.

(C) Development and use of a methodology that continually assesses the effectiveness of the program, including the ability of the program—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) Plan updates.—A part 121 air carrier shall update its fatigue risk management plan under paragraph (1) every 2 years and submit the update to the Administrator for review and approval.

(4) Approval.—

(a) Initial approval or modification.—Not later than 9 months after the date of enactment of this Act, the Administrator shall review, approve or require modification to fatigue risk management plans submitted under this subsection to ensure that pilots are not operating aircraft while fatigued.

(b) Update approval or modification.—Not later than 9 months after submission of a plan update under paragraph (3), the Administrator shall review and approve or require modifications to such update.

(c) Civil penalties.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 487 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

SEC. 507. INCREASING SAFETY FOR HELICOPTER AND FIXED WING EMERGENCY MEDICAL SERVICE OPERATORS AND PASSENGERS.

(a) Compliance regulations.—

(1) In general.—As provided in paragraph (2), not later than 18 months after the date of enactment of this Act, the Federal Aviation Administration shall issue regulations to require helicopter and fixed wing aircraft certificate holders providing emergency medical services to comply with the requirements of this section.

(b) Violation.—If a certificate holder fails to comply with the regulations prescribed in paragraph (1) or (2), the Administrator shall—

(A) revoke, suspend, or decline the certificate of the certificate holder;

(B) disallow the certificate holder to operate under instrument flight rules or is carrying out training therefor;

(C) disallow the certificate holder to operate helicopters or fixed-wing aircraft used for emergency medical service operations to use the checklist created under subparagraph (A) to determine whether a mission should be accepted;

(D) require that helicopter and fixed-wing aircraft used for emergency medical service operations to have on board a device that performs the functions of a terrain awareness and warning system and a means of displaying that information that meets the requirements of the applicable Federal Aviation Administration Technical Standard Order or other guidance prescribed by the Administrator;

(E) disallow the certificate holder to operate helicopters or fixed-wing aircraft used for emergency medical service operations to use the checklist created under paragraph (1) or (2) without having accepted the checklist.

SEC. 508. PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILOT PILO
while providing helicopter air ambulance services and a description of the accidents;  
(F) the number of flights and hours flown under instrument flight rules by helicopters operated by the certificate holder and providing helicopter air ambulance services;  
(G) the time of day of each flight flown by helicopters operated by the certificate holder who are providing helicopter air ambulance services; and  
(H) The number of incidents where more helicopters arrive to transport patients than is needed in a flight request or scene response.  

(2) REPORT TO CONGRESS.—The Administrator of the Federal Aviation Administration shall issue a report that indicates the availability, survivability, size, weight, and cost of devices that perform the function of recording voice communications and flight data information on existing and new helicopters and existing and new fixed wing aircraft used for emergency medical service operations.  

(3) REQUIRED DOT INSPECTOR GENERAL REVIEW.—The Inspector General of the Federal Aviation Administration shall conduct a review regarding the effectiveness of the oversight activities conducted by the Administration in the preceding 5 years.  

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Senate and House of Representatives a report on the results of the review conducted under this section.  

SEC. 511. IMPROVED SAFETY INFORMATION.  

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall issue a rule requiring the registration of all certificates issued after the effective date of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(b) Certificate Application.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(c) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(d) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(e) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(f) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(g) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(h) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(i) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(j) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(k) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(l) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(m) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(n) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(o) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(p) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(q) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(r) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(s) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(t) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(u) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(v) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(w) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(x) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(y) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

(z) PROVIDE FOR THE EXPANSION OF THE USE OF THE ADMINISTRATION'S RESPONSIBILITIES TO INCLUDE AIR CARRIERS.—The Administrator shall—  

(1) take such action as may be necessary to ensure that the Certificate Application is completed within the timeframe proposed;  

(2) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;  

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the regulated entity knew of a violation, but the Administration did not;
(C) the information the Administration gets under the program leads to fewer violations, either because the information leads other entities to look for similar violations or because the information leads Administration investigators to look for similar violations at other entities; and
(D) there is any evidence that voluntary disclosure has improved compliance with regulations, either for the entities making disclosures or for the industry generally.

3. REPORT.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the results of the study conducted under this subsection.

SEC. 513. PROCEEDURAL IMPROVEMENTS FOR INSPECTIONS.

(a) IN GENERAL.—Section 4711(a) is amended by adding at the end the following:

"(b) POST-EMPLOYMENT RESTRICTIONS FOR FLIGHT STANDARDS INSPECTORS.—
(1) any person holding an operating certificate issued under title 14, Code of Federal Regulations, may not knowingly employ, or make a contractual arrangement which permits, an individual to act as an agent or representative of the certificate holder in any matter before the Federal Aviation Administration if the individual, in the preceding 5-year period—
(A) served as, or was responsible for oversight of, a flight standards inspector of the Administration; and
(B) had responsibility to inspect, or oversee inspection of, the operations of the certificate holder.
(2) WRITTEN AND ORAL COMMUNICATIONS.—For purposes of paragraph (1), an individual shall be considered to be acting as an agent or representative of a certificate holder in a matter before the Federal Aviation Administration if the individual makes any written or oral communication on behalf of the certificate holder to the Administration (or any of its officers or employees) in connection with a specific matter, whether or not involving a specific party and without regard to whether the individual has participated in, or been responsible for, the particular matter while acting as a flight standards inspector of the Administration.
(b) APPLICABILITY.—The amendment made by this subsection does not apply to an individual employed by a certificate holder as of the date of enactment of this Act.

SEC. 514. INDEPENDENT REVIEW OF SAFETY ISSUES.

Within 30 days after the date of enactment of this Act, the Comptroller General shall issue a report and investigation of safety issues identified by Federal Aviation Administration personnel, or reported to the Comptroller General, that identifies a substantial likelihood that a violation of an order, regulation, or standard of the Administration or any other provision of Federal law relating to aviation safety has occurred.

SEC. 515. NATIONAL REVIEW TEAM.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a national review team to conduct periodic, unannounced, and random reviews of the Administration's oversight of air carriers and report annually its findings and recommendations to the Administrator, the Senate Commerce, Science, and Transportation Committee, and the House of Representatives Committee on Transportation and Infrastructure.

(b) COMPOSITION.—The Administrator shall appoint a member of the National Review Team from participating in any review or audit of an air carrier or inspecting records, reports, and other material necessary to determine whether a substantial likelihood exists that a violation of an order, regulation, or standard of the Administration or any other provision of Federal law relating to aviation safety may have occurred.

(c) DUTIES AND POWERS.—The Administrator, at the Administrator's discretion, may by regulation prescribe and require processes and procedures for the review team to use in conducting investigations.

SEC. 516. FAA ACADEMY IMPROVEMENTS.

(a) REVIEW.—Within 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a comprehensive review and evaluation of the Administration's academy and facility training efforts.
(b) FACILITY TRAINING PROGRAM.—The Administrator shall—
(1) clarify responsibility for oversight and direction of the academy's facility training program; and
(2) identify and establish standards to identify the number of facilities that can be accommodated at each facility, based on—
(A) the number of available on-the-job-training instructors;
(B) available classroom space;
(C) the number of available simulators; and
(D) the number of employees currently placed new personnel already in training.

SEC. 517. REDUCTION OF RUNWAY INCURSIONS AND OPERATIONAL ERRORS.

(a) PLAN.—The Administrator of the Federal Aviation Administration shall develop a plan for the reduction of runway incursions by reviewing every commercial service airport (as defined in section 47102 of title 49, United States Code) in the United States and initiating action to improve airport lighting, provide better signage, and improve runway and taxiway markings.
(b) PROCESS.—Within 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a process for investigating operational errors and runway incursions that includes—
(1) identifying the office responsible for establishing regulations regarding operational errors and runway incursions;
(2) identifying who is responsible for tracking and investigating operational errors and runway incursions and taking remedial actions;
(3) identifying who is responsible for tracking operational errors and runway incursions, including access for lower-level employees to report to higher supervisory levels; and
(4) periodic random audits of the oversight process.

SEC. 518. AVIATION SAFETY WHISTLEBLOWER INVESTIGATION OFFICE.

(a) ESTABLISHMENT.—There is established in the Administration an Aviation Safety Whistleblower Investigation Office.
(b) APPOINTMENT.—The head of the Office shall be the Director, who shall be appointed by the Secretary of Transportation.
“(7) ANNUAL REPORTS TO CONGRESS.—Not later than October 1 of each year, the Director shall submit to Congress a report containing—

(A) information on the number of submissions of complaints and information received by the Director under paragraph (3)(A)(i) in the preceding 12-month period;

(B) summaries of the responses of the Administrator to such recommendations; and

(C) summaries of further investigations and corrective actions recommended in response to the submissions; and

(D) summaries of the responses of the Administrator to such recommendations.”.

SECTION 519. MODIFICATION OF CUSTOMER SERVICE INITIATIVE.

(a) Modification of Initiative.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall modify the customer service initiative, mission and vision statements, and other statements of policy of the Administration—

(1) to remove any reference to air carriers or other entities regulated by the Administration as “customers”;

(2) to clarify that in regulating safety the only customers of the Administration are members of the public; and

(3) to clarify that air carriers and other entities regulated by the Administration do not have the right to select the employees of the Administration who will inspect their operations.

(b) SAFETY PRIORITY.—In carrying out the Administrator’s responsibilities, the Administrator shall ensure that safety is given a higher priority than preventing the dissatisfaction of an air carrier or other entity regulated by the Administration with an employee of the Administration.

SEC. 520. HEADQUARTERS REVIEW OF AIR TRANSPORTATION OVERSIGHT SYSTEM DATABASE.

(a) Review.—The Administrator of the Federal Aviation Administration shall establish a process by which the air transportation oversight system database of the Administration is reviewed by a team of employees of the Agency on a monthly basis to ensure that—

(1) any trends in regulatory compliance are identified; and

(2) appropriate corrective actions are taken in accordance with Agency regulations, advisory directives, policies, and procedures.

(b) MONTHLY TEAM REPORTS.—

(1) In general.—The team of employees conducting a monthly review of the air transportation oversight system database under subsection (a) shall submit to the Administrator, the Associate Administrator for Aviation Safety, and the Director of Flight Standards a report on the results of the review.

(2) CONTENTS.—A report submitted under paragraph (1) shall identify—

(A) any regulatory compliance discovered by the team of employees in conducting the monthly review; and

(B) any corrective actions taken or proposed to be taken in response to the trends.

(c) QUARTERLY REPORTS TO CONGRESS.—The Administrator, on a quarterly basis, shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the results of reviews of the air transportation oversight system database conducted under this section, including copies of reports received under subsection (b).

SEC. 521. INSPECTION OF FOREIGN REPAIR STATIONS.

(a) In general.—Chapter 477 is amended by adding at the end the following:

“§ 44730. Inspection of foreign repair stations

(a) In general.—Within 1 year after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act the Administrator of the Federal Aviation Administration shall establish an implement a safety assessment system for all part 145 repair stations based on the type, scope, and complexity of work being performed.

(1) ensure that repair stations outside the United States are subject to appropriate inspections based on identified risk and consistent with existing United States requirements;

(2) consider inspection results and findings submitted by foreign civil aviation authorities authorizing maintenance or other appropriate foreign aviation authorities or other appropriate foreign government agencies on a new maintenance or implementation agreement.

(b) MONTHLY TEAM REPORTS.—

(1) IN GENERAL.—The team of employees conducting the monthly review; and

(2) to clarify that in regulating safety the only customers of the Administration are members of the public; and

(3) to clarify that air carriers and other entities regulated by the Administration do not have the right to select the employees of the Administration who will inspect their operations.

(b) SAFETY PRIORITY.—In carrying out the Administrator’s responsibilities, the Administrator shall ensure that safety is given a higher priority than preventing the dissatisfaction of an air carrier or other entity regulated by the Administration with an employee of the Administration.

SEC. 522. NON-CERTIFICATED MAINTENANCE PROVIDERS.

(a) Regulations.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue regulations requiring that all covered maintenance work on aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, be performed by individuals in accordance with subsection (b).

(b) PERSONS AUTHORIZED TO PERFORM CERTAIN WORK.—No individual may perform covered maintenance work on aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations unless that individual is employed by—

(1) a part 121 air carrier;

(2) a part 145 repair station or a person authorized under section 43.17 of title 14, Code of Federal Regulations;

(3) a person that provides contract maintenance services to a part 145 repair station or a part 121 air carrier, and the individual—

(A) meets the requirements of the part 121 air carrier or the part 145 repair station; and

(B) performs the work under the direct supervision and control of the part 121 air carrier or the part 145 repair station directly in charge of the maintenance services; and

(4) by the holder of a type certificate, production authorization, or other production approval issued under part 21 of title 14, Code of Federal Regulations, and the holder of a certificate or approval that originally produces and continues to produce, the article upon which the work is to be performed; and

(c) Definitions.—In this section:

(1) COVERED MAINTENANCE WORK.—The term “covered maintenance work” means maintenance work that is subject to United States inspections, regularly scheduled maintenance, or a required inspection item, as determined by the Administrator.

(2) PART 121 AIR CARRIER.—The term “part 121 air carrier” has the meaning given that term in section 44730(f)(1) of title 49, United States Code.

(3) PART 145 REPAIR STATION.—The term “part 145 repair station” has the meaning given that term in section 44730(f)(1) of title 49, United States Code.

SUBTITLE II—FLIGHT SAFETY

SECTION 551. FAA PILOT RECORDS DATABASE.

(a) RECORDS OF EMPLOYMENT OF PILOT APPLICANTS.—Section 44703(h) is amended by adding at the end the following:

(6) APPLICABILITY.—The subsection shall cease to be effective on the date specified in regulations issued under subsection (l).”.

March 10, 2010
CONGRESSIONAL RECORD — SENATE S1387
(b) Establishment of FAA Pilot Records Database.—Section 47073 is amended—
(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and
(2) by inserting after subsection (b) the following:

‘‘(i) FAA PILOT RECORDS DATABASE.—

‘‘(1) the Administrator shall establish an electronic database (in this subsection referred to as the ‘database’) containing the following records:

‘‘(A) FAA RECORDS.—From the Administrator—

‘‘(I) records that are maintained by the Administrator concerning current airman certificates, including airman medical certificates and associated type ratings and information on any limitations to those certificates and ratings;

‘‘(II) records that are maintained by the Administrator concerning any failed attempt of an individual to pass a practical test to obtain a pilot certificate or type rating under part 61 of title 14, Code of Federal Regulations; and

‘‘(iii) summaries of legal enforcement actions pertaining to the individual from the Administrator of a violation of this title or a regulation prescribed or order issued under this title that was not subsequently overturned.

‘‘(B) AIR CARRIERS AND OTHER PERSONS.—From any air carrier or other person (except a branch of the Armed Forces, the National Guard, or a reserve component of the Armed Forces) that has employed or paid an individual as a pilot of a civil or public aircraft, or from the trustee in bankruptcy for such air carrier or person—

‘‘(I) records pertaining to the individual that are maintained by the air carrier (other than records relating to flight time, duty time, or rest time) including records under regulations set forth in—

‘‘(I) section 121.683 of title 14, Code of Federal Regulations;

‘‘(II) paragraph (A) of section VI, appendix J, part 121 of such title;

‘‘(III) paragraph (A) of section IV, appendix J, part 121 of such title;

‘‘(IV) section 135.63(a)(4) of such title; and

‘‘(V) section 135.63(b)(4) of such title; and

‘‘(ii) other records pertaining to the individual’s performance as a pilot that are maintained by the air carrier or person concerning—

‘‘(I) the training, qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated in accordance with section 121.411, 125.295, or 133.337 of such title;

‘‘(III) any disciplinary action taken with respect to the individual that was not subsequently overturned; and

‘‘(III) any release from employment or resignation, termination, or disqualification with respect to employment.

‘‘(C) NATIONAL DRIVER REGISTER RECORDS.—In accordance with section 30328(b)(8) of this title, the Administrator shall transmit to the individual, information concerning the motor vehicle driving record of the individual.

‘‘(D) WRITTEN CONSENT; RELEASE FROM LIABILITY.—

‘‘(A) shall obtain the written consent of an individual before accessing records pertaining to the individual under paragraph (1) and

‘‘(B) may, notwithstanding any other provision of law or agreement to the contrary, require an individual with respect to whom the carrier is accessing records under paragraph (1) to execute a release from liability for any claim arising from accessing the records or the use of such records by the air carrier in accordance with this section (other than a claim arising from furnishing information known to be false and maintained in violation of a criminal statute).

‘‘(4) REPORTING.—

‘‘(A) REPORTING BY ADMINISTRATOR.—The Administrator shall enter data described in paragraph (2) into the database promptly to ensure that an individual’s records are current.

‘‘(B) REPORTING BY AIR CARRIERS AND OTHER PERSONS.—

‘‘(1) IN GENERAL.—Air carriers and other persons shall report data described in paragraphs (2)(A) and (2)(C) to the Administrator promptly for entry into the database.

‘‘(2) DATA TO BE REPORTED.—Air carriers and other persons shall report, at a minimum, under clause (i) the following data described in paragraph (2)(B):

‘‘(I) Records that are generated by the air carrier or other person after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act.

‘‘(II) Records that the air carrier or other person is maintaining, on such date of enactment, pursuant to subsection (h)(4).

‘‘(5) REQUIREMENT TO MAINTAIN RECORDS.—The Administrator—

‘‘(A) shall maintain all records entered into the database under paragraph (2) pertaining to an individual until the date of receipt of notification that the individual is deceased; and

‘‘(B) may remove the individual’s records from the database after that date.

‘‘(6) RECEIPT OF CONSENT.—The Administrator, upon receipt of written request from an individual—

‘‘(A) shall not later than 30 days after the date of the request, to the individual for review all records referred to in paragraph (2) pertaining to the individual; and

‘‘(B) shall provide the individual with a reasonable opportunity to submit written comments in any inaccuracies contained in the records.

‘‘(7) REASONABLE CHARGES FOR PROCESSING REQUESTS AND FURNISHING COPIES.—The Administrator may establish a reasonable charge for the cost of processing a request under paragraph (1) and (7) for the cost of furnishing copies of requested records under paragraph (1).

‘‘(A) ACCURACY.—

‘‘(9) PRIVACY PROTECTIONS.—

‘‘(A) USE OF RECORDS.—An air carrier that accesses records pertaining to an individual under paragraph (1) may use the records only to assess the qualifications of the individual in deciding whether or not to hire the individual as a pilot. The air carrier shall take such actions as may be necessary to protect the privacy of the individual and the confidentiality of the records accessed, including ensuring that information contained in the records is not divulged to any individual that is not directly involved in the hiring decision.

‘‘(B) DISCLOSURE OF INFORMATION.—Except as provided by clause (i), information collected by the Administrator under paragraph (2) shall be exempt from the disclosure requirements of section 552 of title 5.

‘‘(10) EXCEPTIONS.—Clause (i) shall not apply to—

‘‘(I) unidentifiable, summarized information to explain the need for changes in policies and regulations;

‘‘(II) information to correct a condition that compromises safety;

‘‘(III) information to carry out a criminal investigation or prosecution;

‘‘(IV) information to comply with section 4904 of title 49, United States Code, to the extent this information is related to threats to civil aviation; and

‘‘(V) such information as the Administrator determines necessary, if withholding such information would not be consistent with the safety responsibilities of the Federal Aviation Administration.

‘‘(11) REGULATIONS FOR PROTECTION AND SECURITY OF RECORDS.—The Administrator shall prescribe such regulations as may be necessary—

‘‘(A) to protect and secure—

‘‘(i) the personal privacy of any individual whose records are accessed under paragraph (1); and

‘‘(ii) the confidentiality of those records; and

‘‘(B) to preclude the further dissemination of records received under paragraph (1) by the person who accessed the records.

‘‘(12) GOOD FAITH EXCEPTION.—Notwithstanding paragraph (1), an air carrier may allow an individual to begin service as a pilot without first obtaining information described in paragraph (2)(B) from the database pertaining to the individual if—

‘‘(A) the air carrier has made a document good faith attempt to access the information from the database; and

‘‘(B) has received written notice from the Administrator that the information is not contained in the database because the individual was employed by an air carrier or other person that no longer exists or by a foreign government or other entity that has provided the information to the database.

‘‘(13) LIMITATIONS ON ELECTRONIC ACCESS TO RECORDS.—

‘‘(A) ACCESS BY INDIVIDUALS DESIGNATED BY AIR CARRIERS.—For the purpose of increasing timely and efficient access to records described in paragraph (2), the Administrator under the terms established by the Administrator, an individual designated by an air carrier to have electronic access to the database.

‘‘(B) PUBLIC ACCESS.—The terms established by the Administrator under subparagraph (A) for allowing a designated individual to have electronic access to the database shall limit such access to instances in which information in the database is required by the designated individual in making a hiring decision concerning a pilot applicant and shall require that those designated individuals affirm assurances satisfactory to the Administrator that—
“(i) the designated individual has received the written consent of the pilot applicant to access the information; and

(ii) information obtained using such access is not for any purpose other than making the hiring decision.

“(14) REGULATIONS.

(A) IN GENERAL.—The Administrator shall issue regulations to carry out this subsection.

(B) EFFECTIVE DATE.—The regulations shall specify the date on which the requirements in paragraph (A) take effect and the date on which the requirements of subsection (c) cease to be effective.

(C) EXCEPTIONS.—Notwithstanding subparagraph (B),—

(i) the Administrator shall begin to establish the database under paragraph (2) not later than 30 days after the date of enactment of this Act, by inserting “or” in subsection (b)(1) of this section, and in subsection (h)(2) or (i)(3) of this section, a party in a judicial proceeding may not use discovery to obtain—

(A) periodic safety audits of flight operations;
(B) training, maintenance, and inspection programs; and
(C) provisions for the exchange of safety information.

(C) EXCEPTIONS.—Notwithstanding subparagraph (A), in paragraph (3), in the matter preceding subparagraph (A) by inserting “or” in subsection (b)(1) of this section, and in subsection (h)(2) or (i)(3) of this section, a party in a judicial proceeding may not use discovery to obtain—

(A) periodic safety audits of flight operations;
(B) training, maintenance, and inspection programs; and
(C) provisions for the exchange of safety information.

(D) in paragraph (2), by striking “subsection (h)” and inserting “subsection (h) or (i)”;

(E) in paragraph (3), by striking “subsection (h)” and inserting “subsection (h) or (i)”;

(F) in paragraph (4), by striking “subsection (h)” and inserting “subsection (h) or (i)”;

(G) in paragraph (5) beginning on the date of enactment of this Act, and

(H) in paragraph (6), by inserting the following:

“(4) PROHIBITION ON ACTIONS AND PROCEEDINGS AGAINST AIR CARRIERS.—

(A) HIRING DECISIONS.—An air carrier may not refuse to hire or on behalf of an individual who has applied for or is seeking a position as a pilot with the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute the release from liability requested under subsection (h)(2)(B) or (i)(3)(B).

(B) ACTIONS AND PROCEEDINGS.—No action or proceeding may be brought against an air carrier by or on behalf of an individual who has applied for or is seeking a position as a pilot with the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute a release from liability requested under subsection (h)(2)(B) or (i)(3)(B).

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Section 47093(k) (as redesignated by subsection (b)(1) of this section) is amended by striking “subsection (h)” and inserting “subsection (h) or (i)”.

SECT. 552. AIR CARRIER SAFETY MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Within 60 days after the date of enactment of this Act, the Administrator shall initiate and complete a rulemaking to require air carriers—

(1) to implement, as part of their safety management systems—

(A) an Aviation Safety Action Program;
(B) a Flight Operations Quality Assurance Program;
(C) a Line Operational Safety Audit Program; and
(D) a Flight Crew Fatigue Risk Management Program.

(2) to provide appropriate collaboration and operational oversight of regional/commuter air carriers by affiliated major air carriers that include—

(A) periodic safety audits of flight operations;
(B) training, maintenance, and inspection programs; and
(C) provisions for the exchange of safety information.

(b) EFFECT ON ADVANCED QUALIFICATION PROGRAMS.—Implementation of the programs under subsection (a)(1) neither limits nor invalidates the Federal Aviation Administration’s advanced qualification program.

(c) LIMITATIONS ON DISCIPLINE AND ENFORCEMENT.—The Administrator shall require that each of the programs described in subsection (a)(1) establish protections for an air carrier or employee submitting data or reports regarding disciplinary or enforcement actions by any Federal agency that are not less than the protections provided under Federal Aviation Administration Advisory Circulars governing those programs, including Advisory Circular AA No. 120-66 and AC No. 120-82.

(d) CVR DATA.—The Administrator, acting in collaboration with aviation industry interested parties, shall establish the merits and feasibility of incorporating cockpit voice recorder data in safety oversight practices. To that end, fifteen months after the date of enactment of this Act, the Administrator shall—

(1) develop and implement a plan that will ensure that the FAA’s safety oversight plan is consistently enforced; and

(2) ensure that the FAA’s safety oversight program is reviewed periodically and updated as necessary.

SECT. 553. SECRETARY OF TRANSPORTATION RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—The first sentence of section 1135(a) is amended by inserting “to the National Transportation Safety Board” after “shall give”.

(b) AIR CARRIER SAFETY RECOMMENDATIONS.—Section 1135 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) ANNUAL REPORT ON AIR CARRIER SAFETY RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary shall submit an annual report to the Congress and the Board on the recommendations made by the Board in the preceding year, regarding air carrier operations conducted under part 121 of title 14, Code of Federal Regulations.

(2) RECOMMENDATIONS TO BE COVERED.—The report shall cover—

(A) any recommendation for which the Secretary has developed, or intends to develop, procedures to adopt the recommendation or part of the recommendation, but has not yet to complete the procedures; and

(B) any recommendation for which the Secretary, in the preceding year, has issued a response under subsection (a)(2) or (a)(3) refusing to carry out all or part of the procedures to adopt the recommendation.

(c) PROHIBITION.—Section 1135 is amended—

(1) by inserting before subsection (i)(3) the following:

“(c) PROHIBITION ON ACTIONS TO PRACTICE.—For each recommendation of the Board described in paragraph (2)(A), the report shall contain—

(i) a description of the recommendation; and

(ii) a description of the procedures planned for adoption of the recommendation or part of the recommendation; and

(2) by inserting before subsection (i)(4) the following:

“(d) PROHIBITION.—For each recommendation of the Board described in paragraph (2)(B), the report shall contain—

(i) a description of the recommendation; and

(ii) a description of the reasons for the refusal to carry out all or part of the procedures to adopt the recommendation.”.

SECT. 554. IMPROVED FLIGHT OPERATIONAL QUALITY ASSURANCE, AVIATION SAFETY ACTION, AND LINE OPERATIONAL SAFETY AUDIT PROGRAMS.

(a) LIMITATION ON DISCLOSURE AND USE OF INFORMATION.—

(1) IN GENERAL.—Except as provided by this section, a party in a judicial proceeding may not use discovery to obtain—

(A) an Aviation Safety Action Program report;
(B) Flight Operational Quality Assurance Program data; or
(C) a Line Operations Safety Audit Program report.

(b) PERMISSIBLE DISCOVERY FOR SUCH REPORTS AND DATA.—Except as provided in subsection (c), a court may allow discovery by a party of an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report if, after an in camera review of the information, the court determines that a party to a claim or defense in the proceeding shows a particularized need for the information that outweighs the need for confidentiality of the report or data, considering the confidential nature of the report or data, and upon a showing that the report or data is both relevant to the claim or defense and not otherwise known or available.

(c) PROTECTIVE ORDER.—When a court allows discovery, in a judicial proceeding, of an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report, the court shall issue a protective order—

(1) to bar the use of the information; and

(2) to permit the information to be used for the purposes for which it was disclosed.
(1) to limit the use of the information contained in the report or data to the judicial proceeding; (2) to prohibit dissemination of the report or data that does not have access to the report for the proceeding; and (3) to limit the use of the report or data in the proceeding to the uses permitted for the privilege under section 332(c)(7) or other privilege as defined under the Federal Rules of Evidence.

(d) SEALED INFORMATION.—A court may allow an Aviation Safety Program report,Audit Program data, or a Line Operations Safety Audit Program report to be admitted into evidence in a judicial proceeding only if the court finds that the report or data under seal will prevent the use of the report or data for purposes other than for the proceeding.

(e) REPORT REQUIREMENTS.—This section does not prevent the National Transportation Safety Board from referring at any time to information contained in an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report in making safety recommendations.

(f) WAIVER.—Any waiver of the privilege for self-analysis information by a protected party, unless occasioned by the party's own use of or in presenting a claim of defense, must be in writing.

SEC. 555. RE-EVALUATION OF FLIGHT CREW TRAINING, TESTING, AND CERTIFICATION REQUIREMENTS.

(a) Training and Testing.—The Administrator shall develop and implement a plan for reevaluation of flight crew training regulations in effect on the date of enactment of this Act, including regulations for—

(1) classroom instruction requirements governing curriculum content and hours of instruction;

(2) crew leadership training; and

(3) initial and recurrent testing requirements for pilots, including the rigor and consistency of testing programs such as check rides.

(b) FIRST PRACTICES.—The plan shall incorporate best practices in the aviation industry with respect to training protocols, methods, and procedures.

(c) CERTIFICATION.—The Administrator shall initiate a rulemaking to re-evaluate FAA regulations governing the minimum requirements—

(1) to become a commercial pilot;

(2) to receive an Air Transport Pilot Certificate to become a captain; and

(3) to transition to a new type of aircraft.

(d) MINIMUM EXPERIENCE REQUIREMENT.—

(1) IN GENERAL.—The Administrator shall—

(A) within one year after the date on which the Administrator convenes the panel, the Administrator shall—

(i) submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation based on the findings of the panel; and

(ii) with respect to stick pusher systems, initiate appropriate actions to implement the recommendations of the panel.

(B) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) DEADLINES.—The Administrator shall—

(a) FLYING MEMBER MENTORING, PROFESSIONAL DEVELOPMENT, AND QUALIFICATIONS.

(A) AVIATION RULEMAKING COMMITTEE.—

(B) WITH RESPECT TO FLIGHT CREW TRAINING, TESTING, AND CERTIFICATION REQUIREMENTS.—

(i) Initial and recurrent testing requirements made of air carrier management and labor union or professional association representatives to develop, administer, and oversee formal mentoring programs under which the air carrier develops, administers, and oversees formal mentoring programs to assist flight crew members to reach their maximum potential as safe, seasoned, and proficient flight crew members.

(ii) Establish or modify training programs to accommodate substantially different levels and types of flight experience by newly employed flight crew members.

(C) Determine the appropriate training programs for second-in-command flight crew members attempting to qualify as pilot-in-command flight crew members for the first time in a specific aircraft type and ensure that such programs include leadership and command training.

(D) Ensure that recurrent training for pilot-in-command includes leadership and command training.

(E) Such other actions as the aviation rulemaking committee determines appropriate to enhance flight crew member professional development.

(2) COMPLIANCE WITH STERILE COCKPIT RULE.—Leadership and command training described in paragraphs (1)(D) and (1)(E) shall include instruction on compliance with flight crew member duties under part 121.542 of title 14, Code of Federal Regulations.

(3) STREAMLINED PROCESS.—

(A) IN GENERAL.—As part of the rulemaking required by subsection (b)(1), the Administrator shall establish a streamlined process for part 121 air carriers that have in effect, as of the date of enactment of this Act, the programs required by paragraph (1).

(B) EXPEDITED APPROVALS.—The Administrator shall—

(i) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(ii) not later than 24 months after such date of enactment, a final rule under subsection (a).

(C) DETERMINATION OF RELEVANCE.—In addition to the penalties provided under section 603 of this title applicable to any violation of this section, the Administrator may enforce compliance with this section under section 44709.

(2) PART 121 AIR CARRIER.—

(b) Minimum Experience Requirement.—The final rule prescribed under subsection (a) shall, among any other requirements established by the rule, require that a pilot have flown 500 hours of flight time before serving as a flight crew member for a part 121 air carrier.

(c) DEADLINES.—The Administrator shall—

(i) of part 61 of the Federal Aviation Administration's regulations (14 C.F.R. 61.151 et seq.),

(ii) in section 44711(a) of title 49, United States Code.

SEC. 558. PROHIBITION ON PERSONAL USE OF CERTAIN DEVICES ON FLIGHT DECK.

(a) IN GENERAL.—Chapter 447, as amended by section 521 of this Act, is further amended by adding at the end thereof the following:—

"44731. Use of certain devices on flight deck (a) IN GENERAL.—It is unlawful for any member of the flight crew of an aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, to use a personal wireless communications device, wireless personal communications device, flight crew member's duty station on the flight deck of such an aircraft while the aircraft is being operated.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the use of a personal wireless communications device or laptop computer for a purpose directly related to operation of the aircraft, or for emergency, safety-related, or employment-related communications, in accordance with procedures established by the air carrier or the Federal Aviation Administration.

(c) ENFORCEMENT.—In addition to the penalties provided under section 603 of this title applicable to any violation of this section, the Administrator may enforce compliance with this section under section 44709.

SEC. 559. PERSONAL WIRELESS COMMUNICATIONS DEVICE DEFINED.—The term "personal wireless communications device" means a device through which personal wireless services (as defined in section 322(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 322(c)(7)(C)(i))) are transmitted.

SEC. 560. PENALTIES.—Section 44711(a) is amended—

(1) by striking "or" after the semicolon in paragraph (8);
(2) by striking “title.” in paragraph (9) and inserting “title; or”; and
(3) by adding at the end the following:
“(10) violates section 44730 of this title or any other provision of law; and
(11) conducting on-site inspections of each such school not less frequently than once every 2 years.

(b) GAO Study.—The Comptroller General shall conduct a study of flight schools, flight education, and academic training requirements for certification of an individual as a pilot.

(c) Reporting.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit a report to the House of Representatives on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation on the results of the study.

SEC. 562. ENHANCED TRAINING FOR FLIGHT ATTENDANTS AND GATE AGENTS.

(a) In General.—Chapter 447, as amended by section 557, is further amended by adding at the end the following:

“44732. Training of flight attendants and gate agents

(1) training required.—In addition to other training required by this chapter, each air carrier shall provide initial and annual recurring training for flight attendants and gate agents employed or contracted by such air carrier:

(1) serving alcohol to passengers;

(2) recognizing intoxicated passengers;

(3) dealing with disruptive passengers.

(2) situational training.—In carrying out the training required under subsection (a), each air carrier shall provide situational training to flight attendants and gate agents on the proper method for dealing with intoxicated passengers who act in a belligerent manner.

(c) Definitions.—In this section:

(1) AIR CARRIER.—The term ‘air carrier’ means a person or commercial enterprise that has issued an air carrier operating certificate under section 145.

(2) FLIGHT ATTENDANT.—The term ‘flight attendant’ has the meaning given the term in section 44726(c).

(3) GATE AGENT.—The term ‘gate agent’ means an individual working at an airport whose responsibilities include facilitating passenger access to commercial aircraft.

(d) Rulemaking.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall conduct a comprehensive study of the best methods to allow specific academic training programs to include the credit hours earned in such programs toward the total flight hours required to receive an airline transport pilot certificate.

(b) aboard the transport pilots.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit a report to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation based on the findings of the panel.

SEC. 563. DEFINITIONS.

In this subtitle:

(1) AVIATION SAFETY ACTION PROGRAM.—The term “Aviation Safety Action Program” means the program described under Federal Aviation Administration Advisory Circular 121-343, that permits employers to conduct investigations of participants while on the job.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator.
SEC. 604. PRODUCTION OF CLEAN COAL FUEL TECHNOLOGY FOR CIVILIAN AIRCRAFT.

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Secretary of Transportation shall establish a research program related to developing jet fuel from clean coal through grants or other measures authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies. The program shall include participation by educational and research institutions. The Advisory Committee shall enter into an arrangement with Transportation to collaborate in the development of coal-to-jet fuel technologies.

(b) DESIGNATION OF INSTITUTION AS A CENTER OF EXCELLENCE.—Within 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall designate an institution described in subsection (a) as a Center of Excellence for Coal-to-Jet-Fuel Research.

SEC. 605. ADVISORY COMMITTEE ON FUTURE OF AERONAUTICS.

(a) ESTABLISHMENT.—There is established an advisory committee to be known as the “Advisory Committee on the Future of Aeronautics”.

(b) MEMBERSHIP.—The Advisory Committee shall consist of 7 members appointed by the President from a list of 15 candidates proposed by the Director of the National Academy of Sciences.

(c) CHAIRPERSON.—The Advisory Committee shall select 1 member to serve as chairperson of the Advisory Committee.

(d) FUNCTIONS.—The Advisory Committee shall examine the best governmental and organizational structures for the conduct of civil aeronautics research and development, including options and recommendations for consolidating such research to ensure continued United States leadership in civil aeronautics. The Committee shall consider transferring responsibility for civil aeronautics research and development from the National Aeronautics and Space Administration to other existing departments or agencies of the Federal Government or to a non-governmental organization such as academic consortia or not-for-profit organizations. In developing its report, the Advisory Committee shall consider, as appropriate, the aeronautics research policies developed pursuant to section 101(d) of Public Law 109–155 and recommendations for their implementation for aeronautics research established by title IV of Public Law 109–155.

(e) REPORT.—Not later than 12 months after the date on which the full membership of the Advisory Committee is appointed, the Advisory Committee shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House and the House of Representatives, the Senate Committee on Science and Technology and on Transportation and Infrastructure on its findings and recommendations. The report may recommend a rank ordered list of acceptable solutions.

(f) TERMINATION.—The Advisory Committee shall terminate 60 days after the date on which it submits the report to the Congress.

SEC. 606. RESEARCH PROGRAM TO IMPROVE AIRFIELD PAVEMENTS.

(a) CONTENT OF PROGRAM.—The Administrator of the Federal Aviation Administration shall continue the program to consider awards to nonprofit concrete and asphalt producers for Air Transportation Noise and Emission Reduction FAA Center of Excellence.

(b) USE OF GRANTS OR COOPERATIVE AGREEMENTS.—The Administrator may use grants or cooperative agreements in carrying out this section.
where the unmanned aircraft system is flying;
(F) airworthiness and system redundancy;
(G) flight termination systems for safety and security;
(H) privacy issues;
(I) technologies for unmanned aircraft systems flight control;
(J) security for unmanned aircraft systems propulsion;
(K) unmanned aircraft systems operator qualifications, medical standards, and training requirements;
(L) unmanned aircraft systems maintenance requirements and training requirements;
(M) any other unmanned aircraft systems-related issue the Administrator believes should be addressed.

(2) Pilot Project.—Within 12 months after initiating the study, the National Academy shall submit its report to the Administrator, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure containing its findings and recommendations.

(c) Pilot Projects.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator, in consultation with the National Oceanic and Atmospheric Administration, the Coast Guard, and other Federal agencies as appropriate, shall conduct a comprehensive study of the Arctic where small unmanned aircraft may operate 24 hours per day from 2000 feet to the surface and beyond line-of-sight for research and commercial purposes. Within 12 months after the date of enactment of this Act, the Administrator shall have established and implemented a single process for approving unmanned aircraft for operation in the designated Arctic regions regardless of whether the unmanned aircraft is used as a public aircraft, a civil aircraft, or as a model aircraft.

(2) DESIGNATION OF AIRSPACE TRAJECTORIES.—In this section:

(A) ARCTIC.—The term "Arctic" means the United States zone of the Chukchi, Beaufort, and Bering Sea north of the Aleutian chain.

(B) TERRESTRIAL.—The term "terrestrial" means areas on land or water that provide for terrestrial launch and recovery of small unmanned aircraft.

SEC. 609. REPORT OF CENTER OF EXCELLENCE IN APPLIED RESEARCH AND TRAINING IN THE USE OF ADVANCED MATERIALS IN TRANSPORT AIRCRAFT.

Section 708(b) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 44904 note) is amended by striking "$500,000 for fiscal year 2004" and inserting "$1,000,000 for each of fiscal years 2008 through 2012".

SEC. 610. FUNDING FOR ZERO EMISSION AIRPORT VEHICLES.

(a) IN GENERAL.—Subchapter I of chapter 471 is amended by inserting after section 47136 the following:

"§ 47136A. Zero emission airport vehicles and infrastructure

(1) Funding for zero emission airport vehicles and infrastructure

(a) IN GENERAL.—The Secretary of Transportation shall establish a pilot program under which a public airport that is able to receive grants under section 48103 to assist airport operators in the acquisition of zero emission vehicles and ground support equipment, in order to identify opportunities to reduce harmful emissions and increase energy efficiency at the airport.

(2) ADDITIONALUTORIAL SUPPORT.—The Secretary shall give priority consideration to applicants that will achieve the greatest air quality benefits measured by the amount of emissions reductions achieved for each dollar of funds expended under the program.

(3) TECHNICAL ASSISTANCE.—

(a) IN GENERAL.—The sponsor of a public-use airport carrying out activities funded under the program may not use more than 10 percent of the total amount of support under the program in any fiscal year for technical assistance in carrying out such activities.

(b) ELIGIBLE CONSORTIUM.—To the maximum practicable extent, participants in the program shall use an eligible consortium (as defined in section 5506 of this title) in the region of the airport to receive technical assistance described in paragraph (1).

(4) MATERIALS IDENTIFYING BEST PRACTICES.—The Secretary may develop and make available materials identifying best practices for carrying out activities funded under the program based on projects carried out under section 47136 and other sources.

(c) PILOT PROGRAM.—Not later than 18 months after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation the House of Representatives Committee on Transportation and Infrastructure containing—

(1) an evaluation of the effectiveness of the pilot program;

(2) an identification of all public-use airports that expressed an interest in participating in the program; and

(3) a description of the mechanisms used by the Secretary to ensure that the information and know-how gained by participants in the program is transferred among the participants and to other interested parties, including other public-use airports.

(d) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47136 the following:

"§ 47136A. Zero emission airport vehicles and infrastructure"

SEC. 611. REDUCTION OF EMISSIONS FROM AIRPORT POWER SOURCES.

(a) IN GENERAL.—Subchapter I of chapter 471 is amended by inserting after section 47136A the following:

"§ 47140A. Reduction of emissions from airport power sources

(a) IN GENERAL.—The Secretary of Transportation shall establish a program under which the Secretary shall give priority consideration to applicants that will achieve the greatest air quality benefits measured by the amount of emissions reductions achieved for each dollar of funds expended under the program.

(2) ELIGIBLE CONSORTIUM.—To the maximum practicable extent, participants in the program shall use an eligible consortium (as defined in section 5506 of this title) in the region of the airport to receive technical assistance described in paragraph (1).

(3) TECHNICAL ASSISTANCE.—The Secretary may develop and make available materials identifying best practices for carrying out activities funded under the program based on projects carried out under section 47136 and other sources.

(4) MATERIALS IDENTIFYING BEST PRACTICES.—The Secretary may develop and make available materials identifying best practices for carrying out activities funded under the program based on projects carried out under section 47136 and other sources.

(5) PILOT PROGRAM.—Not later than 18 months after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure containing—

(1) an evaluation of the effectiveness of the pilot program;

(2) an identification of all public-use airports that expressed an interest in participating in the program; and

(3) a description of the mechanisms used by the Secretary to ensure that the information and know-how gained by participants in the program is transferred among the participants and to other interested parties, including other public-use airports.

(6) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47136A the following:

"§ 47140A. Reduction of emissions from airport power sources"
(b) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47140 the following:

"47140A. Reduction of emissions from airport power sources."

SEC. 612. SITING OF WIND FARMS NEAR FAA NAVIGATIONAL AIDS AND OTHER AIRSPACE CONTROL SYSTEMS.

(a) SURVEY AND ASSESSMENT.—

(1) IN GENERAL.—In order to address safety and operational concerns associated with the construction, alteration, establishment, or expansion of wind farms in proximity to critical FAA facilities, the Administrator shall, within 60 days after the date of enactment of this Act, complete a survey and assessment of measures for critical FAA facility sites, including—

(A) an inventory of the leases that describes, for each such lease—

(i) the periodic rent, location, site, terms, number of years remaining, and lessor;

(ii) other Administration facilities that share the leasehold, including surveillance and communications equipment; and

(iii) the type of transmission services supported, including the terms of service, cost, and support contract obligations for the service and

(B) a list of those leases for facilities located in or near areas suitable for the construction and operation of wind farms, as determined by the Administrator in consultation with the Secretary of Energy.

(2) REPORT.—Upon completion of the survey and assessment, the Administrator shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and the Comptroller General containing the Administrator’s findings, conclusions, and recommendations.

(b) O A SIS ASSESSMENT.—

(1) IN GENERAL.—Within 180 days after receiving the Administrator’s report under subsection (a)(2), the Comptroller General, in consultation with the Administrator, shall report on—

(A) the current and potential impact of wind farms on the national airspace system;

(B) the Department of Defense and the Federal Aviation Administration’s guidance, processes, and procedures in place to evaluate the impact of wind farms; and

(C) the Next Generation air traffic control system, including the installation of navigational aids associated with that system.

(2) ISSUANCE OF GUIDELINES; PUBLIC INFORMATION.—

(1) GUIDANCE.—Within 60 days after the Administration’s receipt of the Comptroller’s recommendations, the Administrator shall publish guidelines for the construction and operation of wind farms to be located in proximity to navigational aids and critical Federal Aviation Administration facilities. The guidelines may include—

(A) the establishment of a zone system for wind farms based on proximity to critical FAA assets;

(B) the establishment of turbine height and density limitations on such wind farms;

(C) an amendment to the Notice to Airmen for the critical Federal Aviation Administration facilities. The guidelines may include—

(D) any other requirements or recommendations designed to address Administration safety or operational concerns related to the construction, alteration, establishment, or expansion of such wind farms.

(2) PUBLIC ACCESS TO INFORMATION.—To the extent feasible, the Administrator shall provide public access to information regarding the planning, construction, and operation of wind farms in proximity to critical FAA facilities on, or by linkage from, the homepage of the Federal Aviation Administration’s public website.

(3) CONSULTATION WITH OTHER FEDERAL AGENCIES.—In carrying out this section, the Administrator and the Comptroller General shall consult, with the Secretary of the Navy, the Air Force, Homeland Security, and Energy—

(A) to coordinate the requirements of each department for future airspace needs; and

(B) to define the different levels of risk for such infrastructure.

(4) REPORTS.—The Administrator and the Comptroller General shall—

(a) prepare and issue reports to Congress on the extent feasible, taking into consideration security, operational, and public safety concerns (as determined by the Administrator), the Administrator shall provide public access to information regarding the planning, construction, and operation of wind farms in proximity to critical FAA facilities on, or by linkage from, the homepage of the Federal Aviation Administration’s public website.

(b) CONSULTATION WITH OTHER FEDERAL AGENCIES.—In carrying out this section, the Administrator and the Comptroller General shall—

(A) the current and potential impact of wind farms on the national airspace system;

(B) the extent to which the Department of Homeland Security and the National Geospatial Intelligence Agency have guidance, processes, and procedures for the identification or development of alternative air traffic routes and the integration of wind farm technology referred to in subsection (a) should, at a minimum, have the capacity—

(1) to remove oil-based contaminants from the bleed air supplied to the passenger cabin and flight deck; and

(2) to detect and record oil-based contaminants in the portion of the total air supplied to the passenger cabin and flight deck from bleed air.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the House and Senate Commerce, Science, and Transportation committees and the Senate Committee on Homeland Security and Governmental Affairs a report on the results of the research and development work carried out under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

TITLE VII—MISCELLANEOUS

SEC. 701. GENERAL AUTHORITY.

(a) Third Party Liability.—Section 43303(b) is amended by striking "December 31, 2009," and inserting "December 31, 2012."

(b) Extension of Program Authority.—Section 44310 is amended by striking "December 31, 2013," and inserting "October 1, 2017."

(c) War Risk.—Section 45922(1) is amended—

(1) by striking "September 30, 2009," and inserting "September 30, 2011," and

(2) by striking "December 31, 2009," and inserting "December 31, 2011.

SEC. 702. HUMAN INTERVENTION MANAGEMENT STUDY.

Within 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a Human Intervention Management Study program for cabin crews employed by commercial air carriers.

SEC. 703. AIRPORT PROGRAM MODIFICATIONS.

The Administrator of the Federal Aviation Administration—

(a) shall establish a formal, structured certification training program for the airport concessions disadvantaged business enterprise program; and

(b) may appoint 3 additional staff to implement the programs of the airport concessions disadvantaged business enterprise initiative.

SEC. 704. MISCELLANEOUS PROGRAM EXTENSIONS.

(a) MARSHALL ISLANDS, FEDERATED STATES OF MICRONESIA, AND PALAU.—Section 47119(j) is amended by striking "2009," and inserting "2011.

(b) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended by striking "2009," and inserting "2011.

SEC. 705. EXTENSION OF COMPETITIVE ACCESS REPORTS.

Section 47107(e) is amended by striking paragraph (3).

SEC. 706. UPDATE ON OVERFLIGHTS.

(a) IN GENERAL.—Section 43501(b) is amended to read as follows—

"(b) LIMITATIONS.—

(1) IN GENERAL.—In establishing fees under subsection (a), the Administrator shall ensure that the fees required by subsection (a) are reasonably related to the Administrator’s costs, as determined by the Administrator, of providing the services rendered. The determination of such costs may be recovered include the costs of air traffic control, navigation, weather services, training, and emergency services which are available to facilitate the transport of United States, and other services provided by the Administrator or by programs financed by the Administrator to flights that neither originate nor land in the territory. The Administrator shall seek and consider the recommendations, if any, offered by the Aviation Rulemaking Committee for Overflight Fees established by subsection (a)(1) by expedited rulemaking and begin collections under the adjusted fees by October 1, 2010. In developing the adjusted overflight fees the Administrator shall seek and consider the recommendations, if any, to be established for flight fees are reasonably related to the Administrator’s costs of providing air traffic
control and related services to overflights. In addition, the Administrator may periodically modify the fees established under this section either on the Administrator’s own initiative or on a recommendation from the Air Traffic Control Modernization Board.

(3) COST DATA.—The adjustment of overflight fees under paragraph (2) shall be based on the costs of the Administration providing the air traffic control and related activities, services, facilities, and equipment, using the available data derived from the Administration’s cost accounting system and cost allocation system to users, as well as budget and operational data.

(4) AIRCRAFT ALTITUDE.—Nothing in this section shall require the Administrator to take into account aircraft altitude in establishing any fee for aircraft operations in en route oceanic airspace.

(5) COSTS DEFINED.—In this subsection, the term ‘costs’ means those costs associated with the operation, maintenance, debt service, and overhead expenses of the services provided and the facilities and equipment used in such services, including the projected costs for the period during which the services will be provided.

(6) PUBLICATION; COMMENT.—The Administrator shall publish in the Federal Register any fee schedule under this section, including any fee schedule with the associated collection process as a proposed rule, pursuant to which public comment is submitted and a final rule issued.

(b) ADMINISTRATIVE PROVISION.—Section 4503(c)(2) is amended to read as follows:—

(2) shall be available to the Administrator for expenditure for purposes authorized by Congress for the Federal Aviation Administration, however, fees established by section 4501(a)(1) of this title shall be available only to pay the costs of activities and services for which the fee is imposed, including the costs to determine, assess, review, and collect the fee; and—

SEC. 707. TECHNICAL CORRECTIONS.

Section 40122(c), as amended by section 307 of this Act, is further amended—

(1) by striking “section 2933,” relating to whistleblower protection, in paragraph (2)(A) and inserting “sections 2101 and 2302,”;

(2) by striking “and” after the semicolon in paragraph (2)(D);

(3) by striking “Plan.” in paragraph (2)(I)(ii) and inserting “Plans.”;

(4) by adding at the end of paragraph (2) the following:

“(J) section 5596, relating to back pay; and

(K) sections 6381 through 6387, relating to Family and Medical Leave;”;

and

(5) by adding at the end of paragraph (3) the following:

“Notwithstanding any other provision of law, retroactive to April 1, 1996, the Board shall have the same remedial authority over such employee appeals that it had as of March 31, 1996.”.

SEC. 708. FAA TECHNICAL TRAINING AND STAFFING.

(a) STUDY.—(1) IN GENERAL.—The Comptroller General shall conduct a study of the training of airway transportation systems specialists of the Federal Aviation Administration that includes—

(A) an analysis of the type of training provided to such specialists;

(B) an analysis of the type of training that such specialists need to be proficient in the maintenance of the latest technologies;

(C) actions that the Administration has undertaken to ensure that such specialists receive up-to-date training on such technologies;

(D) the amount and cost of training provided to such specialists;

(E) the amount and cost of training provided by the Administration after developing in-house training courses for such specialists;

(F) the amount and cost of travel required of such specialists in receiving training; and

(G) recommendations for the most cost-effective approach to providing such training.

(2) REPORT.—Within 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the National Academy of Sciences a study of the training of airway transportation systems specialists, including the projections of the number of specialists in receiving training; and the effectiveness of the training.

(b) STUDY BY NATIONAL ACADEMY OF SCIENCES.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall contract with the National Academy of Sciences to conduct a study of the training of airway transportation systems specialists, including the projections of the number of specialists in receiving training; and the effectiveness of the training.

(2) CONTENTS.—The study shall include—

(A) recommendations for objective staffing standards that will maintain the safety of the National Airspace System; and

(B) the approximate length of time for developing such standards.

(c) AVIATION SAFETY INSPECTORS.—

(1) SAFETY STAFFING MODEL.—Within 12 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a staffing model for aviation safety inspectors. In developing the model, the Administrator shall consult with the Exclusive Bargaining Representatives of the aviation safety inspectors and the interested parties.

(2) SAFETY INSPECTOR STAFFING.—The Federal Aviation Administration aviation safety inspector staffing requirement shall be no less than the staffing levels indicated as necessary in the staffing model described under subsection (a).

SEC. 709. COMMERCIAL AIR TOUR OPERATORS IN NATIONAL PARKS.

(a) SECRETARY OF THE INTERIOR AND OVER-FLIGHTS OF NATIONAL PARKS.

(1) Section 40128 is amended—

(A) in subsection (a), by striking “Secretary of the Interior” on each place it appears and inserting “Secretary of the Interior”;

(B) in subsection (b), by striking “Director” each place it appears and inserting “Secretary of the Interior”;

(C) in section 40128(a)(2), by striking “National Park Service” on each place it appears and inserting “Department of the Interior”;

(D) in subsection (c), by striking “National Park Service” on each place it appears and inserting “Department of the Interior”;

(2) SAFETY INSPECTOR STAFFING.—The Federal Aviation Administration aviation safety inspector staffing requirement shall be no less than the staffing levels indicated as necessary in the staffing model described under subsection (a).

(3) AUDIT OF REPORTS.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall transmit a report containing its findings and recommendations to the Congress.

(4) MODIFICATION OF INTERIM OPERATING AUTHORITY.—Section 40129(b)(2)(D) is amended to read as follows:

“(A) I N GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration aviation safety inspectors and other interested parties.

and

(5) by adding at the end of paragraph (2) the following:

“Notwithstanding any other provision of law, retroactive to April 1, 1996, the Board shall have the same remedial authority over such employee appeals that it had as of March 31, 1996.”.
Act, and at such times thereafter as the Inspector General of the Department of Transportation determines necessary, the Inspector General shall audit the reports required by paragraphs (5) through (7).

(e) COLLECTION OF FEES FROM AIR TOUR OPERATIONS.—

(1) IN GENERAL.—The Secretary of the Interior shall, by rule, establish the fees that will allow the Secretary to recover the cost of developing and maintaining air tour management plans for national parks.

(2) AMOUNT OF FEE.—In determining the amount of the fee assessed under paragraph (1), the Secretary shall consider the cost of developing and maintaining air tour management plans for each national park.

(3) EFFECT OF FAILURE TO PAY FEE.—The Administrator of the Federal Aviation Administration shall revoke the operating authority of a commercial air tour operator conducting commercial air tour operations over any national park, including the Grand Canyon National Park, that has not paid the fee assessed by the Secretary under paragraph (1) by the date that is 180 days after the date on which the Secretary determines the fees shall be paid.

(f) AUTHORIZATION OF APPROPRIATIONS FOR AIR TOUR MANAGEMENT PLANS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of the Interior for the development of air tour management plans under section 40128(b) of title 49, United States Code.

(2) USE OF FUNDS.—The funds authorized to be appropriated by paragraph (1) shall be used to develop air tour management plans for the national parks the Secretary determines and makes a grant under this subparagraph.

(g) GUIDANCE TO DISTRICT OFFICES ON COMMERCIAL AIR TOUR OPERATIONS.—

The Administrator of the Federal Aviation Administration shall, through the Federal Aviation Administration’s regional offices, provide guidance to the Department of the Interior and to the Secretary of the Interior on the policies and procedures regarding air tour management plans that it establishes for air tour management plans for national parks.

(h) OPERATING AUTHORITY OF COMMERCIAL AIR TOUR OPERATORS.—

(1) TRANSFER OF OPERATING AUTHORITY.—

A person to whom the Secretary transfers operating authority under subparagraph (A) of section 47525(b) of this title if the Administrator determines that the transfer of the authority will

(A) reduce the number of air tour operators conducting air tour operations in the area; or

(B) allow the Administrator to transfer the authority to another air tour operator.

(2) NOTICE.—Not later than 30 days before the date on which a commercial air tour operator transfers operating authority under subparagraph (A), the operator shall notify the Administrator of the Secretary of the intent of the operator to transfer such authority.

(C) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prescribe regulations to allow transfers of operating authority described in subparagraph (A).

(3) TIME FOR DETERMINATION REGARDING OPERATING AUTHORITY.—Notwithstanding any other provision of law, the Administrator shall determine whether to grant a commercial air tour operator operating authority under section 40128 of this title, not later than 180 days after the earlier of the date on which—

(A) the operator submits an application; or

(B) an air tour management plan is completed for the national park over which the operator seeks to conduct commercial air tour operations.

(4) INCREASE IN INTERIM OPERATING AUTHORITY.—The Administrator and the Secretary shall increase the interim operating authority while an air tour management plan is being developed for a park if—

(A) the Secretary determines that such an increase is necessary to ensure the safe and orderly conduct of air tours over the national park; or

(B) the Administrator determines that granting interim operating authority does not adversely impact the management of the national airspace system.

(5) ENFORCEMENT OF OPERATING AUTHORITY.—The Administrator is authorized and directed to enforce the requirements of this Act and any agency rules or regulations related to operating authority.

SEC. 710. PHASEOUT OF STAGE 1 AND 2 AIRCRAFT.

(a) IN GENERAL.—Subchapter II of chapter 475 is amended by adding at the end the following:

"§ 47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with Stage 3 noise levels

(a) PROHIBITION.—Except as provided in subsection (b), a commercial air tour operator that operates a civil subsonic turbojet with a maximum weight of 75,000 pounds or less to or from an airport in the United States unless the Secretary finds, and publishes notices in the Federal Register that the aircraft complies with stage 3 noise levels.

(b) EXCEPTION.—Subsection (a) shall not apply to aircraft operated only outside the contiguous States.

(c) OPT-OUT.—Subsection (a) shall not apply at an airport where the airport operator has notified the Secretary that it wants to continue to permit the operation of civil subsonic turbojets with a maximum weight of 75,000 pounds or less that do not comply with stage 3 noise levels. The Secretary shall post the notices received under this subsection on its website or in another place easily accessible to the public.

(d) LIMITATION.—The Secretary shall permit a person to operate Stage 1 and Stage 2 aircraft with a maximum weight of 75,000 pounds or less to or from an airport in the contiguous States if—

(1) to sell, lease, or use the aircraft outside the contiguous States;

(2) to record the aircraft in the contiguous States;

(3) to obtain modifications to the aircraft to meet stage 3 noise levels;

(4) to perform scheduled heavy maintenance or significant modifications on the aircraft at a maintenance facility located in the contiguous States;

(5) to deliver the aircraft to an operator leasing the aircraft from the owner or return the aircraft to the lessor;

(6) to prepare or park or store the aircraft in anticipation of any of the activities described in paragraphs (1) through (5); or

(7) to divert the aircraft to an alternative airport in the contiguous States on account of weather, mechanical, fuel air traffic control or other safety reasons while conducting a flight in order to perform any of the activities described in paragraphs (1) through (6).

(e) STATUTORY CONSTRUCTION.—Nothing in the section may be construed as interfering with, nullifying, or otherwise affecting determinations made by the Federal Aviation Administration, or to be made by the Administrator, with respect to applications under part 161 of title 14, Code of Federal Regulations, that were pending on the date of enactment of the Aircraft Noise Reduction Act of 2006.

(f) CONFORMING AMENDMENTS.—

(1) Section 47531 is amended by striking "47529, or 47530," and inserting "47529, 47530, or 47534."

(2) Section 47532 is amended by striking "47529 through 47534" and inserting "47534."

(3) The table of contents for chapter 475 is amended by inserting after the item relating to "47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with Stage 3 noise levels" the following:

"47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with Stage 3 noise levels"

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect 5 years after the date of enactment of this Act.

SEC. 711. WEIGHT RESTRICTIONS AT TETERBORO AIRPORT.

On and after the date of enactment of this Act, the Administrator of the Federal Aviation Administration is prohibited from taking actions designed to challenge or influence weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey, except in an emergency.

SEC. 712. PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.

(a) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Administrator shall establish a pilot program at up to 4 public-use airports for local airport operators that have submitted a noise compatibility plan to the Federal Aviation Administration under section 47504 of title 49, United States Code, under which such airport operators may use funds made available to the Operator pursuant to this section, or passenger facility revenue collected under section 4117 of that title, to encourage airport-compatible land uses and generate economic benefits to the local airport authority and adjacent community.

(b) NOISE COMPATIBILITY MEASURES.—Section 47504(a)(2) is amended—

(1) by striking ‘‘and’’ after thesemicolon in subparagraph (D); and

(2) by striking ‘‘operations.’’ in subparagraph (E) and inserting ‘‘operations; and’’; and

(3) by adding at the end following:

’’(F) joint comprehensive land use planning including master plans, traffic studies, environmental evaluation and economic and feasibility studies, with joint jurisdictional studies, with neighboring local jurisdictions undertaking community redevelopment in the area where the land or other property interest acquired by the airport operator pursuant to this section is located, to encourage and enhance redevelopment opportunities that reflect zoning and uses that will prevent the introduction of additional airport-compatible uses and enhance redevelopment potential.’’.

(c) GRANT REQUIREMENTS.—The Administrator may not make a grant under subsection (a) unless the grantee—

(1) to enable the airport operator and local jurisdictions undertaking the community redevelopment effort to expedite redevelopment efforts;

(2) subject to a requirement that the local jurisdiction governing the property interests in question has adopted zoning regulations that permit airport compatible redevelopments; and

(3) subject to a requirement that in determining the part of the proceeds from dispositions of any real property that are sold by the Federal Aviation Administration under section 47107(c)(2)(A) of title 49, United States Code,
the total amount of the grant issued under this section shall be added to the amount of any grants issued for acquisition of land.

(d) DEMONSTRATION GRANTS—

(1) IN GENERAL.—The Administrator shall provide grants for up to 4 pilot property redevelopment projects distributed geographically and targeted to airports that demonstrate

(A) a readiness to implement cooperative land use management and redevelopment plans with the local community; and

(B) the probability of clear economic benefit to the local community and financial return to the airport through the implementation of the redevelopment plan.

(2) FEDERAL SHARE.—

(A) Notwithstanding any other provision of law, the Federal share of the allowable costs of a project carried out under the pilot program shall be 80 percent.

(B) In determining the allowable costs, the Administrator shall deduct from the total costs of the activities described in subsection (a) that portion of the costs which is equal to that portion of the total property to be redeveloped under this section that is not owned or leased by the airport operator pursuant to the noise compatibility program or that is not owned by the affected neighboring local jurisdictions or other public entities.

(3) MAXIMUM AMOUNT.—Not more than $5,000,000 in funds made available under section 47117(e) of title 49, United States Code, may be expended for the program at any single public-use airport.

(4) EXCEPTION.—Amounts paid to the Administrator under subsection (c)(3)

(A) shall be in addition to amounts authorized under section 48203 of title 49, United States Code;

(B) shall not be subject to any limitation on gross receipts for any fiscal year; and

(C) shall remain available until expended.

(e) USE OF PASSENGER REVENUE.—An air carrier providing air transportation shall permit a passenger to carry a musical instrument in the aircraft cabin without charge if—

(B) the instrument does not obscure any passenger’s view of any illuminated exit, warning, or other informational sign;

(F) neither the instrument nor the case contained in any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation of the United States; and

(G) the passenger wishing to carry the instrument has purchased an additional seat to accommodate the instrument.

(3) LARGE INSTRUMENTS AS CHECKED BAGGAGE.—An air carrier shall transport as baggage, without charge, a musical instrument that is the property of a passenger traveling in air transportation that may not be carried in the aircraft cabin if—

(A) the sum of the length, width, and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150 inches;

(B) the weight of the instrument does not exceed 150 pounds;

(D) the potential for cost savings or the review of waste management contracts;

(E) the trial will avoid, or use of, any required emergency exit, regular exit, or aisle;

(E) the instrument does not obstruct the passenger’s view of any illuminated exit, mandatory training program for airport concessions.

(1) IN GENERAL.—Section 47107(e) is amended—

(b) IMPLEMENTATION.—The training program may be implemented by one or more private entities approved by the Secretary.

(c) IN GENERAL.—Section 47107(e)(8) of title 49, United States Code, as amended by section 325 of the FHA Modernization and Safety Improvement Act, the Administrator may establish a mandatory training program for persons described in subparagraph (C) on the certification of whether a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual for purposes of paragraph (1).

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and other appropriate committees of Congress on the results of the training program conducted under section 47107(e)(8) of title 49, United States Code, as amended by section 325 of the FHA Modernization and Safety Improvement Act.

(5) IN GENERAL.—Section 47113 is amended by adding at the end thereof the following:

"(B) the weight of the instrument, including the case or covering, does not exceed 165 pounds;

(C) the instrument can be secured by a seat belt or similar restraint;

(D) the case does not obscure any passenger’s view of any illuminated exit, warning, or other informational sign;

(2) the instrument does not obstruct the passenger’s view of any illuminated exit, warning, or other informational sign;

(3) neither the instrument nor the case contained in any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation of the United States; and

(3) the aircraft cabin has purchased an additional seat to accommodate the instrument.

(3) LARGE INSTRUMENTS AS CHECKED BAGGAGE.—An air carrier shall transport as baggage, without charge, a musical instrument that is the property of a passenger traveling in air transportation that may not be carried in the aircraft cabin if—

(A) the sum of the length, width, and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150 inches;

(B) the weight of the instrument does not exceed 150 pounds;

(D) the potential for cost savings or the review of waste management contracts;

(E) the trial will avoid, or use of, any required emergency exit, regular exit, or aisle;

(E) the instrument does not obstruct the passenger’s view of any illuminated exit, mandatory training program for airport concessions.

(1) IN GENERAL.—Section 47107(e) is amended—

(b) IMPLEMENTATION.—The training program may be implemented by one or more private entities approved by the Secretary.

(c) IN GENERAL.—Section 47107(e)(8) of title 49, United States Code, as amended by section 325 of the FHA Modernization and Safety Improvement Act, the Administrator may establish a mandatory training program for persons described in subparagraph (C) on the certification of whether a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual for purposes of paragraph (1).

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and other appropriate committees of Congress on the results of the training program conducted under section 47107(e)(8) of title 49, United States Code, as amended by section 325 of the FHA Modernization and Safety Improvement Act.

(5) IN GENERAL.—Section 47113 is amended by adding at the end thereof the following:

"(B) the weight of the instrument, including the case or covering, does not exceed 165 pounds;

(C) the instrument can be secured by a seat belt or similar restraint;

(D) the case does not obscure any passenger’s view of any illuminated exit, warning, or other informational sign;

(2) the instrument does not obstruct the passenger’s view of any illuminated exit, warning, or other informational sign;

(3) neither the instrument nor the case contained in any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation of the United States; and

(3) the aircraft cabin has purchased an additional seat to accommodate the instrument.

(3) LARGE INSTRUMENTS AS CHECKED BAGGAGE.—An air carrier shall transport as baggage, without charge, a musical instrument that is the property of a passenger traveling in air transportation that may not be carried in the aircraft cabin if—

(A) the sum of the length, width, and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150 inches;

(B) the weight of the instrument does not exceed 150 pounds;

(D) the potential for cost savings or the review of waste management contracts;

(E) the trial will avoid, or use of, any required emergency exit, regular exit, or aisle;

(E) the instrument does not obstruct the passenger’s view of any illuminated exit, mandatory training program for airport concessions.

(1) IN GENERAL.—Section 47107(e) is amended—

(b) IMPLEMENTATION.—The training program may be implemented by one or more private entities approved by the Secretary.

(c) IN GENERAL.—Section 47107(e)(8) of title 49, United States Code, as amended by section 325 of the FHA Modernization and Safety Improvement Act, the Administrator may establish a mandatory training program for persons described in subparagraph (C) on the certification of whether a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual for purposes of paragraph (1).

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and other appropriate committees of Congress on the results of the training program conducted under section 47107(e)(8) of title 49, United States Code, as amended by section 325 of the FHA Modernization and Safety Improvement Act.
the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall issue final regulations to adjust the personal net worth cap used in determining whether an individual is economically disadvantaged for purposes of qualifying under the definition contained in subsection (a)(2) and under section 7107(e). The regulations shall take into account the impact of inflation since the small Business Administration established the personal net worth cap at $750,000 in 1980.

(1) EXCLUSION OF RETIREMENT BENEFITS.—

(1) IN GENERAL.—In calculating a business owner’s personal net worth, any funds held in a defined benefit retirement account on behalf of the business owner shall be excluded, subject to regulations to be issued by the Secretary.

(2) REGULATIONS.—Not later than one year after the date of enactment of the F.A.A. Air Transportation Modernization and Safety Improvement Act, the Secretary shall issue final regulations to implement paragraph (1), including consideration of appropriate safeguards, such as a limit on the amount of such accounts, to prevent circumvention of personal net worth requirements.

(2) EXCLUSION OF RETIREMENT BENEFITS.—

(1) IN GENERAL.—The Secretary shall establish a program to eliminate barriers to small business participation in airport-related contracts and concessions by prohibiting excessive, unreasonable, or discriminatory contract terms and conditions for any airport fund under this chapter or using passenger facility revenues under section 40117.

(b) REQUIRED INFORMATION.—In conducting the study, the Comptroller General shall obtain detailed information on the following aspects of the air ambulance industry:

(1) A review of the industry, for part 135 certificate holders and indirect carriers providing helicopter and fixed-wing air ambulance services, including—

(A) the relationship between State regulation and Federal preemption of rates, routes, and services of air ambulances;

(B) the extent to which Federal law may impact existing State regulation of air ambulance services, and the potential effect of greater State regulation—

(A) in the air ambulance industry, on the economic viability of air ambulance services, the availability of dispatch, service, and costs of operations both in rural and highly populated areas;

(B) on the quality of patient care and outcomes;

(C) on competition and safety; and

(3) whether systemic or other problems exist on a statewide, regional, or national basis with the current numbering of air ambulances.

(d) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit a report to the Secretary of Transportation, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure that—

(1) specifies which, if any, policy changes recommended by the Comptroller General and any other policy changes with respect to air ambulances the Secretary will adopt and implement; and

(2) includes recommendations for legislative change, if appropriate.

(e) ADOPTION OF RECOMMENDED POLICY CHANGES.—Not later than 180 days after the date of receipt of the report under subsection (d), the Secretary shall issue a report to the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure that—

(1) specifies which, if any, policy changes recommended by the Comptroller General and any other policy changes with respect to air ambulances the Secretary will adopt and implement; and

SEC. 718. REPEAL OF CERTAIN LIMITATIONS ON AERIAL/FLIGHT COMMUNICATIONS.

(a) IN GENERAL.—Section 4107 is repealed.

(b) CONFORMING REPEAL.—The table of sections for chapter 481 is amended by striking the item relating to this section.

SEC. 719. STUDY OF AERONAUTICAL MOBILE TELEMETRY.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with other Federal agencies, shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Science and Technology, and the House of Representatives Committee on Energy and Commerce that identifies—

(1) the current and anticipated need over the next decade by civil aviation, including equipment manufacturers, for aeronautical mobile telemetry services; and

(2) the potential impact to the aerospace industry of the introduction of a new radio service operating in the same spectrum allocated to the aeronautical mobile telemetry service.

SEC. 720. FLIGHTCREW MEMBER PAIRING AND CREW RESOURCE MANAGEMENT TECHNIQUES.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study on aviation industry best practices with regard to flightcrew member pairing, crew resource management techniques, and pilot commuting.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit a report to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation on the results of the study.

SEC. 721. CONSOLIDATION OR ELIMINATION OF OBSOLETE, REDUNDANT, OR OTHERWISE USELESS UNIFIED REPORTS. USE OF ELECTRONIC MEDIA FORMAT.

(a) CONSOLIDATION OR ELIMINATION OF REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Administrator of the Federal Aviation Administration shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that—

(1) a list of obsolete, redundant, or otherwise unnecessary reports the Administration is required by law to submit to the Congress; and

(2) the Administration recommends eliminating or consolidating with other reports; and
(2) an estimate of the cost savings that would result from the elimination or consolidation of those reports.

(b) Use of Electronic Media for Reports

(1) In General.—Notwithstanding any other provision of law, the Federal Aviation Administration—

(A) is not required to publish any report required or authorized by law in printed format; and

(B) shall publish any such report by posting it on the Administration’s website in an easily accessible and downloadable electronic format.

(2) Exception.—Paragraph (1) does not apply to any report with respect to which the Administrator determines that—

(A) its publication in printed format is essential to the mission of the Federal Aviation Administration; or

(B) its publication in accordance with the requirements of paragraph (1) would disclose—

(i) described in section 552(b) of title 5, United States Code; or

(ii) the disclosure of which would have an adverse impact on aviation safety or security, as determined by the Administrator.

SECTION 785.—INCAS.

Section 4727(b)(2) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

TITLE VIII—AIRPORT AND AIRWAY TRUST FUND PROVISIONS AND RELATED TAXES

SEC. 800. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 801. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) Fuel Taxes.—Subparagraph (B) of section 4081(a)(2) is amended by striking “March 31, 2010” and inserting “September 30, 2013”.

(b) Ticket Taxes.—

(1) Persons.—Clause (ii) of section 4261(j)(1)(A) is amended by striking “March 4, 2010” and inserting “September 30, 2013”.

(2) Property.—Clause (ii) of section 4272(d)(2)(A)(i) is amended by striking “March 31, 2010” and inserting “September 30, 2013”.

(3) Effective Date.—The amendments made by this section shall take effect on April 1, 2010.

SEC. 802. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(1) In General.—Paragraph (1) of section 9502(d) is amended—

(i) by striking “April 1, 2010” in the matter preceding subparagraph (A) and inserting “October 1, 2013”; and

(ii) by striking the semicolon at the end of subparagraph (A) and inserting “or the FAA Air Transportation Modernization and Safety Improvement Act.”.

(2) Conforming Amendment.—Paragraph (2) of section 9502(e) is amended by striking “April 1, 2010” and inserting “October 1, 2013”.

(3) Effective Date.—The amendments made by this section shall take effect on April 1, 2010.

SEC. 803. MODIFICATION OF EXCISE TAX ON KEROSENE USED IN AVIATION.

(a) Rate of Tax on Aviation-Grade Kerosene.

(1) In General.—Subparagraph (A) of section 4081(a)(2) (relating to rates of tax) is amended by striking “and” at the end of clause (i) and inserting “, and” before the end of clause (ii) and inserting “, and”, and by adding at the end the following new clause:

“(iv) in the case of aviation-grade kerosene, 35.9 cents per gallon.”

(2) Fuel Removed Directly Into Fuel Tank of Airplane Used in Noncommercial Aviation.—Subsection (a)(2) of section 4081(a)(2) is amended to read as follows:

“(A) TAXES IMPOSED ON FUEL USED IN COMMERCIAL AVIATION.—In the case of aviation-grade kerosene, which is removed from any refinery or terminal directly into the fuel tank of an aircraft for use in commercial aviation by a person registered for such use under section 401, the rate of tax under paragraph (A)(iv) shall be 4.3 cents per gallon.

“(B) EXEMPTION FOR AVIATION-GR ADE KEROSENE REMOVED INTO AN AIRCRAFT.—Subsection (e) of section 4082 is amended—

(i) by striking “section 4081(a)(2)(i)” and inserting “section 4081(a)(2)(A)(i)”, and

(ii) by striking “(A)” in the heading and inserting “AVIATION-GRADE KEROSENE”.

(4) Conforming Amendments.—

(A) Clause (iii) of section 4081(a)(2)(A) is amended by inserting “other than aviation-grade kerosene” after “kerosene”.

(B) The following provisions are each amended by striking “kerosene” and inserting “aviation-grade kerosene”:

(i) Section 4081(a)(3)(A).

(ii) Section 4081(a)(3)(A)(iv).

(iii) Section 4081(a)(3)(D).

(C) Section 4081(a)(4) is amended—

(i) by striking “paragraph (2)(C)(i)” in clause (i) and inserting “paragraph (2)(C)” and

(ii) by striking “paragraph (2)(C)(ii)” in clause (ii) and inserting “paragraph (2)(C)”.

(D) Section 4081(a)(4) is amended—

(i) in the heading and inserting “AVIATION-GRADE KEROSENE”, and

(ii) by striking “paragraph (2)(C)” and inserting “paragraph (2)(C)(i)”.

(E) Section 4081(d)(2) is amended by striking “(a)(2)(C)(i)” and inserting “(a)(2)(A)(iv)”. (F) Retail Tax on Aviation Fuel.—

(1) Exemption for Previously Taxed Fuel.—Paragraph (2) of section 4041(c) is amended by inserting “at the rate specified in subparagraph (A)(iv)” after “kerosene”. (2) Rate of Tax.—Paragraph (3) of section 4041(c) is amended—

(i) by striking “KEROSENE USED IN AVIATION” in the heading and inserting “AVIATION-GRADE KEROSENE USED IN COMMERCIAL AVIATION”, and

(ii) by striking “KEROSENE USED IN COMMERCIAL AVIATION” in the heading and inserting “AVIATION-GRADE KEROSENE USED IN COMMERCIAL AVIATION”, and

(iii) by redesignating paragraph (4) as paragraph (5). (d) Transfers to the Airport and Airway Trust Fund.—

(1) In General.—Subparagraph (C) of section 4062(1)(D) is amended to read as follows:

“(C) section 4081 with respect to aviation gasoline and aviation-grade kerosene, and

(2) Transfers on Account of Certain Refunds.

(A) In General.—Subsection (d) of section 9502 is amended—

(i) in paragraph (2) by striking “other than payments made by reason of paragraph (4) of section 4041(c)”, and

(ii) in paragraph (3) by striking “other than payments made by reason of paragraph (4) of section 4041(c)”, and

(B) Conforming Amendments.—

(i) Section 9503(b)(4) is amended by striking “or” at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting a comma, and by inserting after subparagraph (D) the following:

“(E) section 4081 to the extent attributable to the rates specified in clause (ii) or (iv) of section 4081(a)(3)(A), and

(F) section 4041(c)”,.

(ii) Section 9503(c) is amended by striking paragraph (4), and

(iii) Section 9502(a) is amended by striking “appropriated, credited, or paid into” and inserting “appropriated or paid into”, and

(ii) by striking “, section 9503(c)(7)”,.

(e) Effective Date.—The amendments made by this section shall apply to fuels removed, entered, or sold after June 30, 2010.

(2) Importation of Tax.—In the case of aviation fuel which is held on July 1, 2010, by any
person, there is hereby imposed a floor stock tax on aviation fuel equal to—

(A) the tax which would have been imposed before such date on such fuel had the amendments made by this section been in effect at all times before such date, reduced by

(B) the sum of—

(i) the tax imposed before such date on such fuel under section 4081 of the Internal Revenue Code of 1986, as in effect on such date, and

(ii) in the case of kerosene held exclusively for use by a person’s own use, the amount which such person would (but for this clause) reasonably expect (as of such date) to be paid as a refund under section 6426(b) of such Code with respect to such kerosene.

(2) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding aviation fuel on July 1, 2010, shall be liable for such tax.

(B) TIME AND METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid at such time and in such manner as the Secretary of the Treasury shall prescribe.

(3) TRANSFER OF FLOOR STOCK TAX REVENUES TO THE FEDERAL AIRPORT AND AIRWAY TRUST FUND.—For purposes of determining the amount transferred to the Airport and Airway Trust Fund, the tax imposed by this subsection shall be treated as imposed by section 4081(a)(2)(A)(iv) of the Internal Revenue Code of 1986.

(4) DEFINITIONS.—For purposes of this subsection—

(A) AVIATION FUEL.—The term ‘aviation fuel’ means aviation-grade kerosene and aviation gasoline, as such terms are used within the meaning of section 4081 of the Internal Revenue Code of 1986.

(B) HELD BY A PERSON.—Aviation fuel shall be considered as held by a person if title thereto (or the right to possession thereof or not delivery to the person) has been made.

(C) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury or the Secretary’s delegate.

(5) EXCEPTION FOR EXEMPT USES.—The tax imposed by paragraph (1) shall not apply to any aviation fuel held by any person exclusively for any use to the extent a credit or refund of the tax is allowable under the Internal Revenue Code of 1986 for such use.

(6) EXCISE FOR CERTAIN AMOUNTS OF FUEL.

(A) IN GENERAL.—No tax shall be imposed by paragraph (1) on any aviation fuel held on July 1, 2010, by a person if the aggregate amount of such aviation fuel held by such person on such date does not exceed 2,000 gallons. The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this subparagraph.

(B) EXEMPT FUEL.—For purposes of subparagraph (A), there shall not be taken into account any aviation fuel held by any person which is an exempt fuel as defined in the tax imposed by paragraph (1) by reason of paragraph (5).

(C) CONTROLLED GROUPS.—For purposes of this subsection—

(1) CORPORATIONS.—

(I) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(II) CONTROLLED GROUP.—The term ‘controlled group’ has the meaning given to such term by subsection (a) of section 1563 of the Internal Revenue Code of 1986; except that for such purposes the phrase ‘more than 50 percent interest’ is substituted for the phrase ‘at least 80 percent’ each place it appears in such subsection.

(ii) NONINCORPORATED PERSONS UNDER COMMON OWNERSHIP.—Any nonincorporated persons under common ownership regulated by the Secretary, principles similar to the principles of subparagraph (A) shall apply to a group of persons under common control if 1 or more of such persons is not a corporation.

(7) OTHER LAWS APPLICABLE.—All provisions of law relating to taxes imposed by this subsection with respect to the taxes imposed by section 4081 of the Internal Revenue Code of 1986 on the aviation fuel involved shall, insofar as they are applicable and not inconsistent with the provisions of this subsection, apply with respect to the floor stock taxes imposed by paragraph (1) to the same extent as if such taxes were imposed by such provisions.

SEC. 804. AIR TRAFFIC CONTROL SYSTEM MODERNIZATION ACCOUNT.

(A) IN GENERAL.—Section 4082 (relating to the Airport and Airway Trust Fund) is amended by adding at the end the following new subsection:

‘‘(D) E XEMPTION FOR AIRCRAFT IN FRACTIONAL OWNERSHIP PROGRAM.—For purposes of this section—

(1) IN GENERAL.—There is hereby imposed a tax on any person who is a member of the entire ownership (except for fractional ownership) of a program aircraft, and on any person who is a member of a fractional ownership program as defined by section 4081(b)(1)(C).

(2) AMOUNT OF FRACTIONAL OWNERSHIP INTEREST.—The term ‘fractional ownership interest’ means—

(i) the ownership of an interest in a program aircraft.

(ii) the holding of a multi-year leasehold interest in a program aircraft.

(iii) the holding of a multi-year leasehold interest which is convertible into an ownership interest in a program aircraft.

(3) DRY-LEASE EXCHANGE ARRANGEMENT.—A ‘dry-lease exchange’ means a program, documented by the written program agreements, under which the program aircraft are available, on an as needed basis with a fixed price, to each 'fractional owner' under the program.

(4) DRY-LEASE EXCHANGE.—The term ‘dry-lease exchange’ shall apply to or greater than 1⁄16 of at least 1 subsonic, fixed wing or powered lift program aircraft.

(B) FRACTIONAL OWNERSHIP INTEREST.—The term ‘fractional ownership interest’ means—

(i) the ownership of an interest in a program aircraft.

(ii) the holding of a multi-year leasehold interest in a program aircraft, or

(iii) the holding of a multi-year leasehold interest which is convertible into an ownership interest in a program aircraft.

(C) DRY-LEASE EXCHANGE ARRANGEMENT.—A ‘dry-lease exchange’ means a program, documented by the written program agreements, under which the program aircraft are available, on an as needed basis with a fixed price, to each 'fractional owner' under the program.

(D) DRY-LEASE EXCHANGE.—The term ‘dry-lease exchange’ shall apply to or greater than 1⁄16 of at least 1 subsonic, fixed wing or powered lift program aircraft.

(E) FRACTIONAL OWNERSHIP PROGRAM.—The term ‘fractional ownership program’ means—

(i) the ownership of an interest in a program aircraft.

(ii) the holding of a multi-year leasehold interest in a program aircraft, or

(iii) the holding of a multi-year leasehold interest which is convertible into an ownership interest in a program aircraft.

(6) FRACTIONAL OWNERSHIP PROGRAMS.—No program aircraft are available, on an as needed basis with a fixed price, to each 'fractional owner' under the program.

(D) FRACTIONAL OWNERSHIP PROGRAMS.—The term ‘fractional ownership program’ means a program, documented by the written program agreements, under which the program aircraft are available, on an as needed basis with a fixed price, to each 'fractional owner' under the program.

(E) DRY-LEASE EXCHANGE.—The term ‘dry-lease exchange’ shall apply to or greater than 1⁄16 of at least 1 subsonic, fixed wing or powered lift program aircraft.

(7) OTHER LAWS APPLICABLE.—All provisions of law relating to the taxes imposed by section 4082 on the aviation fuel involved shall, insofar as they are applicable and not inconsistent with the provisions of this subsection, apply with respect to the floor stock taxes imposed by paragraph (1) to the same extent as if such taxes were imposed by such provisions.

SEC. 805. TREATMENT OF FRACTIONAL AIRCRAFT OWNERSHIP PROGRAMS.

(A) FUEL SURTAX.—

(1) IN GENERAL.—Subchapter B of chapter 42 of the Internal Revenue Code of 1986 (relating to ‘Air Traffic Control System Modernization Account’) is amended by adding at the end the following new section:

‘‘SEC. 4043. SURTAX ON FUEL USED IN AIRCRAFT PART OF A FRACTIONAL OWNERSHIP PROGRAM.

‘‘(1) IN GENERAL.—There is hereby imposed a tax on any liquid fuel used during any calendar quarter by any person as a fuel in an aircraft which—

(1) registered in the United States, and

(2) part of a fractional ownership aircraft program.

(2) AMOUNT OF TAX.—The rate of tax imposed by subsection (a) is 14.1 cents per gallon.

(C) FRACTIONAL OWNERSHIP AIRCRAFT PROGRAM.—For purposes of this section—

(1) IN GENERAL.—The term ‘fractional ownership aircraft program’ means a program under which—

(A) a single fractional ownership program management provides fractional ownership program management and associated services on behalf of the fractional owners,

(B) 2 or more airworthy aircraft are part of the program, and

(C) there are 1 or more fractional owners per program aircraft, with at least 1 program aircraft having more than 1 owner,

(2) OWNERSHIP.—Each owner possesses at least a minimum fractional ownership interest in 1 or more program aircraft,

(3) FRACTIONAL OWNERSHIP PROGRAMS TREATED AS NON-COMMERCIAL AVIATION.—Subsection (b) of section 4083 is amended by adding at the end the following new sentence: ‘‘For uses of aircraft before October 1, 2013, such term shall not include the use of any aircraft which is part of a fractional ownership aircraft program (as defined by section 4083(c)).’’

(E) EXEMPTION FROM TAX ON TRANSPORTATION OF PERSONS.—Section 4061, as amended by this Act, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

‘‘(j) EXEMPTION FOR AIRCRAFT IN FRACTIONAL OWNERSHIP PROGRAMS.—No tax shall be imposed by this section on any air transportation provided before October 1, 2013, by an aircraft which is part of a fractional ownership aircraft program (as defined by section 4083(c)).’’

(9) EFFECTIVE DATE.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to fuel used after June 30, 2010.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to uses of aircraft after June 30, 2010.
(3) Subsection (c).—The amendments made by subsection (c) shall apply to taxable transportation provided after June 30, 2010.

SEC. 806. TERMINATION OF EXEMPTION FOR SMALL AIRCRAFT ON NONESTABLISHED LINES.

(a) In General.—Section 4281 is amended to read as follows:

``SEC. 4281. SMALL AIRCRAFT OPERATED SOLELY FOR SIGHTSEEING.

"The taxes imposed by sections 4261 and 4271 shall not apply to transportation by an aircraft having a maximum certificated takeoff weight of 6,000 pounds or less at any time during which such aircraft is being operated on a flight the sole purpose of which is sightseeing. For purposes of the preceding sentence, the term ‘maximum certificated takeoff weight’ means the maximum such weight contained in the type certificate or airworthiness certificate.’."

(b) Conforming Amendment.—The item relating to section 4281 in the table of sections for part III of subchapter C of chapter 33 is amended by striking “on nonestablished lines” and inserting “operated solely for sightseeing.”

(c) Effective Date.—The provisions of this section shall apply to taxable transportation provided after June 30, 2010.

SEC. 807. TRANSPARENCY IN PASSENGER TAX DISCLOSURES.

(a) In General.—Section 7275 (relating to penalties for offenses relating to certain airline tickets and advertising) is amended—

(1) by redesignating subsection (c) as subsection (d),

(2) by striking “subsection (a) or (b)” in subsection (d), as so redesignated, and inserting “subsection (a)” in place thereof, and

(3) by inserting after subsection (b) the following new subsection:

"(c) Non-Tax Charges.—

"(1) In General.—The case of transportation by air for which disclosure on the ticket or advertising for such transportation of the amounts paid for passenger taxes is required by subsection (a) or (b), it shall be unlawful for the disclosure of the amount of such taxes on such ticket or advertising to include any amounts not attributable to the taxes imposed by subsection (a), (b), or (c) of section 4261.

"(2) Inclusion in Transportation Cost.—

"(A) In General.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes the amount described in clause (i), 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 subclause (ii) for that fiscal year.

"(ii) Amount.—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; and for fiscal year 2013, $281,000,000.

"(II) For fiscal year 2011, $490,000,000; for fiscal year 2012, $495,000,000; and for fiscal year 2013, $500,000,000.

"(iii) Asset Verification.—

"(I) In General.—The additional appropriation under subclause (ii)(I) may also provide an amount described in subclause (ii), not to exceed the amount specified in subclause (ii)(II) for that fiscal year, but only if, and to the extent that, the amount under subclause (ii)(I) is included in the amount set forth in the measure for that fiscal year.

"(II) Amount.—The amounts referred to in clause (i) are as follows:

"(I) For fiscal year 2011, $314,000,000, for fiscal year 2012, $315,000,000, and for fiscal year 2013, $317,000,000.

"(II) For fiscal year 2011, $34,340,000, for fiscal year 2012, $34,683,000, and for fiscal year 2013, $35,000,000.

"(III) Health Care Fraud and Abuse.—

"(I) In General.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes the amount described in clause (ii)(I), 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).

"(II) Amount.—The amount referred to in clause (i) is for fiscal year 2011, $311,000,000; for fiscal year 2012, $317,000,000; and for fiscal year 2013, $323,000,000.

"(E) Unemployment Insurance Improper Payment Reviews.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes the amount described in clause (ii)(I), 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)."

TITLE IX—BUDGETARY EFFECTS

SEC. 901. 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” in 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 3453. Mr. SESSIONS (for himself and Mrs. McCASKILL) proposed an amendment to amendment SA 3452 proposed by Senator FEINGELD to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

At the end, insert the following:

``SEC. 902. DISCRETIONARY SPENDING LIMITS.

(a) In General.—Title III of the Congressional Budget Act of 1974 is amended by inserting at the end the following:

"(d) DISCRETIONARY SPENDING LIMITS.—

"(1) IN GENERAL.—In the case of discretionary spending, the amounts described in subsection (a), (b), or (c) of section 302 of this Act shall be the amount of budget authority in that measure for that initiative not exceeding the amount specified in subclause (ii) for that fiscal year.

"(ii) Amount.—The amounts referred to in clause (i) are as follows:

"(I) For fiscal year 2011, $50,000,000; for fiscal year 2012, $51,000,000; and for fiscal year 2013, $52,000,000.

"(E) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes the amount described in clause (ii)(I), 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).""
Mr. McCains, Mr. Coburn, Mr. Grassley, and Mr. Feingold) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 313. FISCAL YEARS 2010 AND 2011 EARMARK MORATORIUM.

(a) BILLS AND JOINT RESOLUTIONS.

(1) POINT OF ORDER.—It shall not be in order to—

(A) consider a bill or joint resolution reported by any committee that includes an earmark, limited tax benefit, or limited tariff benefit; or

(B) a Senate bill or joint resolution not reported by a committee that includes an earmark, limited tax benefit, or limited tariff benefit.

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the bill or joint resolution shall be returned to the calendar until compliance with this subsection has been achieved.

(b) CONFEREES REPORT. It shall not be in order to vote on the adoption of a report of a conference committee if the report includes an earmark, limited tax benefit, or limited tariff benefit.

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the conference report shall be returned to the calendar.

(c) FLOOR AMENDMENT.—It shall not be in order to consider an amendment to a bill or joint resolution if the amendment contains an earmark, limited tax benefit, or limited tariff benefit.

(d) AMENDMENT BETWEEN THE HOUSES.—

(1) IN GENERAL.—In order to consider an amendment between the Houses if that amendment includes an earmark, limited tax benefit, or limited tariff benefit.

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the amendment between the Houses shall be returned to the calendar until compliance with this subsection has been achieved.

(e) WAIVER.—Any Senator may move to waive any or all points of order under this section by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(f) DEFINITIONS.—For the purpose of this section:

The term ‘earmark’ means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process; or

(2) the term ‘limited tax benefit’ means any revenue provision that—

(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(B) contains eligibility criteria that are not an arm’s length market, as in subject to potential beneficiaries of such provision; and

(3) the term ‘limited tariff benefit’ means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(g) FISCAL YEARS 2010 AND 2011.—The point of order under this section shall only apply to an item reporting discretionary budget authority, credit authority, or other spending authority, providing a

SA 3454. Mr. DE MiNT (for himself, Mr. McCaIN, Mr. Coburn, Mr. Grassley, and Mr. Feingold) submitted an amendment intended to be proposed by

him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:
federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal years 2010 and 2011.

(b) APPLICATION.—This rule shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

SA 3455. Mr. CRAPO (for himself and Mr. Risch) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Page 298, line 15, insert “the Salt Lake City TRACON,” after “Miami TRACON.”

SA 3456. Mr. LIEBERMAN (for himself, Mr. COLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VCINOVICH) proposed an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

At the end, add the following:

TITLE X—DC OPPORTUNITY SCHOLARSHIP PROGRAM

SEC. 1001. SHORT TITLE.
This title may be cited as the “Scholarships for Opportunity and Results Act of 2010” or the “SOR Act.”

SEC. 1002. FINDINGS.
Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided under the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, as well as under other public school choice programs, is inadequate. More educational options are needed to ensure all families in the District of Columbia have access to a quality education. In particular, funds are needed to provide low-income children access to expanded opportunities in educational settings that are not currently available to them, including secular, nonsecular, or faith-based educational environments.

(3) Public school records raise persistent concerns regarding health and safety problems in District of Columbia public schools. For example, more than half of the District of Columbia’s teenage public school students attend schools that meet the District of Columbia’s definition of “persistently dangerous” due to the number of violent crimes.

(4) A student’s cost for students in the public schools of the District of Columbia is one of the highest in the United States, test scores for such students continue to lag below the national average, and 51 percent scored “below basic” in reading, and 51 percent scored “below basic” in mathematics. Among eighth grade students, 52 percent scored “below basic” in reading, and 56 percent scored “below basic” in mathematics. On the 2007 NAEP reading assessment, only 14 percent of the District of Columbia fourth grade students could read proficiently, 14 percent of the eighth grade students scored at the proficient or advanced level.

(5) In 2003, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126) to provide opportunity scholarships to parents of students in the District of Columbia attending public schools identified for improvement, for academic year 2004–2005 and beyond as authorized by the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, as well as under other provisions of law.

(6) The opportunity scholarship program was established in accordance with the U.S. Supreme Court decision, Zelman v. Simmons-Harris, 536 U.S. 639 (2002), which found that a program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional. The intent of the program was to reduce the financial strain that a failing public school system is placing on parents of children in the District of Columbia to participate in the program.

(7) Since the opportunity scholarship program’s inception, it has consistently been the overwhelming opinion of those expressing support for the opportunity scholarship program. A rigorous analysis of the program by the Institute of Education Sciences (IES) provides strong evidence that these improvements are occurring in parental satisfaction and in reading scores that are even more dramatic when compared with other students consistently using the scholarships.

(8) The DC opportunity scholarship program is a program that offers families in need, in the District of Columbia, important alternative educational choices that are improved. It is the sense of Congress that this program should continue as a 3-part program: (A) an expansion of the existing opportunity scholarship program to allow for more students to participate in the program; (B) funding for the District of Columbia public charter schools and programs; and (C) funding for the District of Columbia public schools.

The purpose of this title is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, transitional assistance, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunity scholarships to attend an educational setting that will best serve their child’s needs and goals. The purpose of this title is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, transitional assistance, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunity scholarships to attend an educational setting that will best serve their child’s needs and goals.

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The purpose of this title is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, transitional assistance, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunity scholarships to attend an educational setting that will best serve their child’s needs and goals.
SEC. 1006. PRIORITIES.

In awarding grants under this title, the Secretary shall give priority to applications from eligible entities that will most effectively—

(1) give priority to eligible students who, in the school year preceding the school year for which the eligible student is seeking a scholarship, are attending an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(2) give priority to students whose household includes a sibling or other child who is already participating in the program of the eligible entity under this title, regardless of whether such students have, in the past, been assigned as members of a control study group for the purposes of an evaluation under section 1009;

(3) target resources to students and families that lack the financial resources to take advantage of available educational options; and

(4) provide students and families with the widest range of educational options.

SEC. 1009. EVALUATIONS.

(a) SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible entity receiving a grant under this title may use up to 5 percent of the grant to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable the eligible students to attend the District of Columbia public elementary school or secondary school of their choice beginning in school year 2010–2011. Each such eligible entity shall ensure that the amount of any tuition or fees charged by a school participating in such eligible entity’s program under this title to an eligible student participating in the program does not exceed the amount of tuition or fees that the school charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—An eligible entity receiving a grant under this title shall make scholarship payments under the program under this title to the parent of the eligible student participating in the program, in a manner that does not exceed the amount of tuition or fees that the school charges to students who do not participate in the program.

(b) ADMINISTRATIVE EXPENSES.—An eligible entity receiving a grant under this title may use up to 10 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this title during the year, including—

(1) determining the eligibility of students to participate;

(2) selecting eligible students to receive scholarships;

(3) determining the amount of scholarships and issuing the scholarships to eligible students; and

(4) compiling and maintaining financial and programmatic records.

(c) PARENTAL ASSISTANCE.—An eligible entity receiving a grant under this title may use up to 20 percent of the amount provided under the grant each year for the expenses of educating parents about the program under this title and assisting parents through the application process under this title during the year, including—

(1) providing information about the program and the application process to parents of eligible students;

(2) providing funds to assist parents of eligible students in meeting expenses that might otherwise preclude the participation of eligible students in the program;

(3) streamlining the application process for parents;

(4) STUDENT ACADEMIC ASSISTANCE.—An eligible entity receiving a grant under this title may use up not more than 1 percent of the amount provided under the grant each year for expenses of providing services to participating eligible students that need additional academic assistance in the students’ new schools. If there are insufficient funds to pay for these services to students, the eligible entity shall give priority to students who previously attended an elementary school that was identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316) for at least the time the student attended the school.

SEC. 1008. NONDISCRIMINATION.

(a) IN GENERAL.—An eligible entity or a school participating in any program funded under this title shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, sex, or handicap.

(b) APPLICABILITY AND SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—
growth and achievement of participating students, and on the impact of the program on students and schools in the District of Columbia.

3. The Institute of Education Sciences shall:
   (A) use a grade appropriate measurement each school year to assess participating eligible students;
   (B) measure the academic achievement of all participating eligible students; and
   (C) give additional training to ensure that the parents of each student who applies for a scholarship under this title (regarding the student participating in the scholarship) and the parents of each student participating in the scholarship program under this title, agrees that the student will participate to the extent possible, using test results, that other means are available to compare the student's academic achievement and any effects (including any resulting delays, if any) of measuring the student's academic achievement.

4. Such assessment shall be based on any such tests or other means that yield scientifically valid results. Such assessment shall also provide to the extent possible, a scientifically valid analysis of how such schools provide academic value added as compared to public schools in the District of Columbia. The results of the assessment shall be supplied to parents and included in all reports to Congress so as to ensure that Federal dollars are spent on means that will most positively impacting the achievement levels of student participants.

5. PROHIBITION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

6. ISSUES TO BE EVALUATED.—The issues to be evaluated include the following:
   (A) A comparison of the academic growth and achievement of participating eligible students to the average students described in this section to the academic growth and achievement of:
      (i) students in the same grades in the District of Columbia public schools; and
      (ii) the eligible students in the same grades in the District of Columbia public schools who sought to participate in the scholarship program but were not selected.
   (B) The success of the program in expanding choice options for parents.
   (C) Students choose for their children to participate in the program.
   (D) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates, of students who participate in the program funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students in similar backgrounds who do not participate in such program.
   (E) The impact of the program on students, and on elementary schools and secondary schools, in the District of Columbia.
   (F) A comparison of the safety of the schools attended by students who do not participate in the program, based on the perception of teachers and parents and on objective measures of safety.
   (G) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

7. An analysis of the issues described in subparagaphs (A) through (G) with respect to the subgroup of eligible students participating who received funds under this title who consistently use the opportunity scholarships to attend a participating school.

(A) An assessment of the academic value added by participating schools on a school-by-school basis based on test results from participating eligible students using the same test as is administered to students attending District of Columbia public schools, except that if the evaluator is able certify that other means are available to compare results from the test administrated in District of Columbia public schools to the nationally normed test used at the participating school, such nationally normed test may be used. Such assessment shall be based on the test results of student subgroups participating in the program, to the extent possible, test students under conditions that yield scientifically valid results. Such assessment shall also provide to the extent possible, a scientifically valid analysis of how such schools provide academic value added as compared to public schools in the District of Columbia. The results of the assessment shall be supplied to parents and included in all reports to Congress so as to ensure that Federal dollars are spent on means that will most positively impacting the achievement levels of student participants.

(B) Such assessment shall also provide to the extent possible, a scientifically valid analysis of how such schools provide academic value added as compared to public schools in the District of Columbia.

(C) A participating school, including a participating school described in section 1006(c), may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(D) ISSUES TO BE EVALUATED.—The issues to be evaluated include the following:
   (1) A comparison of the academic growth and achievement of participating eligible students to the average students described in this section to the academic growth and achievement of:
      (i) students in the same grades in the District of Columbia public schools; and
      (ii) the eligible students in the same grades in the District of Columbia public schools who sought to participate in the scholarship program but were not selected.
   (2) The success of the program in expanding choice options for parents.
   (3) Students choose for their children to participate in the program.
   (4) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates, of students who participate in the program funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students in similar backgrounds who do not participate in such program.
   (5) The impact of the program on students, and on elementary schools and secondary schools, in the District of Columbia.
   (6) A comparison of the safety of the schools attended by students who do not participate in the program, based on the perception of teachers and parents and on objective measures of safety.
   (7) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

8. An analysis of the issues described in subparagraphs (A) through (G) with respect to the subgroup of eligible students participating who received funds under this title who consistently use the opportunity scholarships to attend a participating school.

A participating school, including a participating school described in section 1006(c), may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

9. ISSUES TO BE EVALUATED.—The issues to be evaluated include the following:
   (1) A comparison of the academic growth and achievement of participating eligible students to the average students described in this section to the academic growth and achievement of:
      (i) students in the same grades in the District of Columbia public schools; and
      (ii) the eligible students in the same grades in the District of Columbia public schools who sought to participate in the scholarship program but were not selected.
   (2) The success of the program in expanding choice options for parents.
   (3) Students choose for their children to participate in the program.
   (4) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates, of students who participate in the program funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students in similar backgrounds who do not participate in such program.
   (5) The impact of the program on students, and on elementary schools and secondary schools, in the District of Columbia.
   (6) A comparison of the safety of the schools attended by students who do not participate in the program, based on the perception of teachers and parents and on objective measures of safety.
   (7) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

10. An analysis of the issues described in subparagraphs (A) through (G) with respect to the subgroup of eligible students participating who received funds under this title who consistently use the opportunity scholarships to attend a participating school.

A participating school, including a participating school described in section 1006(c), may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

11. ISSUES TO BE EVALUATED.—The issues to be evaluated include the following:
   (1) A comparison of the academic growth and achievement of participating eligible students to the average students described in this section to the academic growth and achievement of:
      (i) students in the same grades in the District of Columbia public schools; and
      (ii) the eligible students in the same grades in the District of Columbia public schools who sought to participate in the scholarship program but were not selected.
   (2) The success of the program in expanding choice options for parents.
   (3) Students choose for their children to participate in the program.
   (4) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates, of students who participate in the program funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students in similar backgrounds who do not participate in such program.
   (5) The impact of the program on students, and on elementary schools and secondary schools, in the District of Columbia.
   (6) A comparison of the safety of the schools attended by students who do not participate in the program, based on the perception of teachers and parents and on objective measures of safety.
   (7) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

12. An analysis of the issues described in subparagraphs (A) through (G) with respect to the subgroup of eligible students participating who received funds under this title who consistently use the opportunity scholarships to attend a participating school.

A participating school, including a participating school described in section 1006(c), may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(6) SECONDARY SCHOOL.—The term “secondary school” means an institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under District of Columbia law, except that the term does not include any education beyond grade 12.

(7) SECRETARY.—The term “Secretary” means the Secretary of Education.

SEC. 2. Repeal of sunset of other provisions.

(a) REPEAL; SUNSET OF OTHER PROVISIONS.—

(1) REPEAL.—The DC School Choice Incentive Act of 1998 (Public Law 105–199; 118 Stat. 126) is repealed.

(b) REAUTHORIZATION OF PROGRAM.—This title shall be deemed to be the reauthorization of the opportunity scholarship program under the DC School Choice Incentive Act of 2003.

(c) ORDINATE TRANSITION.—Subject to subsections (d) and (e), the Secretary shall take such steps as the Secretary determines to be appropriate for the orderly transition to the authority of this title from any authority under the provisions of the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

(d) RULE OF CONSTRUCTION.—Nothing in this title or a repeal made by this title shall be construed to alter or affect the memorandum to the authority of this title or a repeal made by this title shall be construed to alter or affect the memorandum to the authority of this title from any other provision of law, all of the provisions under the heading “Federal Payment for School Improvement” under the District of Columbia Appropriations Act, 2010 (Public Law 111–117), shall cease to have effect on and after the date of enactment of this Act.

(e) REAUTHORIZATION OF PROGRAM.—This title shall be deemed to be the reauthorization of the opportunity scholarship program under the DC School Choice Incentive Act of 2003.

SEC. 3. Orderly transition.

(a) ORDERLY TRANSITION.—Subject to subsection (b), the Secretary shall take such steps as the Secretary determines to be appropriate for the orderly transition to the authority of this title from any other provision of law, all of the provisions under the heading “Federal Payment for School Improvement” under the District of Columbia Appropriations Act, 2010 (Public Law 111–117), shall cease to have effect on and after the date of enactment of this title.

(b) REAUTHORIZATION OF PROGRAM.—This title shall be deemed to be the reauthorization of the opportunity scholarship program under the DC School Choice Incentive Act of 2003 (Public Law 105–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

(c) ORDINATE TRANSITION.—Subject to subsections (d) and (e), the Secretary shall take such steps as the Secretary determines to be appropriate for the orderly transition to the authority of this title from any authority under the provisions of the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

(d) RULE OF CONSTRUCTION.—Nothing in this title or a repeal made by this title shall be construed to alter or affect the memorandum to the authority of this title from any other provision of law, all of the provisions under the heading “Federal Payment for School Improvement” under the District of Columbia Appropriations Act, 2010 (Public Law 111–117), shall cease to have effect on and after the date of enactment of this Act.

(e) REAUTHORIZATION OF PROGRAM.—This title shall be deemed to be the reauthorization of the opportunity scholarship program under the DC School Choice Incentive Act of 2003 (Public Law 105–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

(f) MULTI-YEAR AWARDS.—The recipient of a multi-year grant or contract award under the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

SEC. 4. Termination.

(a) AUTHORITY.—There are authorized to be appropriated—

(1) to carry out this title, $20,000,000 for fiscal year 2010 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(2) for the District of Columbia public schools, in addition to any other amounts available for District of Columbia public school purposes, $100,000,000 for fiscal year 2010 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(3) for District of Columbia public charter schools, in addition to any other amounts available for District of Columbia public charter schools, $20,000,000 for fiscal year 2010 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 5. Definitions.

It is the sense of Congress that—

(1) the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $10,000,000 in each such fiscal year should be used to carry out activities under section 7.


Mr. BENNETT (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

SEC. 7. Coastal Impact Assistance Program Amendments.

It is the sense of Congress that—

(1) the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $10,000,000 in each such fiscal year should be used to carry out activities under section 7.

SEC. 10. Definitions.

Mr. DOUGLAS (for Mr. CRAMER) submitted an amendment to the resolution S. 158, to extend the Foreign Assistance Act of 1961, as amended, and the Foreign Assistance Act of 1921, as amended, to provide additional stabilization assistance for the Republic of Afghanistan and the United States Central Command Area of Responsibility, and to provide for other purposes, and to strike paragraph (3) of the resolving clause as follows:

SEC. 2. Release from restrictions.

(a) In General.—Subject to subsection (b), and notwithstanding section 16 of the Federal Airport Act (as in effect on August 26, 1973) and sections 47125 and 47153 of title 49, United States Code, the Secretary of Transportation is authorized to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of record executed under which the United States conveyed certain property to the city of St. George, Utah, for airport purposes.

(b) Condition.—Any release granted by the Secretary of Transportation pursuant to subsection (a) shall be subject to the following conditions:

(1) the city of St. George, Utah, hereafter shall agree in conveying any interest in the property which the United States conveyed to the city by deed on August 26, 1973, that the city shall receive an amount for such interest which is equal to its fair market value.

(2) any amount received by the city under paragraph (1) shall be used by the city of St. George, Utah, for the development or improvement of a replacement public airport.
SA 3464. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

After title VII, insert the following:

TITLE VIII—LIABILITY PROTECTION TO CERTAIN VOLUNTEER PILOT ORGANIZATIONS

SEC. 801. SHORT TITLE.

This title may be cited as the "Volunteer Pilot Organization Protection Act of 2010".

SEC. 802. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Many volunteer pilot nonprofit organizations fly for public benefit and provide valuable services to communities and individuals.

(2) In calendar year 2006, volunteer pilot nonprofit organizations provided long-distance, no-cost transportation for more than 38,000 people during times of special need.

(b) PURPOSE.—The purpose of this title is to promote the activities of volunteer pilot nonprofit organizations that fly for public benefit and to sustain the availability of the services that such nonprofit organizations provide, including the following:

(1) Transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis.

(2) Flights for humanitarian and charitable purposes.

(3) Other flights of compassion.

SEC. 803. LIABILITY PROTECTION FOR VOLUNTEER PILOT NONPROFIT ORGANIZATIONS THAT FLY FOR PUBLIC BENEFIT AND STAFF OF SUCH NONPROFIT ORGANIZATIONS.

Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 15315) is amended—

(1) in subsection (a)(4)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(B) by striking "the harm" and inserting "(A) except in the case of subparagraph (B), the harm";

(C) in paragraph (A)(ii), as redesignated by this paragraphs (A)(i), as redesignated by this paragraph, the period at the end and inserting "(A) and (B); and"

(D) by adding at the end the following:

"(B) the volunteer—

(1) was operating an aircraft in furtherance of the purpose of a volunteer pilot nonprofit organization that flies for public benefit; and

(2) was properly licensed and insured for the operation of such aircraft.";

and

(2) in subsection (c)—

(A) by striking "Nothing in this section" and inserting the following:

"(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section;

(B) by adding at the end the following:

"(2) EXCEPTION.—A volunteer pilot nonprofit organization that flies for public benefit, the staff, mission coordinators, officers, and directors (whether volunteer or otherwise) of such organization, and a referring agency of such nonprofit organization shall not be liable for harm caused to any person by a volunteer of such nonprofit organization while such volunteer—

(A) is operating an aircraft in furtherance of the purpose of such nonprofit organization;

(B) is properly licensed for the operation of such aircraft; and

(C) has certified to such nonprofit organization that such volunteer has insurance covering the volunteer's operation of such aircraft."

SA 3465. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

After title VII, insert the following:

TITLE VIII—ACCESS TO GENERAL AVIATION AIRPORTS

SEC. 801. SHORT TITLE.

This title may be cited as the "Community Airport Access and Protection Act of 2010".

SEC. 802. AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.

(a) IN GENERAL.—Section 47107 is amended by adding at the end the following:

"(t) AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.—

(1) IN GENERAL.—Subject to paragraph (2), a sponsor of a general aviation airport shall not be considered to be in violation of this subtitle, or to be in violation of a grant assurance made under this section or under any other provision of law as a condition for the receipt of nonprofit financial assistance for airport development, solely because the sponsor enters into an agreement that grants to a person that owns real property adjacent to the airport, including any residential, nonresidential, or commercial property, access for aircraft located on that property to the airfield of the airport.

(2) THROUGH-THE-FENCE AGREEMENTS.—

(A) IN GENERAL.—An agreement described in paragraph (1) between an airport sponsor and a property owner shall be a written agreement that prescribes the rights, responsibilities, charges, duration, and other terms determined necessary to establish and manage the airport sponsor's relationship with the property owner.

(B) TERMS AND CONDITIONS.—An agreement described in paragraph (1) between an airport sponsor and a property owner shall require the property owner, at minimum—

(i) to pay airport access charges that are not less than those charged to tenants and operators on airport making similar use of the airport;

(ii) to bear the cost of building and maintaining the infrastructure necessary to provide aircraft located on property adjacent to the airport access to the airfield of the airport; and

(iii) to operate and maintain the property, and conduct any construction activities on the property, at no cost to the airport and in a manner that—

(I) is consistent with subsections (a)(7) and (a)(9);

(II) does not alter the airport, including the facilities of the airport;

(III) does not adversely affect the safety, utilization, or efficiency of the airport;

(IV) is compatible with the normal operations of the airport; and

(V) is consistent with the airport's role in the National Plan of Integrated Airport Systems;

(2) GENERAL AVIATION AIRPORT DEFINED.—In this subsection, the term 'general aviation airport' means a public airport that is located in a State and that, as determined by the Secretary of Transportation—

(A) does not have scheduled service; or

(B) has scheduled service with less than 2,500 passenger boardings each year.''

(b) APPLICABILITY.—The amendment made by subsection (a)(1) shall apply to an agree-ment between an airport sponsor and a property owner entered into before, on, or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 10, 2010, at 9:30 a.m., in room SD–308 of the Dirksen Senate Office Building, The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2010, at 9:30 a.m., to hold a hearing entitled "Building on Success: New Directions in Global Health.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on March 10, 2010, at 2 p.m. in the President's Room.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Lessons and Implications of the Christmas Day Attack: Watchlisting and Pre-Screening.”

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

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled “We the People? Corporate Spending in American Elections after Citizens United.”

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

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Future of U.S. Diplomacy.”

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

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 3 p.m. to hold an International Operations and Organizations, Democracy and Human Rights Subcommittee hearing entitled “The Future of U.S. Public Diplomacy.”

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

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m.

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

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room 253 of the Russell Office Building.

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

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m.

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

Mr. WARNER. Mr. President, I ask unanimous consent that the following Finance Committee fellows and interns be accorded floor privileges for the consideration of the FAA bill: Aislinn Baker, Mary Baker, Brittany Durrell, Scott Matthews, Greg Sullivan, Maximillian Updike, Meena Sharma; as well as Jim Connolly and Rajat Mathur, both detailees for the Committee on Commerce, Science, and Transportation.

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

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Stephen Obenhau, who is a fellow involved in matters of education from our office be granted floor privileges for the duration of the consideration of this bill.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 734, 735, and all nominations on the Secretary’s Desk in the Foreign Service; that the nominations be confirmed en bloc and the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate’s action; and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

AFRICAN DEVELOPMENT BANK

Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank for a term of five years.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Ian Hody Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

UNITED STATES TRADE AND DEVELOPMENT AGENCY

Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency.

DEPARTMENT OF STATE

Brooke D. Anderson, of California, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with a rank of Ambassador.


Rosemary Anne DiCarlo, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure as Alternate Representative of the United States of America to the United Nations.

INTERNATIONAL MONETARY FUND

Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.
Sally Quillian Yates, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

DEPARTMENT OF EDUCATION

Kathleen S. Tighe, of Virginia, to be Inspector General, Department of Education.

OFFICE OF THE GENERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

Larry Persily, of Alaska, to be Federal Coordinator for Alaska Natural Gas Transportation Projects for the term prescribed by law.

NORTHERN BORDER REGIONAL COMMISSION

Sandford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission.

APPALACHIAN REGIONAL COMMISSION

Earl F. Gohl, Jr., of the District of Columbia, to be Federal Cochairman of the Appalachian Regional Commission.

NOMINATIONS PLACED ON THE SECRETARY’S DESK

FOREIGN SERVICE

PN1017–3 FOREIGN SERVICE nomination of Earl W. Gast, which was received by the Senate and appeared in the Congressional Record of September 25, 2009.

PN1185 FOREIGN SERVICE nominations (3) beginning Suzanne E. Heinen, and ending Bernadette Boris, which nominations were received by the Senate and appeared in the Congressional Record of November 5, 2009.

PN1271 FOREIGN SERVICE nominations (99) beginning Sean J. McIntosh, and ending William Qian Yu, which nominations were received by the Senate and appeared in the Congressional Record of December 11, 2009.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

COMMENDING THE AMERICAN SAIL TRAINING ASSOCIATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 158, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 158) to commend the American Sail Training Association for advancing character building experiences for youth at sea in traditionally rigged sailing vessels and the finest traditions of the sea;

Whereas the American Sail Training Association (ASTA) is an educational nonprofit corporation whose declared mission is “to encourage character building through sail training, by promoting the North American public and support education under sail”;

Whereas since its founding in 1973, ASTA has supported character-building experiences aboard traditionally rigged sail training vessels and has established a program of scholarship funds to support such experiences;

Whereas ASTA has a long history of tall ship races, rallies, and maritime festivals, dating back as far as 1976;

Whereas each year since 2001, ASTA has held the “Tall Ships Challenge”, a series of races and maritime festivals that involve sail training vessels, trainees, and crews from all the corners of the United States and around the world;

Whereas the Tall Ships Challenge series has reached an audience of approximately 8,000,000 spectators and brought more than $400,000,000 to more than 30 host communities;

Whereas ASTA supports a membership of more than 200 sail training vessels, including barques, barquentines, brigs, schooners, sloops, and full-rigged ships, which carry the flags of the United States, Canada, and other nations; and they have brought life-changing adventures to thousands of young trainees;

Whereas ASTA has held a series of more than 30 annual conference in cities throughout the United States and Canada, including the Safety Under Sail Forum and the Education Under Sail Forum;

Whereas ASTA has collaborated extensively with the Coast Guard and with the premier sail training vessel of the United States, the square-rigged barque USCGC Eagle;

Whereas ASTA publishes “Sail Tall Ships”, a periodic directory of sail training opportunities;

Whereas in 1982, ASTA supported the enactment of the Sailing School Vessel Act of 1982, title II of Public Law 97–322 (96 Stat. 1538);

Whereas ASTA has ably represented the United States as a founding member of the national sail training organization in Sail Training International, the recognized international body for the promotion of sail training, which has hosted a series of international races of square-rigged and other traditionally rigged vessels since the 1950s; and

Whereas ASTA collaborates with port partners around North America to produce the

LORD’S RESISTANCE ARMY DISARMAMENT AND NORTHERN UGANDA RECOVERY ACT OF 2009

Mr. DORGAN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 228, S. 1067.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1067) to support stabilization and lasting peace in northern Uganda and areas affected by the Lord’s Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord’s Resistance Army, and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

There being no objection, the Senate proceeded to consider the bill (S. 1067) to support stabilization and lasting peace in northern Uganda and areas affected by the Lord’s Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord’s Resistance Army, and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act of 2009”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For over 2 decades, the Government of Uganda engaged in an armed conflict with the Lord’s Resistance Army (LRA) in northern Uganda that led to the internal displacement of more than 2,000,000 Ugandans from their homes.

(2) The members of the Lord’s Resistance Army used brutal tactics in northern Uganda, including mutilating, abducting and forcing individuals into sexual servitude and forcing a large number of children and youth in Uganda, estimated by the Survey for War Affected Youth to be over 66,000, to fight as part of the rebel force.
(3) The Secretary of State has placed the Lord’s Resistance Army on the Terrorist Exclusion List pursuant to section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182). In December 2000, the leader Joseph Kony was designated a “specially designated global terrorist” pursuant to Executive Order 13224.

(4) In late 2005, according to the United Nations High Commissioner for Human Rights, the Lord’s Resistance Army shifted their primary bases of operations from southern Sudan to northeastern Democratic Republic of Congo, and there they have since withdrawn from northern Uganda.

(5) Representatives of the Government of Uganda and the Lord’s Resistance Army began peace negotiations brokered by the Government of Southern Sudan in Juba, Sudan, and signed the Cessation of Hostilities Agreement on August 20, 2006, which provided for hundreds of thousands of internally displaced people to return home in safety.

(6) After nearly 2 years of negotiations, representatives from the parties reached the Final Peace Agreement in April 2008, but Joseph Kony, the leader of the Lord’s Resistance Army, refused to sign the Final Peace Agreement in May 2008 and his forces launched new attacks in northeastern Congo.

(7) According to the United Nations Office for the Coordination of Humanitarian Relief and the United Nations High Commissioner for Refugees, the Lord’s Resistance Army in northeastern Congo and southern Sudan since September 2008 has led to the abduction of at least 1,500 civilians, including hundreds of children, and the displacement of more than 540,000 people.

(8) In December 2008, the military forces of Uganda, the Democratic Republic of Congo, and southern Sudan launched a joint operation against the Lord’s Resistance Army’s bases in northeastern Congo, but the operation failed to apprehend Joseph Kony, and his forces retaliated with a series of new attacks and massacres in Congo and southern Sudan, killing an estimated 900 people in 2 months alone.

(9) Despite the refusal of Joseph Kony to sign the Final Peace Agreement, the Government of Uganda has committed to continue reconstruction plans for northern Uganda, and to implement those mechanisms of the Final Peace Agreement that are not conditional on the compliance of the Lord’s Resistance Army.

(10) Since 2008, recovery efforts in northern Uganda have been hindered by the continued support of the United States and other donors, but have been hampered by a lack of strategic coordination, logistical delays, and limited leadership from the Government of Uganda.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by—

(a) providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from attacks by the Lord’s Resistance Army and to work multilaterally with regional governments to help develop and support multilateral efforts to eliminate the threat posed by the Lord’s Resistance Army;

(b) an interagency framework to plan, coordinate, and review diplomatic, economic, intelligence, and military elements of United States policy across the region regarding the Lord’s Resistance Army;

(c) a description of how this engagement will fit within the context of broader efforts and policies to protect civilians from attacks by the Lord’s Resistance Army.

SEC. 4. REQUIREMENT OF A STRATEGY TO SUPPRT THE DISARMAMENT OF THE LORD’S RESISTANCE ARMY.

(a) REQUIREMENT FOR STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a strategy to guide United States support across the region for viable multilateral efforts to mitigate and eliminate the threat to civilians and regional stability posed by the Lord’s Resistance Army.

(b) CONTENT OF STRATEGY.—The strategy shall include the following:

(1) A plan to strengthen efforts by the United Nations and regional governments to protect civilians from attacks by the Lord’s Resistance Army while supporting the development of institutions in affected areas that can help to maintain the rule of law and prevent conflict in the long term.

(2) An assessment of viable options through which the United States, working with regional governments, could help develop and support multilateral efforts to eliminate the threat posed by the Lord’s Resistance Army.

(3) An interagency framework to plan, coordinate, and review diplomatic, economic, intelligence, and military elements of United States policy across the region regarding the Lord’s Resistance Army.

(4) A description of the type and form of diplomatic engagement across the region undertaken to coordinate and implement United States policy with its Regional Security Protection Force and to work multilaterally with regional mechanisms, including the Tripartite Plus Commission and the Common Front.

(5) A description of how this engagement will fit within the context of broader efforts and policy objectives in the Great Lakes Region.

(d)(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000 for fiscal year 2011 to carry out this section.

SEC. 6. ASSISTANCE FOR RECOVERY AND RECONSTRUCTION IN NORTHERN UGANDA.

(a) AUTHORITY.—In accordance with section 200 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346), the President is authorized to provide additional assistance to the Republic of Angola to promote reconstruction, transitional justice, and reconciliation in northern Uganda as affirmed in the Northern Uganda Crisis Response Act of 2004 (Public Law 108–283) and subsequent resolutions, including to encourage the activity of the Lord’s Resistance Army.

(b) AUTHORIZATION.—In accordance with section 531 of the Foreign Assistance Act of 1961 (22 U.S.C. 2341 et seq.), the President is authorized to support efforts by the people of northern Uganda and the Government of Uganda to promote transitional justice and reconciliation on both local and national levels, including to encourage implementation of the mechanisms outlined in the Annexure to the Agreement on Accountability and Reconciliation in Northern Uganda and the Lord’s Resistance Army/Movement, signed at Juba February 19, 2008, namely—

SENIOR CAMPAIGN ASSISTANT
Mr. DORGAN. I ask unanimous consent that the committee-reported substitute amendment be considered; that a Feingold amendment which is at the desk be agreed to; that the substitute amendment, as amended, be agreed to; the bill as amended be read a third time and passed, the motions to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The amendment (No. 3461) was agreed to, as follows: (Purpose: To express the sense of Congress regarding the funding of activities under this Act.)

On page 21, line 4, strike “(a) AUTHORITY.—” and on page 21, strike lines 12 through 14. On page 26, strike lines 1 through 3. On page 27, strike line 10 and insert the following:

SEC. 9. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that—

(1) of the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) of the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $30,000,000 in each such fiscal year should be used to carry out activities under section 7.

SEC. 10. DEFINITIONS.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1067), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1067
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 “Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act of 2009”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For over 2 decades, the Government of Uganda engaged in an armed conflict with the Lord’s Resistance Army (LRA) in northern Uganda that led to the internal displacement of more than 2,000,000 Ugandans from their homes.

(2) The members of the Lord’s Resistance Army, under the leadership of Joseph Kony, refused to sign the Final Peace Agreement in April 2008, but joined the Lord’s Resistance Army in northeastern Congo and southern Sudan in September 2008, and he led to the abduction of at least 1,500 civilians, including hundreds of children, and the displacement of more than 100,000 people.

(3) In December 2008, the military forces of Uganda, the Democratic Republic of Congo, and southern Sudan launched a joint operation against the Lord’s Resistance Army bases in northeastern Congo, but the operation failed to apprehend Joseph Kony, and his forces retaliated with a series of new attacks and massacres in Congo and southern Sudan, killing an estimated 900 people in 2 months alone.

(4) It is the sense of Congress that LRA leader Joseph Kony be placed on the Treasury Department’s list of specially designated nationals under section 10 of the International Emergency Economic Powers Act, 50 U.S.C. 1702(a)(3), and LRA leader Joseph Kony be placed on the list of persons subject to sanctions under the Sudan Peace Act of 2006, 22 U.S.C. 7109(c), and veterans of the conflict through memorials, archives, commemorations, and other forms of preservation.

(5) The Special Division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecute perpetrators of crimes.

(6) The Special Division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecute perpetrators of crimes.

(7) The Special Division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecute perpetrators of crimes.

(8) The Special Division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecute perpetrators of crimes.

(9) The Special Division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecute perpetrators of crimes.

(10) Since 2008, recovery efforts in northern Uganda have moved forward with fiscal support of the United States and other donors, but have been hampered by a lack of strategic coordination, logistical delays, and limited leadership from the Government of Uganda.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by—

(1) providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord’s Resistance Army to apprehend or remove Joseph Kony and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining Lord’s Resistance Army fighters;

(2) providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord’s Resistance Army to apprehend or remove Joseph Kony and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining Lord’s Resistance Army fighters;

(3) targeting assistance to respond to the humanitarian needs of populations in northeastern Congo, southern Sudan, and Central African Republic currently affected by the activity of the Lord’s Resistance Army; and

(4) providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord’s Resistance Army to apprehend or remove Joseph Kony and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining Lord’s Resistance Army fighters;
(b) CONTENT OF STRATEGY.—The strategy shall include the following:

(1) A plan to help strengthen efforts by the United Nations and regional governments to protect civilians from attacks by the Lord’s Resistance Army while supporting the development of institutions in affected areas that can help to maintain the rule of law and prevent acute human rights abuses, if the Government of Uganda demonstrates a commitment to transparent and accountable reconstruction in war-affected areas of northern Uganda, specifically by—

(a) finalizing the establishment of mechanisms within the Office of the Prime Minister to sufficiently manage and coordinate the programs under the framework of the Peace Recovery and Development Plan for Northern Uganda (PRDP); and

(b) increasing oversight activities and reporting, at the local and national level in Uganda, to ensure funds under the Peace Recovery and Development Plan for Northern Uganda framework are used efficiently and with minimal waste; and

(c) committing substantial funds of its own, above and beyond standard budget allocations to local governments, to the task of implementing the Peace Recovery and Development Plan for Northern Uganda such that communities affected by the war can recover.

(c) COORDINATION WITH OTHER DONOR NATIONS.—The United States should work with other donor nations to increase contributions for recovery efforts in northern Uganda and better leverage those contributions to enhance the capacity of the leadership of the Government of Uganda in promoting transparent and accountable reconstruction in northern Uganda.

(d) TROPICAL FUSION STRATEGY.—It is the sense of Congress that the Secretary of State should withhold non-humanitarian bilateral assistance to Uganda if the Secretary determines that the Government of Uganda is not committed to reconstructing and reconciliation in the war-affected areas of northern Uganda and is not taking proactive steps to ensure this process moves forward in a transparent and accountable manner.

SEC. 7. ASSISTANCE FOR RECONCILIATION AND TRANSITIONAL JUSTICE IN NORTHERN UGANDA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, despite reconstruction and development efforts, a continued failure to make meaningful steps toward national reconciliation and accountability risks perpetuating longstanding political grievances and fueling new conflicts.

(b) AUTHORITY.—In accordance with section 531 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346), the President is authorized to support efforts by the people of northern Uganda and the Government of Uganda to advance efforts to promote transitional justice and reconciliation on both local and national levels, including to encourage implementation of the mechanisms outlined in the Comprehensive Peace Agreement on Accountability and Reconciliation between the Government of Uganda and the Lord’s Resistance Army/Movement, signed at Juba February 19, 2008, namely:

(1) a body to investigate the history of the conflict, inquire into human rights violations committed during the conflict by all sides, promote truth-telling in communities, and encourage the preservation of the memory of events and victims of the conflict through memorials, archives, commemorations, and other forms of preservation;

(2) a special division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and provide for trial, investigations and prosecutions in support of trials; and

(3) a system for making reparations to victims of the conflict; and

(4) a review and strategy for supporting transitional justice mechanisms in affected areas to promote reconciliation and encourage individuals to take personal responsibility for their conduct during the war.

SEC. 8. REPORT. (c) FORM.—The report under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 9. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that—

(1) of the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) of the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $10,000,000 in each such fiscal year should be used to carry out activities under section 7.

SEC. 10. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on Appropriations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representa- tives.

(2) GREAT LAKES REGION.—The term “Great Lakes Region” means the region comprising Burundi, Democratic Republic of Congo, Rwanda, and southern Sudan and Uganda.

(3) LRA-AFFECTED AREAS.—The term “LRA-affected areas” means those portions of northern Uganda, southern Sudan, north-eastern Democratic Republic of Congo, and southeastern Central African Republic determined by the Secretary of State to be affected by the Lord’s Resistance Army as of the date of enactment of this Act.

ORDERS FOR THURSDAY, MARCH 11, 2010

Mr. DORGAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, March 11; that following the prayer and
pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for 1 hour with the Senate in the chair: after which, to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes; that following morning business, the Senate resume consideration of H.R. 1586, the legislative vehicle for the Federal Aviation Administration reauthorization.

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

PROGRAM

Mr. DORGAN. Mr. President, rollcall votes are expected to occur throughout the day tomorrow. Senators will be notified when any votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DORGAN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn

There being no objection, the Senate, at 7:06 p.m., adjourned until Thursday, March 11, 2010, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

OVERSEAS PRIVATE INVESTMENT CORPORATION

MMI E. ALIMAYEROU, OF THE DISTRICT OF COLUMBIA, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE JOHN A. SIMON, RENominated.

DEPARTMENT OF DEFENSE

ELIZABETH A. McCAUTH, OF VIRGINIA, TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE (NEW POSITION).

THE JUDICIARY

RAYMOND JOSEPH LOSHER, JR., OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT WITH GOOD behavior and duration of term.

KATHLEEN M. O’MALLY, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, VICE CARLWOOD C. TILLEY, JR., RETIRED.

JOHN J. McCONNELL, JR., OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND, VICE ERIESE A. CHINN, RETIRED.

CATHERINE C. RAGLES, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, VICE NORWOOD CARLTON TILLEY, JR., RETIRED.

KIMBERLY A. MEYER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE FRANK C. DAIMLER, JR., RETIRED.

DEPARTMENT OF JUSTICE

THOMAS HOWARD DELAFASTY II, OF MAINE, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MAINE FOR THE TERM OF FOUR YEARS, VICE JAY PATRICK MCLINSEY.

WENDY J. OLSON, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE THOMAS S. MOSS.

CATHERINE J. JOHNSON, OF OHIO, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS, VICE JAMES MICHAEL WAHLGREN, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER SECTION 321A(a)(2), TITLE 14, U.S.C., TO BE lieutenant commander

KAREN B. ANDERSON,
PATRICK M. FLYNN,
KEITH A. JENGIN,
STEVEN M. LONG,

IN THE NAVY


KENT E. CURTIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 687:

Scott F. VANNUS

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 1280:

ROBERT D. JORDAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C. SECTION 687:

JAY MEYERS

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 687:

LINDA L. NELSON

TO BE vice admiral

REAR ADM. MARK I. FOX

TO BE vice admiral

TO BE vice admiral

TO BE vice admiral

TO BE vice admiral

TO BE vice admiral

TO BE major

TO BE major

TO BE major

CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, March 10, 2010:

DEPARTMENT OF STATE


INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

IAN HODGSOLOMON, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS.

UNITED STATES TRADE AND DEVELOPMENT AGENCY

LEOCADIA BRINK ZAHN, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY.

DEPARTMENT OF STATE

BROOKE D. ANDERSON, OF CALIFORNIA, TO BE ALT- ERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.


INTERNATIONAL MONETARY FUND

DOUGLAS A. HENDELL, OF MASSACHUSETTS, TO BE UNITED STATES Alternate Executive Director of THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS.

DEPARTMENT OF EDUCATION

KATHLEEN S. TIGHE, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

LARRY PERSHILL, OF ALASKA, TO BE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS FOR THE TERM PRESCRIBED BY LAW.

NORTHERN BORDER REGIONAL COMMISSION

SANDFORD BLITZ, OF MAINE, TO BE FEDERAL CO- CHAIRPERSON OF THE NORTHERN BORDER REGIONAL COMMISSION.

APPALACHIAN REGIONAL COMMISSION

MICHAEL L. WEBB, OF WEST VIRGINIA, TO BE FEDERAL CO-CHAIRPERSON OF THE APPALACHIAN REGIONAL COMMISSION.

AMERICAN ACADEMY OF ARTS AND LETTERS

RODNEY C. WATKINS,

NOMINATIONS

APPROVED SUBJECT TO THE NOMINEES’ COMMITMENT TO respond to requests to appear and testify before any duly constituted committee of the Senate.

DEPARTMENT OF JUSTICE

GENEVIEVE LYNN MAY, OF LOUISIANA, TO BE UNITED STATES MARCHAL FOR THE EASTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS, VICE WILLIAM JOSEPH HOCHEL, JR., RETIRED.

MITCHELL W. ALLEN, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

SALLY QUELLIAN YATES, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF ELLIOTT R. HOSKINS.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ZA- VALENZA B. DELAHERA AND ENDING WITH BRANDON J. ROBES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2009.

IN APPRECIATION OF DEDICATION TO COMMUNITY

HON. LINCOLN DAVIS
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. DAVIS of Tennessee. Madam Speaker, I rise today to honor the life of a remarkable Tennessean.

Mr. Robert Bryson Brindley, Sr. is remembered by everyone who knew him as a man of great integrity and principle.

In 1960, Mr. Brindley, along with his father, founded Brindley Construction in Pulaski, Tennessee. Due to the tireless work and steadfast commitment of his devoted employees, Mr. Brindley, together with his father and sons, grew Brindley Construction into one of the leading general contracting companies in middle Tennessee.

Mr. Brindley, equipped with his legendary moral character, earned himself the highest distinction among his peers and colleagues. He was recently posthumously awarded the prestigious Eagle Lifetime Achievement Award from the Associated Builders and Contractors of North Alabama. This annual award honors the contributions of the recipient for a lifetime of work in the field of construction.

While I, along with his family, employees, church, community and peers within the construction industry continue to mourn his passing, we will continue to remember and commend the life he led.

HONORING MR. DONALD JOHNSTON

HON. BRIAN HIGGINS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the life of a dedicated public servant and an integral part of the Winnsboro community.

Mr. Johnston is one of those people and that is why. Madam Speaker, I rise in tribute to him today.

CONGRATULATING MICHAEL YOUNG

HON. HARRY E. MITCHELL
OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Michael Young, named one of Arizona’s top youth volunteers for 2010 by the Prudential Spirit of Community Awards. This award recognizes Michael’s outstanding volunteerism and his contributions to the animal-assisted therapy program at Phoenix Children’s Hospital.

At only 12 years of age, Michael founded the Swing Fore Kids Golf Classic, an annual charity golf tournament. In the four years since its inception, the Classic has raised approximately $200,000, ensuring that the hospital’s patients will have the opportunity to receive animal-assisted therapy. This therapy has been proven to provide positive physical and emotional benefits by motivating patients to help themselves.

A community’s quality of life is determined by many factors, such as the policies set by city government and the programs available to its citizens. However, I believe that a community rises and falls on the shoulders of its citizens, and the contributions they make to that community. Michael exemplifies this commitment and raises the bar for everyone around him.

Madam Speaker, please join me in recognizing Michael Young’s continuing work for the animal-assisted therapy program at Phoenix Children’s Hospital in Arizona.

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OF ARIZONA

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RECOGNIZING CONTRIBUTIONS OF KOREAN AMERICANS

SPEECH OF
HON. PETER T. KING
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Mr. KING of New York. Madam Speaker, today I rise in support of H. Res. 1036, recognizing the contributions of Korean Americans to the United States. As a cosponsor of this resolution, I join with 50 of my colleagues in urging the House to pass this resolution today.

For six decades now the United States and the Republic of Korea have maintained a strong alliance that rests on a shared commitment to peace, democracy, and freedom not only on the Korean peninsula but throughout Asia and the rest of the world. And this alliance between the U.S. and the Republic of Korea remains resilient and firm based on the shared values, mutual trust, and common interests of our peoples.

The Korean War was a major battlefield in the Cold War as American forces and our allies fought so heroically to resist North Korean aggression and prevent communist forces from imposing their rule on the Republic of Korea. Nearly seven million Americans served during the Korean War period and the United States suffered 54,246 casualties and over 8,000 POW/MIA’s during this “Forgotten War.” The nearly 30,000 American soldiers who remain stationed in the Republic of Korea are a testament to this relationship.

One of the fastest growing immigrant communities with over a million people in the United States, Korean Americans have made great contributions to all facets of American society.

Madam Speaker, I urge the House to pass this resolution today.

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
HARMFUL ALGAL BLOOMS AND HYPoxIA RESEARCH AND CON- TROL AMENDMENTS ACT OF 2010

SPRCH OF

HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Ms. WOOLSEY. Madam Speaker, keeping our oceans productive and healthy is of vital interest to coastal and inland communities across the world. As a Member who repre- sents one of the biologically richest coastal Congressional Districts in the county, I rise today in support of H.R. 3650, the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act, which will take nec- essary steps toward maintaining the oceans’ ecological health.

Harmful algal bloom (HAB) produces toxins harmful to shellfish, fish, and biomass, which affect other organisms along the food chain and pose real dangers to the vitality of all coastal areas. HAB can also decrease the sunlight entering the water and use up available oxygen, creating hypoxia or oxygen de- pletion. In extreme low oxygen environments, sedentary species perish, mobile species migrate, and spawning areas are jeopardized. If these conditions continue, the hypoxia may become permanent as coastal areas be- come lined with dead zones in which little ma- rine life can exist.

Although algal blooms occur naturally, they are exacerbated by human activities, including the runoff from lawns and livestock feedlots, point-source discharge from sewage plants, and emissions from vehicles. All of these ac- tivities lead to elevated levels of nutrients and an increase of algal growth. HAB and hypoxia are growing more severe and more prevalent in our oceans.

The Marin and Sonoma coastline in my Dis- trict is one of the most biologically productive regions in the world. This coastline includes one of only four coastal upwelling zones on the planet, which make up only 1 percent of the ocean but provide 20 percent of its fish. Unfortunately, even this biological hot spot has been impacted by algal blooms. As recently as last October, northward currents carried a large HAB from Point Reyes up the coast to Bodega Bay, harming marine life and irritating swimmers and divers. Increasing our under- standing of these events and undertaking new efforts to monitor, control, prevent, and miti- gate them must be a priority.

H.R. 3650 would establish a National Harmful Algal Bloom and Hypoxia Program to develop and coordinate a comprehensive strat- egy to address HABs and hypoxia.

Additionally this legislation will implement re- gional action plans to reduce HABs and hypoxia.

Madam Speaker, as a cosponsor of H.R. 3650, I commend my colleagues on the Science and Technology Committee for their hard work on this issue, and I look forward to this legislation becoming law. The increasing type, severity, location, duration, and severity of these dangerous events demonstrate how urgently we need to implement solutions to these problems.

RECOGNIZING THE 189TH ANNIVER- SARY OF GREEK INDEPENDENCE

SPRCH OF

HON. CHRIS VAN HOLLEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Mr. VAN HOLLEN. Madam Speaker, As a lead sponsor of this resolution, I am proud to stand with my colleagues to commemorate the 189th anniversary of Greek independence. We gather here today not only in recognition of Greece’s proud history, and in appreciation of the warm friendship our two countries share, but also to thank the Greek people for standing- by our side in good times and bad, in peace and in war.

The U.S. connection to Greece reaches back to the days before the United States was even a country. It is well known that the Founding Fathers were well versed in Greek political philosophy and drew on that knowl- edge in their efforts to lay the political founda- tion of this Nation. Thomas Jefferson once said of Greece that it was “the first of civilized nations, (and) presented examples of what man should be.” Indeed, many of the political ideas attributed to the United States today, such as freedom and the respect for democratic governance can trace their ori- gins back to ancient Greece.

On this 189th anniversary of Greek inde- pendence, let us all reflect on what we as Americans owe to Greece for our historical ties, for the role ancient Greece played in the shaping of our democracy and for the endur- ing friendship between the peoples of the United States and Greece.

HONORING THE LIFE OF CLARENCE FAULK

HON. RODNEY ALEXANDER
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to honor the life and achievements of Mr. Clarence E. Faulk, Jr., who passed away at his residence on March 5, 2010.

Mr. Faulk was born on January 9, 1909 in West Monroe, La., and recently celebrated the occasion of his 100th birthday.

In 2003, Mr. Faulk lost his beloved wife of 72 years, Louise Benson Page. The couple is survived by their two sons and daughter, as well as their 10 grandchildren and seven great grandchildren.

Having been raised by a family with deep roots in publishing, Mr. Faulk was well suited for a career path loaded with journalism and broadcasting endeavors. Mr. Faulk was the publisher of the Ruston Daily Leader from 1931 to 1962, the owner of radio station KRUS, the first radio station in Ruston, La. from 1947 to 1968. In addition, he served many years as the president of the Louisiana Press Association and the Louisiana Broad- casters Association.

Outside of this field, Mr. Faulk owned nu- merous rent houses and commercial buildings in Ruston. The Ruston-Lincoln Parish Chamber of Commerce honored him in support of his treasured Ruston community.

Mr. Faulk was a friend to many, and deemed a gracious and hardworking person by all who knew him. It is my privilege to honor Mr. Faulk as a man emblematic of the true spirit of North Louisiana. He will surely be remembered by all as a loving husband and father, a successful businessman and an im- portant part of the Ruston community.

Madam Speaker, I ask my colleagues to join me in honoring the late Clarence Faulk.

RECOGNIZING THE 2010 RIMPACT DAY HELD BY THE NATIONAL ASSOCIATION OF CHAIN DRUG STORES

HON. PETER J. ROSKAM
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ROSKAM. Madam Speaker, I rise today to recognize the 2010 RIMPACT Day held by the National Association of Chain Drug Stores (NACDS).

Founded in 1933, NACDS has worked tire- lessly to promote the positive community im- pact of the chain drug industry. Throughout its history, NACDS and its 150 chains and 39,000 individual pharmacy members have worked to adapt to the changing needs of consumers. RIMPACT Day allows community pharmacies to share the numerous benefits of their indus- try.

I am delighted to recognize the chain drug stores nationwide that have a significant pres- ence in my district. Not only do they provide thousands of quality jobs, but these phar- macies also provide a vital service as part of the healthcare delivery system of my district.

During World War II, thousands of UA mem- bers answered our nation’s call and volun- teered for the armed forces. Once completing their duty, members returned home and con- tinued to build across the country.

In San Diego, UA Local 230 members have had a hand in building iconic structures such as Petco Park, Sharp Memorial Hospital, Pal- omar Medical Center and the new Hilton Bayfront.

In addition to being a part of building the San Diego of today, Local 230 has helped to
build a strong and unified labor community in San Diego and Imperial Counties by being a leader in the Labor Council’s foundation of great volunteers.

The members of Local 230 can be found volunteering at nearly every Labor Council event, from precinct walks to the Cesar Chavez Day March to the Letter Carriers Food Drive.

Led by their Business Manager, Kirk Crosswhite, the plumbers and pipefitters of Local 230 have stood in dedicated support of their union brothers and sisters. For them, a strong infrastructure through volunteering and participation, Plumbers and Pipefitters Local 230 are the Labor Council’s 2009–2010 “Union of the Year.”

PREVENT DECEPTIVE CENSUS LOOK ALIKE MAILINGS ACT

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Mr. CONYERS. Mr. Speaker, I rise in support of H.R. 4621, the “Prevent Deceptive Census Look Alike Mailings Act,” and commend Representative Maloney for bringing this issue to the Floor. Like my colleague from New York, I am concerned about any mailing that could cause confusion and impact the response rate in the 2010 Census. Because of the importance of the Census, with its count determining many important calculations for federal funds and political representation, we must make every effort to ensure the integrity of the process.

I believe this legislation will mitigate some of the confusion and fraudulence that could cause underreporting, especially among targeted populations. The requirement for organizations that include “Census” on their mailings to provide a disclaimer that they are not writing on behalf of the federal government will help our constituents know that those materials are not part of the official 2010 United States Census. I encourage my colleagues to support this legislation.


HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. WILSON of South Carolina. Madam Speaker, I rise today in honor of The Magnificent Women of the WASP, Women Airforce Service Pilots of World War II and the presentation of the Congressional Gold Medals to them on this day, March 10th 2010 in the United States Capitol. Our nation owes a great debt of gratitude to these women of faith and courage, who helped set the stage so that this war could be won. Breaking and fighting stereotypes, they helped to forge the way for women in today’s world. As their courage, character and dedication were key to Saving The World, as sons of a World War II Flying Tiger of the 14th Air force, Hugh deV. Wilson, I appreciate firsthand the extraordinary pilots who protected the people of India and China defeating totalitarian worldwide. For as this darkness approached and mankind bled, they stood at the edge and helped To Save The World. I ask that this poem penned in honor of them and their families by Albert Caswell, a very thoughtful poet and patriot, of the United States Capitol Guide Service be placed in the RECORD.

WHEN, HEARTS TOOK FLIGHT

As a time ago . . .
As when, it looked as though . . . The world stood, at its edge . . . As Woman and Mankind bled . . . With Satan on the rise . . . As his son’s filled the darkened skies . . . With all his dark death and hate, as this evil begins!

Would this be the end, of woman and mankind?
As upon them, all our hopes hinged . . . When, Hearts Took Flight!
To but bring their light!
Lifting us all, to such high heights!
To all of those wrongs, to right!
All in their strength, and might!
To help Save The World . . .
But, for their country they so loved . . . Upon, the wings of a dove!
As a darkness approached!
As upon them, were placed all our hopes . . . As out across the world, such an evil unfurled!

When, came such women of faith To Save The World . . .
To rise up, with such splendid courage in eyes!
To fight a war, and all those stereotypes . . . those lies!
To but bring their light!
As this fearless force of women, so won the night!
All out upon their most heroic course . . .
With, but only their most courageous hearts to voice . . .
To Fly!
As was but a time When Hearts Took Flight!
To win that day, that night!
To Soar so bright, and reach for the skies!

Heroes, pioneers on the cutting edge!
Upon, these machines of steel their fine lives were pledged!
Magnificent test pilots, who died and bled!
Carriers of freedom, who all in their actions so led!
Who flew the planes to the theater, as the blood ran red!
Over 25,000, would apply . . .
But only 1,074 . . . the cream of the crop, would fly!

As The WASP

The WOMEN AIRFORCE SERVICE PILOTS, so filled the skies!
All for God and Country, but ready to die!
For no war could be won without these ones!
All in what they had done, now all so etched in history’s sun!
To “Help Save The World!”
To teach all of our little boys and girls!
What can be done, when courage is unfurled!
And hearts take, flight!
So on this day, we now bestow . . .
Upon, all of those, and all of those!
Most Magnificent Patriots of Peace we know . . .

The Congressional Gold Medal . . . So!
Great American patriots, with such hearts of gold!
And Ladies, your final flight . . .
Will be, up to our Lord in Heaven’s light!
Because, you helped . . . “Save The World”!
As history will find!
It was but a time, when hearts took flight!
Amen . . .

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, Joseph T. Hansen is leading the transformation of the UFCW into a dynamic, growth-focused organization poised to unite the millions of North American workers who want and need a union. After four decades of union activism, Joe’s mission is essentially the same as it was when he began his career: organizing workers for power and uniting them at the bargaining table to win middle class wages, benefits, and respect on the job.

Today, Hansen stands at the helm of the broad-based worker movement to win respect for work and those who do the work. Joe is an effective voice for working people, advocating for affordable, quality health care for all; for comprehensive and humane immigration reform; and for the millions of working people who want a voice on the job. He is helping re-vitalize the labor movement to meet the challenges of the global economy—by delivering union jobs that provide wages that pay the bills, retirement security, and affordable health care. His leadership is bringing new hope and opportunity for workers and their families to improve their living standards and live a middle class life.

Joe began his career as a meat cutter in Milwaukee, Wisconsin. Since that time, Hansen has been activating and empowering members. He spent more than 11 years working at his trade while serving as a volunteer organizer for his local union—Local 73 of the Amalgamated Meat Cutters and Butcher Workmen of North America. His activism helped keep Milwaukee a union town, where new grocery stores were quickly met with organizing activity. His passion for organizing led Hansen to become one of the youngest members of his local union’s executive board. Hansen was elected to serve as International Secretary-Treasurer in 1997 and International President in 2004.

Hansen has been active in the global union movement since 1994. His early experience with global unionism provided him with the foresight to realize that only global solidarity can confront global corporations. He took office as president of Union Network International (UNI) on the job. He is helping to re-vitalize the labor movement to meet the challenges of the global economy—by delivering union jobs that provide wages that pay the bills, retirement security, and affordable health care. His leadership is bringing new hope and opportunity for workers and their families to improve their living standards and live a middle class life.

In the United States, lawmakers and opinion leaders seek his perspective and leadership on two of the most important challenges facing American workers in the 21st century—health care and immigration reform. In 2005, the U.S. Congress named Hansen to the 14-member
Citizens’ Health Care Working Group. The panel did groundbreaking work to bring the American people together to confront the health care crisis and facilitated the direct communication of their views and concerns to lawmakers. His leadership on the panel established Hansen as a key leader and trusted advisor to Congress and the Obama administration on the primary health care issues facing working families and the elements of comprehensive health care reform.

Hansen is the Founding National Chair of the National Commission on Immigration and Customs Enforcement (ICE) Misconduct and Violations of 4th Amendment Rights. The commission examined ICE misconduct during the Bush administration’s workplace raids. It presented the findings to the American people in a report that documents the terrible costs and human suffering caused by ICE misconduct and outlined key elements of needed immigration policy reforms.

Hansen is a founding architect of the Change to Win Federation that has set a new course for the labor movement. Recognizing that industry-wide organizing is the best way to give workers the power to raise working and living standards, Hansen is leading the UFCW through a dramatic shift in priorities as more staff and resources than ever before are dedicated to uniting workers and bringing them under a union contract.

At the core of Hansen’s leadership is the spirit and exuberance that he demonstrated as a young volunteer organizer and activist. He was synonymous with genius. Now it seems as though the world now take for granted, like GPS and Internet technology.

Mr. STARK. Madam Speaker, I rise today to support the introduction of a comprehensive immigration reform bill that includes language to end the one-year bar. I hope that by giving this issue its own legislation, Congress can move swiftly to help these victims who are being turned away every day. Since its enactment in 1996, more than 35,000 people have been denied asylum solely because of the one-year bar.

As a country, we pride ourselves in our advocacy for democracy and human rights around the world. Please join us in supporting this bill so that we can prove we are as good as our word.

THE INTRODUCTION OF THE RE-STORED ORGANIZATION TO VIC-
TIMS OF PERSECUTION ACT

HON. FORTNEY PETE STARK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. STARK. Madam Speaker, I rise with my colleagues, Mr. MORAN of Virginia and Ms. WATSON of California, to end a part of our immigration system that has denied protection to those who need it the most. The Restoring Protection to Victims of Persecution Act ends the practice of barring asylum claims by those who have been in our country for more than a year.

Enacted as part of the Illegal Immigrant Reform and Immigrant Responsibility Act of 1996, the one-year bar to asylum has failed. Instead of preventing fraudulent asylum claims as intended, the one-year limitation has turned away individuals who would most benefit from sanctuary. A disproportionate number of these immigrants are women who are the targets of gender-based persecution, including domestic violence, female genital cutting, and “honor” crimes.

Although the law includes exceptions to excuse those who are determined to have valid reasons for applying for asylum within one year, adjudicators routinely deny applicants who meet these exceptions. People who are attempting to care for their children, hide from their abusers, cope with past trauma, and deal with the challenges of surviving in a new country are repeatedly and unfairly denied asylum status because of missing the one-year deadline.

Once denied, an applicant has only two other possibilities for safety: to petition for withholding of removal or to seek protection under the Convention Against Torture. Both of these forms of relief demand an applicant surmount a much higher standard of proof than asylum and never provide them permanency or allow reunification with family members.

I also thank my colleague, Mr. ORTIZ, for introducing the comprehensive immigration reform bill that includes language to end the one-year bar. I hope that by giving this issue its own legislation, Congress can move swiftly to help these victims who are being turned away every day. Since its enactment in 1996, more than 35,000 people have been denied asylum solely because of the one-year bar.

As a country, we pride ourselves in our advocacy for democracy and human rights around the world. Please join us in supporting this bill so that we can prove we are as good as our word.

HONORING AL SHUR: LABOR LEADER OF THE YEAR

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, in his more than four decades of union activism, International Brotherhood of Electrical Workers Local 569 Business Manager Al Shur has earned a well-deserved reputation as labor’s “greenest” leader.

Al, a member of IBEW since 1967, quickly distinguished himself through his political involvement as a rank-and-file member. His activism eventually led him to serve on Local 569’s executive board until being elected business manager in 1995.

As business manager, Al has supported development and construction that focuses on improving job quality, the community and the environment.

Under Al’s leadership, IBEW Local 569 has been an outspoken advocate for responsible, sustainable development, as well as serving as a model for using green technologies in the construction industry.

IBEW Local 569’s offices and training center proudly display a vast network of solar panels which allow the union to operate almost completely free of a traditional power grid.

Al has also worked tirelessly to build relationships with San Diego’s environmental leaders through his work with organizations such as the Apollo Alliance, the Environmental Health Coalition and San Diego Coastkeeper.
By working together, the partnership between the labor movement and the environmentalist has become a powerful force for change in San Diego and Imperial Counties. For his dedication to building alliances between labor and the environmental community, the Executive Board of the Labor Council has named Al Shur our 2009–2010 “Labor Leader of the Year.”

HONORING RICHARD RECHTEN
HON. LINCOLN DIAZ-BALART
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. DIAZ-BALART of Florida. Madam Speaker, I rise today to congratulate Richard (Dick) Rechtien and his business, Rechtien International Trucks, which received the prestigious honor of the International Circle of Excellence Award for 2009.

The Circle of Excellence Award is awarded by the international dealer organization of Navistar, Inc., and 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.

Rechtien International Trucks was founded in 1981 and is headquartered in Miami. Under his leadership, it has grown into one of the preeminent truck dealerships in the Southeast and the entire nation, with 188 employees and four dealer locations, including Miami, Riviera Beach, Fort Pierce and Broward County. Dick has served as chairman of the International Dealer Council and of the Florida Trucking Association, and as co-chair of numerous dealer advisory groups for Navistar. With this most recent award, Rechtien International will now receive the Circle of Excellence Award, under Dick’s leadership, a total of 23 times.

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 our colleagues to join with me in congratulating Dick Rechtien for his record of accomplishment and for his many contributions to our South Florida community.

PERSONAL EXPLANATION
HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Ms. WOOLSEY. Madam Speaker, on March 9, 2010, I was unavoidably detained and was unable to record my vote for rolloc No. 92–94. Had I been present I would have voted: Rollocall No. 92—yes; and Rollocall No. 94 “yes”–Harmful Algal Blooms and Hypoxia Research and Control Amendments Act.

Rollocall No. 93 “yes”–Congratulating William B. Boyle and George E. Smith for being awarded the Nobel Prize in physics.

Rollocall No. 94 “yes”–Honoring John E. Warnock, Charles M. Geschke, Forrest M. Bird, Esther Sans Takeuchi, and IBM Corporation for receiving the 2008 National Medal of Technology and Innovation.

HONORING ED GOTTHARDT
HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. CUELLAR. Madam Speaker, I rise today to honor the contributions of the late Ed Gotthardt, former Mayor of Seguin, Texas. Mayor Gotthardt served the community through his distinguished business career and great service as mayor for two terms in Seguin, Texas.

Mayor Gotthardt was born on January 1929 in Galile, Texas and passed away of natural causes February 2010 in New Braunfels, Texas. His accomplished lifetime as a businessman and mayor stemmed from his humble beginnings. His childhood was spent on a farm in Galile in a town between Seguin and San Marcos where he learned about produce. He received his education in the public schools of Guadalupe County, where he graduated from high school. At the age of twenty-one, the late Gotthardt was hired as a produce worker at a local grocery store. With a twelfth grade education, he rose through the ranks to store manager, unit director, to the corporate office as a buyer and then as Vice President of Produce Marketing. In the 1980s, he retired having lived during his career throughout the area in Seguin, San Antonio, and Corpus Christi. The late Gotthardt had a thirty-seven year career in the grocery business before serving two-three year terms as Mayor. After his retirement, he later served as President of the H-E-B grocery store retirees’ organization.

In 1990, Gotthardt announced that he planned to run for mayor of Seguin. He had not previously held any position in public office, but his involvement with the community and commitment to the people of Seguin aided to his election. His re-election was without opposition, serving as mayor until 1996. During his time in office, Mayor Gotthardt contributed to the city by ensuring that the Seabastopol State Historical Park in Seguin was renovated and dedicated much of his work for those who served their country in the military. He worked on the Veterans Memorial at the Guadalupe County Courthouse extensively. The late Mayor Gotthardt was recognized for his tireless efforts to ensure the community and people were provided the services needed.

Along with his business career and terms as Mayor of Seguin, the late Gotthardt was a member of Seguin Masonic Lodge AF&AM 109, Alzarf Shrine, Elks Lodge 1229, Order of the Eastern Star Chapter 555, the Seguin Chamber of Commerce, the Seguin Rotary Club and the Comal County Seniors Center. His leisure time was spent with the Seguin Chamber of Commerce, senior center, and with his family.

Madam Speaker, I am honored to have had this time to recognize the late Ed Gotthardt, former Mayor of Seguin, Texas on his contributions to the community.

HONORING MS. ERIN CONATON
HON. IKE SKELTEN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. SKELTON. Madam Speaker, I rise to pay tribute to Ms. Erin Conaton, the Majority Staff Director of the House Armed Services Committee, who leaves our staff today to become the new Under Secretary of the Air Force.

Madam Speaker, this is a bittersweet moment for me. I have come to depend upon Erin Conaton as a trusted advisor and friend since she joined the House Armed Services Committee staff in 2001. Seldom does one person have the combination of talent, good judgment, knowledge, devotion to duty, common sense, and, as we say in Missouri, “good get along,” but Erin is blessed with all of these qualities. And while I am not happy about losing Erin, I am happy for the Pentagon and for those of us here who are working with her on a daily basis. I know that our country will not just be in good hands, but better hands, with Erin as Under Secretary of the Air Force.

Erin has an impressive academic and professional background. She holds a bachelor’s degree from Georgetown University’s School of Foreign Service and a master’s degree from the Fletcher School of Law and Diplomacy at Tufts University. Before becoming a Congressional staffer, Erin was highly recommended to me as a result of her outstanding work as the Research Staff Director for the U.S. Commission on National Security/21st Century, also known as the Hart-Rudman Commission.

Erin joined the House Armed Services Committee staff in 2001, serving as a Professional Staff Member covering a range of defense policy issues. In 2005, she became the committee’s Minority Staff Director. And at the start of the 110th Congress in 2007, Erin assumed the post of Majority Staff Director, serving all of the members of our committee and overseeing the committee’s 70-person staff. She has run the House Armed Services Committee as well as anyone in my 33 years in Congress.

In the nine years that I have had the privilege to know and work closely with Erin, she has consistently demonstrated her leadership ability, mastery of national security issues, and dedication to our men and women in uniform. Erin’s work ethic is unparalleled, but more importantly, she has a rare gift for getting along with people. Despite the demands of working on Capitol Hill, Erin is unfappable and approaches every challenge with a level head, whether working with Members of Congress, Congressional staff, or Administration officials.

I am delighted that the Obama Administration recognized that Erin Conaton would be an excellent nominee for the next Under Secretary of the Air Force. I can’t brag on her enough, and I am pleased that the other body confirmed her nomination last week. I know Erin will make us proud as she continues her career in public service with the Department of the Air Force, and I wish her all the best as she takes on this new challenge.
HONORING DOUGLAS MALONEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Ms. WOOLSEY. Madam Speaker, I rise today to honor former Marin County counsel Doug Maloney who passed away on February 17, 2010 at his home in San Rafael, California. Serving on the legal frontlines of county governance for more than three decades, Marin has greatly benefited from his unwavering dedication and skilled advocacy of the public’s best interest.

Born in San Francisco in 1933, Mr. Maloney, a 50-year member of the California Bar Association, received his bachelor’s degree from the California Maritime Academy in Vallejo, California, and his law degree from the University of San Francisco. A world traveler, voracious reader, exceptional public speaker, and a prolific writer, Doug Maloney loved his Marin angle into his biweekly essays.

It was Doug Maloney who led the county’s legal defense of the “Marin-only” provision in Ross philanthropist Beryl Buck’s multi-million-dollar bequest. Maloney took on the San Francisco Foundation’s challenge to spend the millions on needs beyond the county borders. With his legal team, he presented strong arguments upholding the Buck bequest and proving that, despite Marin’s affluence, there were plenty of needs right in the county that could use financial assistance. The 1986 court- ordered settlement transferred the Buck Trust to newly formed Marin Community Foundation to focus funds on research into aging, advocacy against alcohol abuse and research into educational issues. Had that battle been lost, Marin would be a far different place.

The legal engineer of land-use restrictions that saved West Marin from suburban sprawl, Maloney successfully defended the county’s 1972 zoning restrictions designed to preserve and protect West Marin farmland and the ranching lifestyle. Challenged in 1989, Maloney won a federal court decision upholding the zoning regulations and turning back a lawsuit by a Chicago landowner wanting to carve up his 561-acre Nicasio ranch. While we may take our open space and ranch lands for granted, we owe a huge debt of gratitude to the vision, political courage and legal skill of Doug Maloney.

A man of great personal integrity and not one to back away from a rousing legal argument, Doug was good humored and a passionate follower of film and stage. He enjoyed stage musicals, putting on a Marin spin and rewriting fashionable Broadway shows and romantic comedies. He enjoyed the vision, political courage and legal skill of Doug Maloney.

HONORING SOL PRICE: A TRUE FRIEND OF LABOR

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, few in the business world have had as great an impact on building the middle class as San Diego’s own Sol Price.

When Price passed away in December, San Diego’s middle class lost possibly its greatest advocate in the business world. Price’s Federated stores, and later the Price Club, were known for skimping on the luxuries of modern chain retailers. The bulk stores occupied warehouses in out-of-the-way locations, avoided unnecessary displays, and limited advertising to essentially word-of-mouth only. Besides low prices, the one thing his stores did invest in was the employees. The Price business model realized that the happiness of customers, employees, and stockholders are not mutually exclusive. At Sol Price companies, all three could be, and were, successful.

“We think the stockholder comes last,” Price told Wall Street analysts in 1985. “But if you do the other three jobs well, (the stockholder) will be taken care of.” This method of business resulted in all Price Club employees, union and non-union, receiving “close to the highest prevailing wages in the community.”

Sol Price’s legacy lives on today, as the average wage of Costco employees is $19 per hour, with 90 percent receiving health care. A far cry from the disturbing trend of retail stores becoming low-wage outposts.

In San Diego County, workers at several Costco stores are proud members of Teamsters Local 542. For these reasons, Sol Price will always be remembered as a friend of labor.

CONGRATULATING THE VOLK FIELD COMBAT READINESS TRAINING CENTER FOR RECEIVING A 2009 AIR FORCE ORGANIZATIONAL EXCELLENCE AWARD

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. KIND. Madam Speaker, it is with great pride that I rise today to congratulate the Volk Field Combat Readiness Training Center for receiving a 2009 United States Air Force Organizational Excellence Award.

The Volk Field Unit Airmen have consistently demonstrated a high level of excellence and efficiency in their service to the Wisconsin Air National Guard. Volk Field is one of four Combat Readiness Training Centers in the nation and the only selected for this top Air Force Award in 2009.

The citizen-Airmen at Volk Field provide an invaluable service to our nation in supporting the National Guard, the Reserve, and interagency training and operational needs. This award sets the Volk Field unit apart from similar units and congratulate them on this outstanding achievement. I commend the strong leadership of Volk Field’s Combat Readiness Training Center Commander Colonel Gary Ebben and the great work of both the civilian staff and the men and women in his unit. I am proud to represent such dedicated and hardworking Wisconsin citizens committed to public service.

The Volk Field unit exemplifies the great work ethic that characterizes citizens of Western Wisconsin. I anticipate continued achievements from the Wisconsin Air National Guard units.

IN RECOGNITION OF CLARA WHITE’S 60 YEARS OF VOLUNTEERISM AND SERVICE TO THE GREATER PONTIAC COMMUNITY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize Mrs. Clara White, a native of Michigan and Pontiac resident, for her lifelong dedication to volunteerism and community service. As a Member of Congress it is both my privilege and honor to recognize Mrs. White for her many accomplishments and to thank her for her dedication to strengthening our shared communities.

At 86 years old, Mrs. White has spent over six decades giving back to the people and institutions of Pontiac through her countless hours of volunteer work. Her volunteer efforts are even more impressive considering that for 20 years of this time she also worked as a social worker for Oakland County Children’s Village and raised a family with her husband, William, to whom she was married for 52 years.

A major facet of Mrs. White’s 60 years of volunteer service centers around her work with the National Urban League’s local organization in Pontiac. The Urban League is a national civil rights organizations dedicated to improving the lives of urban area residents. Her involvement with the Pontiac Urban League even included two terms as Chairman of its Board of Directors. In 1996, for her outstanding dedication and service, she was awarded the honor of “Living Legend” from the National Urban League. After 50 years of volunteerism with the National Urban League Mrs. White was awarded with the Diamond Urban League Pin, an honor very few Urban League members ever receive.

In addition to her work with the Urban League, Mrs. White shared her vitality of spirit and passion for community service with many other community organizations which have had a profound positive impact on the Pontiac community. Mrs. White’s served on the Executive Board of Pontiac Youth Assistance, aiding the organization is its efforts to support Pontiac youth and prevent truancy. Mrs. White’s
work as a Vice President of the Pontiac Area PTA Council and President of PTAs for several Pontiac schools furthered her work with local schools to strengthen and empower all sectors of the Pontiac community. Additionally, Mrs. White’s volunteer efforts with the United Way and March of Dimes supported causes serving those in need in our area and beyond.

Madam Speaker, I ask my colleagues to join me today to honor Mrs. Clara White’s dedication to the Pontiac community through public service and volunteerism. Mrs. White’s recognition from organizations in Pontiac, Oakland County, and Michigan make evident that her positive impact has been felt far and wide.

I wish her many many more years of health, happiness, and productive service to our shared communities.

RECOGNIZING THE RETIREMENT OF LARRY WARGOWSKY
HON. RON KIND
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. KIND. Madam Speaker, I rise today in recognition of Larry Wargowsky, who has retired from the Refuge Manager position at the Necedah National Wildlife Refuge after thirty three years of service with the U.S. Fish and Wildlife Service, fourteen of which were spent managing the Necedah Refuge.

He was born and raised across from the Refuge and, from his early years, enjoyed a career that took him many places, but was fortunate to retire at the Necedah National Wildlife Refuge. Larry Wargowsky started his career in public service after college where he worked for the Wisconsin Department of Natural Resources at Horicon, Black River Falls and Mead Wildlife Area. He then joined the U.S. Fish and Wildlife Service working at various National Wildlife Refuges in Illinois, Iowa, Michigan, Ohio and Wisconsin. His work has benefited not merely one refuge, or even just one state, but Larry Wargowsky has been a public servant whose career has benefited an entire nation.

Throughout his tenure at the refuge, Larry has seen the resurgence of many wildlife critters from the first bald eagle reproduction in 25 years in 1996 to an increase in populations of the timber wolf and was instrumental in the reintroduction of the Whooping crane to this area. For this he received the Recovery Champion Award from the U.S. Fish and Wildlife Service in 2002. The Whooping crane project at the Necedah Refuge has been a boon to Necedah and Juneau County and has made the area a major ecotourism destination. The Whooping cranes brought international attention to the Necedah National Wildlife Refuge. To accommodate visitors, Larry led an effort to build a new visitor center. Additionally, the Friends of the Necedah National Wildlife Refuge was created under his leadership and this today represents a robust and active group. He is as much a friend to our country as he is to our environment.

I am proud to stand before this chamber and applaud the dedication of Larry Wargowsky to a life of public service and conservation. As an avid sportsman, I am personally grateful to Larry for all of his hard work in preserving our wildlife refuges, but this recognition goes beyond the gratitude of one individual. We as Americans should be grateful to a man who has dedicated his life to public service, and we as inhabitants of this planet should be grateful to that same man who has dedicated his life to defending our wildlife refuges.

RECOGNIZING THE SERVICE OF HENRIETTA SPLOAT AND THE WOMEN AIRFORCE SERVICE PILOTS OF WORLD WAR II
HON. TOM MCCINTOCK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. MCCINTOCK. Madam Speaker, I rise today to honor the service and achievements of Henrietta Sproat from Oroville, California. During World War II, Mrs. Sproat flew as a member of the Women Airforce Service Pilots (WASPs). These aviators were the first female flyers to be trained on U.S. Military aircraft. During the time when the need of the country was greatest, these brave women flew fighter, bomber, transport and training aircraft in the defense of American freedom.

I was a proud cosponsor of the legislation that recognized these women’s service, and I rise today to recognize Henrietta Sproat and congratulate her on receiving the Congressional Gold Medal.

RECOGNIZING NATIONAL PEACE CORPS WEEK AND THE 40TH ANNIVERSARY OF THE PEACE CORPS
HON. MAZIE K. HIRONO
OF HAWAI’I
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Ms. HIRONO. Madam Speaker, in the 49 years since the Peace Corps was established, nearly 200,000 volunteers have contributed their time, energy, and skills to create opportunity, empower people, and encourage progress in the developing world.

By facilitating an international dialogue between the people of the United States and others across the globe, Peace Corps volunteers have helped to increase cultural awareness, tolerance, and respect at home and abroad. The compassion and commitment of these volunteers have left significant and enduring impacts on individuals and communities throughout the world.

I am honored to represent many Peace Corps alumni, and I would like to recognize ten current volunteers: Claire Albrecht in Zambia; Marideal Bonadea in Mali; Mitra Heffron in Paraguay; Hololapakaen Hoopai in Kyrgyzstan; Kacie Miura in China; Steven Miyakawa in Togo; Nicole Nakama in Botswana; Kylee Ogin in Ukraine; Mai Shintani in China; and Theodore Varns in Guatemala.

The selfless service and dedication of these individuals make them exemplary ambassadors of the Aloha spirit. Mahalo (thank you) to all Peace Corps volunteers, past and present, for your work in promoting peace and friendship throughout our world.

RECOGNIZING THE SADLOWSKI FAMILY
HON. GUS M. BILIRAKIS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to recognize George and Tina Sadlowski, who have two sons as well as a daughter-in-law who currently serve in the United States Army. Mr. and Mrs. Sadlowski have founded Operation Treasures for Troops, which provides food and other essential items to military personnel who are stationed overseas.

The Sadlowskis began Operation Treasures for Troops during their oldest son’s first deployment in order to provide their son with food and other items that are not available during their deployments. Currently, the Sadlowskis collect items for the troops through their church, the North Lake Family Church, in Tarpon Springs, Florida, and are in the process of recruiting stores to donate items, which would offset the costs of their organization.

The Sadlowski’s oldest son, Eric Sadlowski, is currently serving in Afghanistan after having previously served twice in Iraq. Andrew Sadlowski, their middle son, recently joined the military and is awaiting his first deployment. Andrew’s wife, Nicole, is currently preparing to be deployed to Afghanistan. Because both are currently serving in the military, Andrew and Nicole have lived apart since they were married. Additionally, the Sadlowski’s youngest son, Patrick, also desires to serve in the military.

The Sadlowskis currently mail about 100 boxes to the troops per year, financing the postal and shipping costs themselves. H.R. 707, the Home Front to Heroes Postal Benefits Act, which I have cosponsored, would provide monthly vouchers so that at home could mail packages and correspondence to deployed soldiers without charge. This would allow more funding to be spent on items for the troops instead of on postal costs.

Madam Speaker, I strongly commend the Sadlowski family for their extraordinary military service and for the selfless work that Mr. and Mrs. Sadlowski do to serve the troops overseas. I sincerely thank Eric, Andrew, and Nicole for their service for our country and the many sacrifices they make as they serve overseas. My most heartfelt thanks go to George and Tina as they voluntarily organize and send boxes to our troops overseas. The Sadlowski family has shown how much they care about our nation and each of them willingly serves our country, both by their military service and their service for our troops.

HONORING THE WORK OF MS. MAXINE FLOURNOY
HON. SOLOMON P. ORTIZ
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. ORTIZ. Madam Speaker, I rise today to recognize the work of a dedicated Marine, Maxine Flournoy who today receives the Congressional Gold Medal of Honor for her service as an airforce service pilot during World War II.
She is among 300 surviving women who served as Women Airforce Service Pilots during World War II. During the war, 1,102 women pilots served.

Ms. Flournoy completed a pilot training program in early 1941 at a junior college in Joplin, Missouri, and while working as a grinder at a defense plant, she learned about the military needing women to serve as pilots.

Shortly after that, Ms. Flournoy was en route to Kansas City on a bus to volunteer. She trained for about one year. The Women Airforce Service Pilots logged 60 million miles in missions across the United States; however, during their time in the military, they did not have the benefits offered equally to other service members.

In 1977, the Women Airforce Service Pilots were granted status as veterans of this country. I am moved to learn these women served and thank them for their service to our nation.

Today, I ask my colleagues in the House of Representatives to honor the work, service and dedication of Ms. Flournoy, who is among 300 surviving women who served this country during World War II.

RECOGNIZING THE SERVICE OF MARGARET DEBOLT AND THE WOMEN AIRFORCE SERVICE PILOTS OF WORLD WAR II

HON. TOM McCLINTOCK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. McCLINTOCK. Madam Speaker, I rise today to honor the service and achievements of the late Margaret Louise Debolt from my home state of California. During World War II, Margaret flew as a member of the Women Airforce Service Pilots (WASP). These avi-ators were the first female flyers to be trained on U.S. Military aircraft. During the time when the need of the country was greatest, these brave women flew fighter, bomber, transport and training aircraft in the defense of American freedom.

It was during her service with the WASPs that Margaret met her future husband, First Lieutenant Charles D. Christian of the United States Army Air Corps. They were married in November, 1945 and went on to be the proud parents of James and Kay Christian, who now reside in El Dorado Hills, California. Margaret continued flying well into her seventies, exemplifying the adventurous spirit for which she was so well known. Margaret passed away at the age of 83 in Covina, California on August 6, 2004.

I was a proud cosponsor of the legislation that recognized the service of the WASPs and awarded them the Congressional Gold Medal. I regret that Margaret could not be with us when her medal was awarded, but I am glad that her family joined us in Washington to re- member and honor her service.

A TRIBUTE TO SHELIA EVANS-TRANUMM

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of Shelia Evans-Tranumn, who, as an Associate Commissioner for the New York State Education Department, managed the Office of School Improvement and Community Services in New York City and in Albany. New York. Associate Commissioner Evans-Tranumn has had the major responsi- bility for directing and coordinating State Edu- cation Department Services and technical as- sistance to New York City schools and to the New York City public school system. Her work as associate commissioner will always be val- ued by the New York education community, especially as a model for leadership, manage- ment and supervision of the service needs of schools and school districts. As an advisor to the Commissioner and the Board of Regents, she is a role model in her steadfast efforts to serve and represent our children effectively.

Prior to joining the New York State Edu- cation Department, Ms. Evans-Tranumn served as an English teacher, center adminis- trator, assistant principal and the Director of the New York City Board of Education’s Auxil- iary Services for High Schools, the largest al- ternative high school program in the United States. Ms. Evans-Tranumn supervised inter-disciplinary teams that work with the New York City educational community to implement school reform initiatives. The impact of her work in New York State can be found in docu- ments published by the United States Educa- tion Department, policy documents of Na- tional Board of Education, and Implementation “Metro’s. Based upon the work of her office, Education Week has named New York State No.1 for its work in the area of accountability.

Ms. Evans-Tranumn is a product of New York City public schools. A graduate of North Carolina Central University, she received a Master’s degree from Long Island University. Additionally, she completed class require- ments for a doctorate at New York University. She is the recipient of numerous awards and recognitions, including the Reliance Award for Excellence in Education, the Administrative Women in Education Trailblazer Award, the Albany NAACP Freedom Award and the New York State NAACP “Measure of a Woman” Award in honor of Dr. Martin Luther King, Jr.

Ms. Evans-Tranumn also received an Hon- orary Doctorate from Medgar Evers College.

Building the capacity of institutions, commu- nities and individuals to better serve children is the core of her professional and personal life. As the highly respected advocate and voice of reason in Brooklyn for educational ideals to benefit inner-city children, Ms. Evans-Tranumn stands with those who understand that equal and quality education is a funda- mental civil, constitutional right.

Madam Speaker, I urge my colleagues to join me in recognizing Shelia Evans-Tranumn.

THE IRAN SANCTIONS ENHANCEMENT ACT

HON. MARK STEVEN KIRK
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. KIRK. Madam Speaker, I rise to intro- duce the Iran Sanctions Enhancement Act, a bipartisan measure to enforce U.S. law regarding Iran.

As the New York Times reported last Sun- day, for far too long, international businesses have ignored the Iran Sanctions Act of 1996.

The Iranian regime continues its pursuit of nuclear weapons and remains the world’s leading sponsor of terrorist organizations, in- cluding Hamas, Hezbollah, and the Palestinian Islamic Jihad. While the original ISA was in- tended to deter investment in Iran’s energy sector that serves as the main source of finan- cial support for the regime, no entity has ever been held accountable under the Act.

The executive branch has disregarded the enforcement of existing U.S. sanctions on Iran for far too long—and this Administration has been no exception to the rule. In October of last year, fifty members of Congress wrote to the Administration requesting an investigation of potential ISA violators identified by the non- partisan Congressional Research Service (CRS). Despite a pledge by the Assistant Sec- retary of State Jeffrey Feltman to conduct such an investigation within 45 days, the Admin- istration still has not provided Congress with the full results of its investigation.

Therefore, this bill would require the Presi- dent to investigate and determine ISA violators within 45 days and to notify Congress. To aid the Administration’s efforts, this bill mandates the Government Accountability Office (GAO) to publish monthly a list of those entities sus- pected of violating the ISA.

The time to act is now. To stop Iran’s pur- suit of nuclear weapons and curb its sponsor- ship of global terrorism, I urge my colleagues to join in cosponsoring this important bipar- tisan legislation.

HONORING JUDGE THOMAS WARD

HON. C. A. DUTCH RUPPERSBERGER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Judge Thomas Ward for his remarkable work with the Hibern- nian Society and outstanding service to the citizens of Baltimore, especially within our Irish community.

Judge Ward, a native Baltimorean, began his ca- reer in civic duty as a Member of the Balti- more City Council in 1963, during which time he sponsored legislation to create The Parking Lot Act, the Architectural and Historical Com- mittee and a tree program that re- resulted in the implantation of over 25,000 trees.

A graduate from Georgetown University, the University of Maryland School of Law, and The Johns Hopkins University Graduate School, Judge Ward spent an illustrious 29 years practicing law as an attorney and an- other 15 years presiding as a judge, where he was known as one of the hardest working judges on the Baltimore Circuit Court.
When the people of Ireland immigrated to Baltimore, many of them found employment with the B & O Railroad. Judge Ward was so inspired by the gritty hard work of these immigrants that he wanted to find an appropriate way to honor them. In the late 90s, he helped begin the Railroad Historical District Corporation and attached to his homesteaded property for sale a 5-alley homes along Lemmon Street, commonly referred to as the “Lemmon Street Five.” Ward rallied historic preservationists, raised money, recruited volunteers, and faced the difficult task of restoring dilapidated 160-year-old homes. In 1914, the Colonial Williamsburg Foundation purchased the homes and restored them. Judge Thomas Ward greatly deserves the title of Hibernian of the Year for his exceptional work within their organization.

As a member of the Hibernian Society of Baltimore, Judge Ward continues to provide charitable assistance and advice to immigrants from Ireland. Judge Thomas Ward greatly deserves the title of Hibernian of the Year for his exceptional work within their organization.

Madam Speaker, I ask that you join with me today to honor Judge Ward, an exemplary citizen of the State of Maryland and commendable member of the Hibernian Society.

MARCH IS RED CROSS MONTH

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. TOWNS. Madam Speaker, I rise today to acknowledge that March is Red Cross Month. This is a time for us to officially recognize the essential role that the American Red Cross plays in our communities helping to ensure our communities are more ready and resilient in the face of future disasters. March has been designated “Red Cross Month” since 1943 when President Franklin D. Roosevelt called the wartime fundraising campaign the “greatest single crusade of mercy in all of history.” As we celebrate this American Red Cross Month, I encourage all individuals to commit themselves to strengthen their own communities through service and volunteer opportunities with the Red Cross. Volunteers help make our country stronger, and no where is this more evident than in communities coming together to support each other in times of need.

From rebuilding former adversaries after World War II, to saving lives after the tragic earthquake in Haiti, the American people have an unmatched tradition of responding to challenges at home and abroad with compassion and generosity. In just over one month since the earthquake, the Red Cross has provided assistance to more than 1.3 million people and will continue to aid hundreds of thousands more in the months ahead. In Chile, the American Red Cross is prepared to mobilize support, including relief supplies and trained personnel.

The American Red Cross is also assisting the Chilean Red Cross through the International Federation of the Red Cross and Red Crescent appeal, to assist 75,000 people for six months in the areas of shelter, water and sanitation, health and telecommunications.

At home and abroad, one in five Americans is touched by the Red Cross every single year. The American Red Cross in Greater New York responds to an average of 7 emergencies a day—disasters, floods, building collapses. And it provides medical assistance related to humanitarian aid to as many as 100,000 people affected by these emergencies each year. In my district alone in 2009, the Greater New York Chapter responded to 264 disasters and registered 1,337 people for Red Cross assistance.

Whether it is a single family home fire; a call for blood or a call for help, the American Red Cross is there. I ask that you and my distinguished colleagues join me in applauding the hard work of the American Red Cross volunteers and celebrating March as American Red Cross Month.

MARGARET MEAGHER
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize. Megan is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the highest honor of the Gold Award.

Megan’s outstanding achievement reflects her hard work and dedication. Megan has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Megan can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Megan Helt for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

CENSUS AWARENESS MONTH

SPEECH OF
HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 3, 2010

Mr. DAVIS of Illinois. Mr. Speaker, the beginning of March marks the one-month procuration of one of the most important collective actions that our country partakes in, the national Census. Thus I want to express my support to House Resolution 1096, deeming this month Census Awareness Month. The Census provides an opportunity to not only count how many people live in our great nation, but to also collect valuable data that will help to provide services to millions of Americans. According to information collected from the Census, over $400 billion per year in federal funding is distributed to State and local governments. As a member of the Congressional Black Caucus, I want to ensure that all African Americans are counted as the Census has significant importance in the black community. The implementation and evaluation of programs like the Equal Employment Opportunity Act, the Civil Rights Act and the Fair Housing Act are based on Census data. In 2007 the Black community grew to 40.7 million from 33.5 million in the year 2000. Underrepresentation of minorities is the leading cause of unfunding programs that these communities utilize the most, such as education, health care, housing and transportation programs.

The myths that further discourage people from participating in the Census must be dispelled. The Census is not a long process; there are merely 10 questions to answer, making it the shortest Census form in history. By law the Census Bureau cannot share individual responses with anyone; that includes immigration authorities, IRS, FBI, CIA or any other government agency. The U.S. Census preferred method of participation is through forms sent through mail and returned through mail and Census workers will only visit households that do not return their forms. This snapshot of our nation also effects Congress itself; the distribution of U.S. House of Representatives seats are based on the Census. In order to have proportional representation as well as programs and funding that directly serve the American people, everyone must participate in the 2010 United States Census. Underrepresentation of our population must be avoided; thus from March to April, I urge everyone to go to www.census.gov to find out more on how you can be involved in the 2010 U.S. Census.

TRIBUTE TO JAMES D. MACPHEE
HON. FRED UPTON
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. UPTON. Madam Speaker, I rise today to pay tribute to James D. MacPhee of Schoolcraft, Michigan, who will become Chairman of the Independent Community Bankers of America, ICBA, on Thursday, March 18, 2010.

Mr. MacPhee’s long association and dedication to the ICBA has unquestionably qualified him for this position. He has served as chairman of the ICBA Member Development Committee and is this year’s ICBPAC auction chairman. He has served as vice-chairman and an at-large member of the ICBA Executive Committee and represented the State of Michigan on the ICBA Board of Directors.

Southwest Michigan has greatly benefited from Mr. MacPhee’s career in the community banking industry. He has been with Kalamazoo County State Bank for 35 years, serving as CEO for the past 17, and is a member of the board of directors of the State Bank in Decatur, Michigan. Mr. MacPhee has held the esteemed positions of both director and president in the Michigan Association of Community Bankers and currently serves as chairman and a member of the board of directors of the Michigan Association of Community Bankers Service Company.

Throughout his impressive career, James MacPhee has continually given back to the community. He was a charter member and chairman of the Village of Schoolcraft Downtown Development Authority and a charter member of the Schoolcraft Community Association, and has served on the board of directors of the Bronson Health Foundation. Mr.
MacPhee’s dedication to Michiganders has been evident in both his career and his long history of community involvement.

I am confident that James MacPhee will serve the ICBA with the same dedication and fervor he has given to the Michigan banking community. We in Southwest Michigan are very proud and grateful for his leadership.

TRIBUTE TO PAUL OOSTBURG SANZ

HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. SKELTON. Madam Speaker, I rise today to pay tribute to Mr. Paul Oostburg Sanz, who until recently served as the General Counsel of the House Armed Services Committee. As a result of his confirmation by the other body late last week, Paul will soon take a new position as the General Counsel of the Department of the Navy.

Paul Oostburg Sanz became General Counsel of the House Armed Services Committee in January 2007, just at the time I had the honor to begin serving as committee chairman. In the years since, Paul has played a critical role in day-to-day operations of the committee and has also been a trusted advisor on the legal issues facing the Department of Defense.

It is no exaggeration to say that Paul’s ability to grasp complex issues, his attention to detail, and his years of experience on Capitol Hill were instrumental in helping our committee and the Congress to achieve the enactment of the last three annual National Defense Authorization Acts.

Our committee and the Congress have particularly benefited from Paul’s expertise on matters related to detainee policy and the Military Commissions Act, as well as issues related to counter-narcotics, matters related to Southern Command, and international legal issues.

A look at Paul’s resume gives you a good idea about the breadth and diversity of his experience. He earned a law degree at Harvard University Law School and earned a Master in Public Affairs degree from Princeton University.

His international experience includes service as Peace Corps English teacher in Guinea-Bissau, and work in South Africa conducting conflict-resolution training during the historic 1994 national elections. Paul also worked on conflict-resolution issues for the U.S. Embassy in Liberia, and on democracy and governance programs for the USAID Mission in Mozambique.

Before coming to Capitol Hill, Paul clerked for a U.S. district court judge in Puerto Rico. From May 2001 to December 2006, Paul served as the Deputy Chief Counsel for the House Committee on International Relations, providing strategic and procedural counsel to our distinguished colleague, the late Congressman Tom Lantos, who at that time was the committee’s Ranking Member.

It is clear that Paul’s education, experience, and temper were the perfect gifts to be an excellent General Counsel for the U.S. Navy. I also believe Paul has the temperament to serve our country exceptionally well in this position. In the time I have worked with Paul, he has approached every problem and every challenge thrown his way with a calm demeanor and rational analysis. Then he gets to work, and his hard work pays off.

Because of Paul Oostburg Sanz’s outstanding ability and work ethic, and his not surprising the Obama Administration sought him out to serve at the Pentagon. The prospect of Paul’s departure from the Hill gives me no joy, but I am happy that his talents have been recognized and that our country will continue to benefit from his service. Paul will be missed by all of us on the House Armed Services Committee, but I wish him every success in his new role as General Counsel of the Department of the Navy.

KAITLYNN MCLAUGHLIN
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kaitlynn McLaughlin. Kaitlynn is a very young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Kaitlynn’s outstanding achievement reflects her hard work and dedication. Kaitlynn has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Kaitlynn can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Kaitlynn McLaughlin for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

A TRIBUTE TO RHONDA SPAULDING’S FIRST WOMEN’S CONFERENCE

HON. ROBERT A. BRADY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. BRADY of Pennsylvania. Madam Speaker, I rise today to honor Rhonda Spaulding, Deliverance Evangelistic Church’s First Lady, on her first Women’s Conference. I congratulate Sister Spaulding on this achievement, as it will greatly benefit the women, and larger community, of Philadelphia.

As First Lady of the Deliverance Evangelistic Church, Sister Spaulding is a devoted teacher and community servant. Working with her church, she has been involved with various ministries dedicated to bettering the surrounding neighborhood. In an effort to continue and extend her community outreach and assistance, she has established the Deliverance Evangelistic Church’s first Women’s Conference, to be held on April 22 and 23, 2010.

This conference will address many of the most pressing issues facing women in Philadelphia. The unique needs and concerns of abused women, women in shelters, and young single mothers will be paid special attention. In focusing on the women of our community, especially the most disadvantaged, Sister Spaulding will be strengthening her community for generations to come.

Madam Speaker, I ask that you and my other distinguished colleagues join me in thanking First Lady Rhonda Spaulding and the Deliverance Evangelistic Church for their work in bettering their community, and congratulate Sister Spaulding on the occasion of her first Women’s Conference.

HONORING LANCE CORPORAL NIGEL K. OLSEN, USMC

HON. JASON CHAFFETZ
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. CHAFFETZ. Madam Speaker, I rise for the second time in just one short week to honor a young Marine from my district who paid the ultimate price for our country, and reminded us with his sacrifice that freedom isn’t free.

Marine LCpl Nigel K. Olsen died on March 4, 2010, while serving in the Helmand province in Afghanistan, just days after Lance Corporal Aragon, a fellow Utah Marine in his unit passed away.

Like so many serving with him, Lance Corporal Olsen rose to answer the call of duty with a maturity and patriotic honor far beyond his years. He had finished high school at Mountain View High in Orem just 3 years earlier, and enlisted right after graduation. He knew from a young age that he wanted to serve in the military, to serve the country he loved, even before he rode on an aircraft carrier from Hawaii to California in elementary school.

We honor Lance Corporal Olsen’s mother Kim and father Tod, and his sister Stacy and her daughter as well. They also loved their country—our country—enough to let the son and brother and uncle whom they loved serve in Afghanistan with his fellow Marines.

This time of their loss, I would ask my colleagues to join with me in extending our Nation’s heartfelt condolences and appreciation for the service and sacrifices of Lance Corporal Olsen and his family. We ask so much of these fine young men and women in the Armed Forces.

May we ever keep our servicemembers and their families in our thoughts and prayers, and may God bless them, and the United States of America.

DANIELLE MULLENS
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Danielle Mullens. Danielle is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.
Danielle’s outstanding achievement reflects her hard work and dedication. Danielle has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Danielle can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Danielle Mullens for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

IN RECOGNITION OF P.K. BROOKS

HON. MIKE ROGERS
OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House’s attention today to pay recognition to a constituent and friend of mine, Mr. P.K. Brooks.

Mr. Brooks is 78 years old and has been in business in my community of Saks for 56 years. During that time he has been a pillar of the community and a role model for generations of young people whose lives he has touched. He remains one of the most respected leaders in the area.

He grew up in Wedowee, Alabama, and played basketball for Randolph County High School. He later joined the Navy during the Korean War.

Mr. Brooks is a man of integrity and full of compassion for the folks around him. He has been a member of Saks Baptist Church for 53 years. Over the years, he has belonged to numerous organizations including Civilian, VFW and Gideon’s.

On March 28th, an appreciation function will be held in the afternoon at Saks Civitan Club.

All of us across Calhoun County are pleased to recognize such an outstanding individual. I hope we can all look to Mr. Brooks as an example of how to live and I am proud to call him my friend.

HONORING THE LIFE OF SGT BENJAMIN SHERMAN

HON. BILL DELAHUNT
OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. DELAHUNT. Madam Speaker, I rise today to honor the memory of a fallen soldier, son, husband, and, now, a father. The life of Sergeant Benjamin Sherman was tragically cut short thousands of miles from home near on his second heroic tour of duty in Afghanistan.

His daughter, Skylah May-Marie Sherman, was born just yesterday on Tuesday, March 9. Ben was a hero long before he sacrificed his life for his country. Born to Bill and Denise Sherman of New Bedford, Massachusetts, he served as an exemplary role model for his two sisters, Meredith and Jessica, through their youth and adolescence at Plymouth South High School. It was during middle school in Plymouth that Ben first met Patricia—the girl who would one day become his wife. While many young high school students struggle to balance their daily routines with the natural torment of their teen years, Ben held himself to a standard above his peers. Always the first to stand up for a cause, he was a student of integrity and a model of resilience.

Recognizing his own passion to aid his fellow Americans, Ben enlisted in the Army in August of 2006. He was assigned to the 82nd Airborne Division at Fort Bragg, North Carolina in the battalion mortars section of the 508th Parachute Infantry Regiment. He was deployed for the first time in January of 2007, where his unit was engaged in fierce fighting throughout the Helmand Province of Afghanistan. Often in the thick of the action, Ben was instrumental in the battalion’s efforts to clear the Taliban from the Helmand River Valley. His dauntless resolve and the expert mortar-man, Sergeant Sherman. On November 4, 2009, while conducting operations near the town of Bala Murghab, Ben fell into the Murghab River and drowned. He was 21 years old.

Ben’s greatest gift to his country lies not in his heroism in battle, his legacy at Plymouth South High School, or the tragedy of his untimely death. Instead, his memory will forever endure in the starlit eyes, coy smile, and zealous ambition of Skylah May-Marie Sherman—a daughter who may never know the embrace of her father, yet who will host in her heart the stories, photos, and memories of a man whose passion for life was fueled by his love for an unborn daughter and beloved wife.

BEAUMONT FIREFIGHTER AND OTHER TEXANS RESPOND TO THE HAITIAN EARTHQUAKE

HON. TED POE
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. POE of Texas. Madam Speaker, we grieve with those in Haiti over the loss of life during the devastating 7.0-magnitude earthquake January 12. Many Americans rushed to help, including one particular Texan from Beaumont. Firefighter Joshua Fowler is one such hero. The City of Beaumont in the Second District of Texas is proud to honor Joshua Fowler for his service to the people of Haiti during his international rescue tour as a member of the Texas Task Force 1.

The Texas Task Force 1, an urban search and rescue group, is comprised of 210 personnel. These individuals respond to disasters including earthquakes, hurricanes, widespread tornadoes, and man-made technological and terrorist events in Texas and throughout the United States. Haiti was their very first international deployment. Joshua Fowler has been a firefighter/EMT-1 for the City of Beaumont Fire/Rescue Services since 2000 and was one of 80 Texans that assisted the people of Haiti.

We applaud Joshua for his selfless service as well as the many others that have also put themselves in harm’s way to protect and rescue Haitians who were trapped and wounded during this earthquake. We thank them for their commitment to responding to disaster-stricken areas with a selfless love for others.

HONORING FORMER NASSAU COUNTY COMPTROLLER HOWARD WEITZMAN

HON. GARY L. ACKERMAN
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ACKERMAN. Madam Speaker, I rise today to honor Howard Weitzman, who served as the Comptroller of Nassau County, New York from 2001 through 2009.

When Howard first took office, Nassau County faced an unprecedented budget crisis. Together with the County Executive, Howard brought Nassau County back from the brink of bankruptcy, balanced the county’s budget, and turned deficits into surpluses; a feat made more remarkable when considering he engineered Nassau County’s fiscal turnaround without a tax increase for three consecutive years.

During his eight year tenure, Howard enhanced the reputation of his office and helped to restore Nassau County residents’ trust that their local government worked for their best interests. Under his stewardship, Nassau County recovered millions of dollars...
for taxpayers by exposing waste, fraud, abuse and misspending by agencies and vendors that did business with the County. He pioneered the launch of the Nassau Rx Card, an innovative prescription drug discount program that, to this day, provides savings off retail prescription drug prices. To date, the NassauRx Card has saved Nassau residents more than $12 million.

Prior to becoming Comptroller, Howard served as the Mayor of Great Neck Estates, where he and his wife, Susan, have resided for 28 years. He is a Certified Public Account, a former national healthcare partner at KPMG, and the paragon of a true, dedicated public servant. Howard’s years of selfless service to his community are exemplary and his many achievements on behalf of Nassau County residents are worthy of recognition. I ask all my colleagues in the House of Representatives to please join me in honoring Howard Weitzman and thanking him for his service.

REMEMBERING MANUS “JACK” FISH
HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. WOLF. Madam Speaker, I come to the floor today to share the sad news of the passing of Manus “Jack” Fish. An engineer by profession, Jack worked for almost four decades at the National Park Service here in Washington, serving from 1973 until his retirement in 1988 as the director of the National Capital Region. Jack, one of my constituents from Ashburn, Virginia, died on February 27 at the age of 81 following a stroke.

I had the pleasure of first working with Jack Fish in the early 1970’s when I served in the Interior Department under Secretary Rogers C.B. Morton and he was at the Park Service. When I came to Congress in 1981, our working relationship continued, and Jack was instrumental in the approval of a safety improvement plan I had recommended at the merge of the Spout Run Parkway and the George Washington Memorial Parkway, the first federal parkway and gateway to the nation’s capital.

Jack was the epitome of a public servant. He loved his job and made it his life’s work to maintain and beautify and preserve the grounds that encompass the vast national capital region—from the gardens to the memorials to the Mall to the parks—for every resident and visitor of this area to enjoy.

We are saddened by the passing of his wife of 58 years, Rosemary Fish, their 12 children, 42 grandchildren and nine great-grandchildren, and we remember Jack Fish with these biblical words: “Well done, good and faithful servant.”


[From the Washington Post, Mar. 4, 2010]

MANUS “JACK” FISH, 81, Dies; Led National Park Service Work
(By Patricia Sullivan)

Manus “Jack” Fish, 81, the National Park Service regional director who oversaw the heavily trafficked National Mall, expanded the Civil War battlefield at Manassas and supervised the planting of 150,000 trees and millions of flowers in the parks and byways of greater Washington, died after a stroke Feb. 27 at Heritage Hall nursing and rehabilitation center in West Potomac Park.

A diplomatic and unflappable engineer, Mr. Fish worked for the Park Service for 36 years, based the entire time in Washington. He helped design playground swings and the Roosevelt Bridge and became a regular presence on Capitol Hill, either appearing at hearings or reassuring his hundreds of Congressional bosses that, yes, he was dealing with the timing of lights on Spout Run at George Washington Parkway or trying to resolve who would pay for a leaking roof at the Kennedy Center.

“I’ve got to study issues in detail,” he told a Washington Post reporter in 1978. “And I guess I like that. If I didn’t, I’d have ulcers and high blood pressure.”

His nighttime work was done in a household of a dozen children, with television, radio, stereo and phone conversations swirling around him. His wife of 58 years, Rosemary, was “kind of a short-order cook,” he joked, adept at managing the comings and goings of the brood.

In addition to Ashburn, survivors include 12 children, M. John Fish of Herndon, Theresa Grooms of Leesburg, Mary Ann LaRock of Gambrills, Joan Rowe of Irmo, S.C., Peter Fish of Huntsville, Ala., Christine Behrman of Troy, N.Y., Helen Kokolakis of Falls Church, and Kathleen Key, Rosemary Burke, Brigid Powell and Bernadette Ishmael, all of Ashburn; a brother; a sister; 42 grandchildren; and nine great-grandchildren.

After leaving the Park Service in 1988, Mr. Fish worked for five years as vice president at the West Group, a local real estate developer, and was chairman of the Parks & History Association, which operates 25 bookstores in the community. He also served on numerous boards and was a member of St. Theresa Catholic Church in Ashburn.

A native of Trenton, N.J., Manus John Fish Jr. moved to Washington as a youth and graduated from St. John’s College High School. He served in the Army in Korea between World War II and the Korean War, then returned home, graduated from Catholic University with a degree in engineering. He began working for the Park Service in 1962, reporting to the stone engineer’s office on the Washington Monument.

In pursuit of his duties, he rode in countless parades, mastering horseback riding in two days in order to accompany a member of Congress on a tour of one of the parks, and learned to ice skate overnight when a skating rink opened on the Mall. “I was able to stay on the horse, and I kind of skated on my ankles,” he told a Post reporter in 1988.

He also managed 3,000 employees and oversaw an annual budget of about $1.5 billion. He was faced with the tough job of trying to expand the Inwood, N.Y., Golf Club to improve the view of the Statue of Liberty, and Wolf Trap’s Filene Center was rebuilt. It was his decision to close Beach Drive in Rock Creek Park to vehicles on weekends and holidays, to close and grass over two streets on the Mall and to eliminate nine holes from a 36-hole golf course in East Potomac Park to expand Wolf Trap field, a decision that did not stand under fierce protests from golfers.

He made maintenance and preservation a priority and struggled for additional appropriations for repairs, which forced him to reduce grass cutting and put off hiring Park Police officers. He received the Interior Department’s Distinguished Service Medal for guiding the expansion of the parks, especially during the 1976 Bicentennial year.

“There remains much to be done,” he said upon retirement.

So long did he hold the politically sensitive “fish-bowl” job that he, too, is memorialized. If you’re at the tidal Basin next month when the cherry blossoms bloom, take a look at the Ohio Drive bridge. You’ll find some gargoyles sculpted into the stone. The fish creature is a caricature of the Park Service’s Mr. Fish.

INTRODUCING A RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE NATIONAL URBAN LEAGUE
HON. ALCEE L. HASTINGS OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution congratulating the National Urban League on its 100th anniversary.

From humble beginnings, the National Urban League has become the famed organization that it is today. Founded by Dr. George E. Haynes and Ruth S. Baldwin in 1910, the National Urban League created its first department in the area of housing in 1913.

Today, the League has expanded its operations to include over 25 national programs in 36 states, as well as in the District of Columbia. The League does extraordinary work aiding African American communities on a range of issues affecting the nation. Through programs designed to empower African Americans in areas of education, civil rights, civic engagement and health, the League combats inequality while improving the lives of countless people.

I am immensely proud of my own affiliation with the Urban League, going back over 35 years. In 1974, I was one of the founding members of the National Urban League of Broward County, the 104th affiliate chapter in the United States. Our goal then was to help solve some of the problems that affected the community. Through our programs we worked to empower the community, increase educational opportunities for our children, and change lives through strong advocacy for essential public services.

Over the past century, the League has made great strides in education and youth leadership and played a pivotal role in the civil rights movement. Working closely with leaders such as A. Philip Randolph and Martin Luther King, Jr., the League assisted in planning the 1963 March on Washington, and carried on the hard work of advocating for equality and
opportunity in the tumultuous decades of that era. The magnitude of these accomplishments, and countless others, cannot be understated. The League’s efforts have played an integral role in shaping local communities throughout the United States, advancing many of the rights that Americans today take for granted.

The National Urban League continues to improve American society through programs that positively impact education and youth, health and quality of life, entrepreneurship and business development, workforce development, and housing. Through workshops, summer programs, hands-on-learning opportunities, and other endeavors, the League enriches the quality of life of African Americans of all ages.

Although we can take great pride in the many outstanding accomplishments of the National Urban League, its work is far from over. As part of its effort to galvanize greater action, the League recently began an initiative called “I AM EMPOWERED,” a social mobilization campaign of volunteers to increase awareness of the League’s efforts to achieve further progress.

As Madam Speaker, I urge my colleagues to support this important resolution congratulating the National Urban League for its 100 outstanding years of service to our great nation.

EXPRESSING CONDOLENCES TO CHILE EARTHQUAKE VICTIMS

SPEECH OF
HON. SHEILA JACKSON LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Ms. JACKSON LEE of Texas. Madam Speaker. I rise in support of H. Res. 1144, “Expressing condolences to the families of the victims of the February 27, 2010, earthquake in Chile, as well as solidarity with and support for the people of Chile as they plan for recovery and reconstruction” introduced by my distinguisshed colleague from Texas, Representative HINOJOSA.

As you know, on Saturday, February 27, 2010, a massive, 8.8 magnitude earthquake, one of the largest ever recorded, struck off of the coast of Chile. An estimated 2,000,000 people, including upwards of 1,500,000 displaced persons, have been directly affected by the earthquake, the tsunami, and its aftermath. As the casualties continue to grow, there is a great deal of extensive damage to highways, bridges, apartments, and infrastructure, have led the government of Chile declaration of a ‘state of catastrophe.’ Since the initial earthquake, there have been over 100 aftershocks, which include 8 aftershocks registering above a 6.0 magnitude. These aftershocks continue to affect the coast and the rest of the country.

According to the United States Geological Survey, Concepcion, Chile’s second largest city, was 70 miles from the earthquake’s epicenter and suffered some of the worst damage. Thousands of its residents initially remained cut-off from the remainder of the country without any basic necessities, such as running water and electricity. The coastal town of Dichato and its 4,000 residents were among the hardest hit and is 80 percent destroyed. 80 percent of Talcahuano’s 180,000 residents living on the Chilean coast were left homeless by the earthquake. Initial estimates of damages range from $15,000,000,000 to $30,000,000,000, and basic necessities across the country, including electricity, clean water access, telephone access, and communication systems continue to be restored on a progressive basis in many zones.

Chile’s stringent building codes, which one local architect called ‘our proud building standards,’ as well as the government of Chile’s ability to implement them greatly mitigated the impact of this catastrophic natural event both in terms of casualties and physical damage to the infrastructure of this country. The Government of Chile has taken significant measures to maintain order and public security in the streets in order to prevent more widespread panic and chaos as damage assessments are made and relief is delivered.

America is again responding, and will continue to respond with immediate humanitarian assistance to help the people of this struggling island nation rebuild their livelihoods. I send my condolences to the people and government of Chile as they grieve once again in the aftermath of a natural disaster. As Chile’s neighbor, I believe it is the United States’ responsibility to help Chile recover, and build the capacity to mitigate against future disasters.

Throughout my time in Congress, I have been highly involved in strengthening the relationship between the U.S. and countries abroad. I have worked to establish positive and productive partnerships with local development officials, non-profit organizations, and various leaders to establish a strong web of support for countries abroad. In collaboration with the Congressional Black Caucus, I have been a continual advocate of providing assistance to various countries to strengthen their fragile democratic processes, continue to improve security, and promote economic development among other concerns such the protection of human rights, combating narcotics, arms, and human trafficking, addressing migration, and alleviating poverty.

Once again, I am devastated by the immeasurable tragedy that occurred in Chile. Along with my colleagues, I hope to visit Chile in the near future to meet with their leaders and see what the United States can do to rebuild the shattered livelihoods.

Meredith Hughes

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Meredith Hughes, Meredith is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Meredith’s outstanding achievement reflects her hard work and dedication. Meredith has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Meredith can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Meredith Hughes for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold 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 Thursday, March 11, 2010 may be found in the Daily Digest of today’s RECORD.
MEETINGS SCHEDULED
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

Foreign Relations
To hold hearings to examine the nomination of Robert Stephen Ford, of Maryland, to be Ambassador to the Syrian Arab Republic.  
SD–419

10 a.m.

Energy and Natural Resources
Water and Power Subcommittee
To hold an oversight hearing to examine the Bureau of Reclamation’s implementation of the SECURE Water Act, (Title 9501 of Public Law 111–11) and the Bureau of Reclamation’s WaterSMART program which includes the WaterSMART Grant Program, the Basin Study Program and the Title XVI Program.  
SD–366

Commission on Security and Cooperation in Europe
To hold hearings to examine Ukraine, focusing on the new challenges and prospects they face domestically and internationally and implications for U.S. policy.  
SVC–201/200

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

2:30 p.m.

Intelligence
Closed business meeting to consider pending calendar business.  
SH–219

MARCH 17

9:30 a.m.

Armed Services
To hold hearings to examine the nomination of Jeffrey A. Lane, of Virginia, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs.  
SD–366

10 a.m.

Environment and Public Works
To hold hearings to examine the Government Accountability Office’s investigation of the Environmental Protection Agency’s (EPA) efforts to protect children’s health.  
SD–406

Health, Education, Labor, and Pensions
To hold hearings to examine the Elementary and Secondary Education Act (ESEA) reauthorization, focusing on the Obama Administration’s ESEA reauthorization priorities.  
SH–216

Homeland Security and Governmental Affairs
To hold hearings to examine the lessons and implications of the Christmas day attack, focusing on intelligence reform and interagency integration.  
SD–342

Judiciary
Administrative Oversight and the Courts Subcommittee
To hold hearings to examine bankruptcy reform, focusing on small business jobs.  
SD–226

2:30 p.m.

Energy and Natural Resources
National Parks Subcommittees
To hold hearings to examine S. 553, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior’s north shore and in Superior National Forest and Chippewa National Forest, S. 1017, to reauthorize the Cane River National Heritage Area Commission and expand the boundaries of the Cane River National Heritage Area in the State of Louisiana, S. 1918, to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial center for the use of Cane River Creole National Historical Park, the National Center for Preservation Technology and Training, and the University, S. 1537, to authorize the Secretary of the Interior, acting through the Director of the National Park Service, to designate the Dr. Norman E. Borlaug Birthplace and Childhood Home in Cresco, Iowa, as a National Historic Site and as a unit of the National Park System, S. 1629, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the state of Illinois, S. 2892, to establish the Alabama Black Belt National Heritage Area, S. 2933, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, S. 2961, to authorize funding to protect and conserve lands contiguous with the Blue Ridge Parkway to serve the public, and H.R. 3804, to make technical corrections to various Acts affecting the National Park Service, to extend, amend, or establish certain National Park Service authorities.  
SD–366

Armed Services
Strategic Forces Subcommittee
To hold hearings to examine strategic forces programs 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.  
SR–232A

Aging
To hold hearings to examine seniors, focusing on rising drug prices and the Part D program.  
SD–562

3 p.m.

Commerce, Science, and Transportation
Consumer Protection, Product Safety, and Insurance Subcommittee
To hold hearings to examine financial services and products, focusing on the role of the Federal Trade Commission in protecting consumers, part 2.  
SR–253

MARCH 18

9:30 a.m.

Armed Services
To resume hearings to examine the “Don’t Ask, Don’t Tell” policy.  
SH–216

Veterans’ Affairs
SDG–50

2:15 p.m.

Indian Affairs
To hold an oversight hearing to examine Bureau of Indian Affairs and tribal police recruitment, training, hiring, and retention.  
SD–628

2:30 p.m.

Intelligence
To hold closed hearings to consider certain intelligence matters.  
SH–219

MARCH 21

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

Judiciary
To hold an oversight hearing to examine the Department of Justice.  
SD–226

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
HIGHLIGHTS

Senate passed H.R. 4213, Tax Extenders Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S1321–S1413

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 3096–3103, and S. Con. Res. 53–54. Pages S1358–59

Measures Reported:

S. 443, to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, with an amendment in the nature of a substitute. (S. Rept. No. 111–161) Page S1358

Measures Passed:

Tax Extenders Act: By 62 yeas to 36 nays (vote No. 48), Senate passed H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, after taking action on the following amendments proposed thereto: Pages S1338–40

Adopted:

Baucus Amendment No. 3336, in the nature of a substitute. Pages S1338–39

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order under rule XXII, that the following amendments were not germane, and the amendments thus fell:

Baucus (for Webb/Boxer) Modified Amendment No. 3342 to (Amendment No. 3336), to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses. Page S1338

Feingold/Coburn Amendment No. 3368 (to Amendment No. 3336), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks. Page S1338

McCain/Graham Amendment No. 3427 (to Amendment No. 3336), to prohibit the use of reconciliation to consider changes in Medicare. Pages S1338

By 66 yeas to 33 nays (Vote No. 47), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. Pages S1339

American Sail Training Association: Committee on the Judiciary was discharged from further consideration of S. Res. 158, to commend the American Sail Training Association for advancing international goodwill and character building under sail, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto:

Dorgan (for Kerry) Amendment No. 3459, to amend the resolving clause. Pages S1409

Dorgan (for Kerry) Amendment No. 3460, to amend the preamble. Pages S1409

Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act: Senate passed S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord’s Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord’s Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Dorgan (for Feingold) Amendment No. 3461, to express the sense of Congress regarding the funding of activities under this Act. Pages S1409–12

Measures Considered:

Tax on Bonuses Received From Certain TARP Recipients—Agreement: Senate began consideration of H.R. 1586, to impose an additional tax on
bonuses received from certain TARP recipients, taking action on the following amendments proposed thereto:

Pending:
- Rockefeller Amendment No. 3452, in the nature of a substitute.

- Sessions/McCaskill Amendment No. 3453 (to Amendment No. 3452), to reduce the deficit by establishing discretionary spending caps.

- Lieberman Amendment No. 3456 (to Amendment No. 3452), to reauthorize the DC opportunity scholarship program.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, March 11, 2010.

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared on March 15, 1995, with respect to Iran; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–49)

Nominations Confirmed: Senate confirmed the following nominations:
- Genevieve Lynn May, of Louisiana, to be United States Marshal for the Eastern District of Louisiana for the term of four years.
- Sanford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission.
- Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank for a term of five years.
- Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.
- Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency.
- Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal.
- Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago.
- Kathleen S. Tighe, of Virginia, to be Inspector General, Department of Education.
- Ian C. Kelly, of Maryland, to be U. S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.
- Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.
- Brooke D. Anderson, of California, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.
- Larry Persily, of Alaska, to be Federal Coordinator for Alaska Natural Gas Transportation Projects for the term prescribed by law.
- Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia.
- William Joseph Hochul, Jr., of New York, to be United States Attorney for the Western District of New York for the term of four years.
- Sally Quillian Yates, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Routine lists in the Foreign Service.

Nominations Received: Senate received the following nominations:
- Mimi E. Alemayehou, of the District of Columbia, to be Executive Vice President of the Overseas Private Investment Corporation.
- Elizabeth A. McGrath, of Virginia, to be Deputy Chief Management Officer of the Department of Defense.
- Raymond Joseph Lohier, Jr., of New York, to be United States Circuit Judge for the Second Circuit.
- Kathleen M. O’Malley, of Ohio, to be United States Circuit Judge for the Federal Circuit.
Catherine C. Eagles, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

Kimberly J. Mueller, of California, to be United States District Judge for the Eastern District of California.

Thomas Edward Delahanty II, of Maine, to be United States Attorney for the District of Maine for the term of four years.

Wendy J. Olson, of Idaho, to be United States Attorney for the District of Idaho for the term of four years.

Cathy Jo Jones, of Ohio, to be United States Marshal for the Southern District of Ohio for the term of four years.

1 Army nomination in the rank of general.
2 Navy nominations in the rank of admiral.
Routine lists in the Air Force, Army, and Coast Guard.

Messages from the House:
Page S1413
Measures Referred:
Page S1357
Measures Placed on the Calendar:
Pages S1357–58
Executive Communications:
Page S1358
Executive Reports of Committees:
Page S1358
Additional Cospromors:
Pages S1359–60

COUNTERING VIOLENT EXTREMISM
Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine U.S. government efforts to counter violent extremism, after receiving testimony from Daniel Benjamin, Ambassador-at-Large, Counterterrorism, Department of State; Garry Reid, Deputy Assistant Secretary for Special Operations and Combating Terrorism, and Lieutenant General Francis H. Kearney III, USA, Deputy Commander, United States Special Operations Command (USSOCOM), both of the Department of Defense; Doug Stone, Transportation Networks International, Placerville, California; Scott Atran, ARTIS Research and Risk Modeling, New York, New York; and James J.F. Forest, United States Military Academy Combating Terrorism Center, West Point, New York.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM
Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the Active, Guard, Reserve, and civilian personnel programs in
review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from Clifford L. Stanley, Under Secretary for Personnel and Readiness, Thomas R. Lamont, Assistant Secretary of the Army for Manpower and Reserve Affairs, Juan M. Garcia III, Assistant Secretary of the Navy for Manpower and Reserve Affairs, and Daniel B. Ginsberg, Assistant Secretary of the Air Force for Manpower and Reserve Affairs, all of the Department of Defense; and Master Chief Joseph L. Barnes, USN (Ret.), Fleet Reserve Association, Colonel Steven P. Strobridge, USAF (Ret.), Military Officers Association of America, Master Sergeant Michael Cline, USA (Ret.), Enlisted Association of the National Guard of the United States, Kathleen B. Moakler, National Military Family Association, and Deirdre Parke Holleman, Retired Enlisted Association, all of Alexandria, Virginia.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the military space programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from Gary E. Payton, Deputy Under Secretary of the Air Force for Space Programs, Gary A. Federici, Deputy Assistant Secretary of the Navy for Command, Control, Communications, Computers, Intelligence and Space, General C. Robert Kehler, Commander, and Lieutenant General Larry D. James, Commander, 14th Air Force, and Commander, Joint Functional Component Command for Space, United States Strategic Command, both of the Air Force Space Command, and Vice Admiral David J. Dorsett, Deputy Chief of Naval Operations for Information Dominance (N2/N6), and Director of Naval Intelligence, all of the Department of Defense; and Cristina T. Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office.

ADVANCING AMERICAN INNOVATION AND COMPETITIVENESS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine advancing American innovation and competitiveness, after receiving testimony from John P. Holdren, Director, Office of Science and Technology Policy, Executive Office of the President; Arden L. Bement, Jr., Director, National Science Foundation; Patrick D. Gallagher, Director, National Institute of Standards and Technology, Department of Commerce; and Robert D. Braun, Chief Technologist, National Aeronautics and Space Administration.

ENERGY BILLS


FOREST PROTECTION BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 2895, to restore forest landscapes, protect old growth forests, and manage national forests in the eastside forests of the State of Oregon, S. 2907, to establish a coordinated avalanche protection program, S. 2966 and H.R. 4474, bills to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and S. 2791 and H.R. 3759, bills to authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, after receiving testimony from Harris Sherman, Undersecretary of Agriculture for Natural Resources and the Environment; Edwin Roberson, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, Department of the Interior; Andy Kerr, Oregon Wild, Washington, D.C.; John Shelk, Ochoco Lumber Company, Prineville, Oregon; K. Norman Johnson, College of Forestry, Corvallis, and Stephen A. Fitzgerald, Redmond, both of Oregon State University; and Larry Blasing, Grant County Public Forest Commission, Prairie City, Oregon.
GLOBAL HEALTH

PUBLIC DIPLOMACY
Committee on Foreign Relations: Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women’s Issues concluded a hearing to examine the future of U.S. public diplomacy, after receiving testimony from Evelyn S. Lieberman, Director of Communications, Smithsonian Institution, Karen Hughes, and James K. Glassman, all former Under Secretary for Public Diplomacy, and Judith McHale, Under Secretary for Public Diplomacy, all of the Department of State.

CHRISTMAS DAY ATTACK
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the lessons and implications of the Christmas day attack, focusing on watchlisting and pre-screening, after receiving testimony from Russell Travers, Deputy Director for Information Sharing and Knowledge Development, National Counterterrorism Center, Office of the Director of National Intelligence; Timothy J. Healy, Director, Terrorist Screening Center, Federal Bureau of Investigation, Department of Justice; and Gale D. Rossides, Acting Administrator, Transportation Security Administration, and David V. Aguilar, Acting Deputy Commissioner, U.S. Customs and Border Protection, both of the Department of Homeland Security.

BUSINESS MEETING
Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nominations of Patrick K. Nakamura, of Alabama, to be a Member of the Federal Mine Safety and Health Review Commission, Gwendolyn E. Boyd, of Maryland, and Peggy Goldwater-Clay, of California, both to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation, and Sharon L. Browne, of California, Charles Norman Wilte Keckler, of Virginia, and Victor B. Maddox, of Kentucky, all to be a Member of the Board of Directors of the Legal Services Corporation, and Gary Blumenthal, of Massachusetts, Chester Alonzo Finn, of New York, Sara A. Gelser, of Oregon, Ari Ne’eman, of Maryland, Dongwoo Joseph Pak, of California, Carol Jean Reynolds, of Colorado, Fernando Torres-Gill, of California, and Jonathan M. Young, of Maryland, all to be a Member of the National Council on Disability.

CORPORATE SPENDING IN AMERICAN ELECTIONS
Committee on the Judiciary: Committee concluded a hearing to examine corporate spending in American elections after Citizens United, after receiving testimony from Jeffrey Rosen, George Washington University Law School, and Douglas T. Kendall, Constitutional Accountability Center, both of Washington, D.C.; and Bradley A. Smith, Center for Competitive Politics, Alexandria, Virginia.

NOMINATIONS
Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Gary Scott Feinerman, and Sharon Johnson Coleman, both to be United States District Judge for the Northern District of Illinois, who were both introduced by Senator Durbin, and William Joseph Martinez, to be United States District Judge for the District of Colorado, who was introduced by Senators Bennet and Udall (CO), after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 20 public bills, H.R. 4800–4819; and 7 resolutions, H. Res. 1155–1161, were introduced. Pages H1322–23
Additional Cosponsors: Page H1324
Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Slaughter to act as Speaker pro tempore for today. Page H1223
Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund...
Commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965: H. Con. Res. 249, to commemorate the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965, by a 2⁄3 yea-and-nay vote of 409 yeas with none voting “nay”, Roll No. 99;

Pages H1226–28

Supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Month: H. Res. 1081, to support the goals and ideals of National Teen Dating Violence Awareness and Prevention Month;

Pages H1232–34

Honoring the life of John H. “Jack” Ruffin, Jr.: H. Res. 1087, to honor the life of John H. “Jack” Ruffin, Jr.;

Pages H1234–35

Expressing appreciation for the profound dedication and public service of Enrique “Kiki” Camarena on the 25th anniversary of his death: H. Res. 1115, to express appreciation for the profound dedication and public service of Enrique “Kiki” Camarena on the 25th anniversary of his death;

Pages H1238–40

Honoring the heroic actions of Court Security Officer Stanley Cooper and Deputy United States Marshal Richard J. “Joe” Gardner: H. Res. 1061, to honor the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. “Joe” Gardner, the law enforcement officers of the United States Marshals Service and Las Vegas Metropolitan Police Department, and the Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse on January 4, 2010;

Pages H1240–42

Accelerating the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile: H.R. 4783, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated; and

Pages H1242–45

Debt Relief for Earthquake Recovery in Haiti Act of 2010: H.R. 4573, amended, to direct the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti’s debts to such institutions.

Pages H1288–95

Agreed to amend the title so as to read: “To urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti’s debts to such institutions, and for other purposes.”

Page H1295

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, March 9th:

Recognizing the plight of people with albinism in East Africa and condemning their murder and mutilation: H. Res. 1088, amended, to recognize the plight of people with albinism in East Africa and to condemn their murder and mutilation, by a ⅔ yea-and-nay vote of 418 yeas to 1 nay, Roll No. 96;

Pages H1249–50

Prevent Deceptive Census Look Alike Mailings Act: H.R. 4621, amended, to protect the integrity of the constitutionally-mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census, by a ⅔ yea-and-nay vote of 416 yeas with none voting “nay”, Roll No. 97; and

Pages H1250–51

Expressing condolences to the families of the victims of the February 27, 2010, earthquake in Chile: H. Res. 1144, to express condolences to the families of the victims of the February 27, 2010, earthquake in Chile, as well as solidarity with and support for the people of Chile as they plan for recovery and reconstruction, by a ⅔ recorded vote of 404 ayes to 1 no, Roll No. 100.

Pages H1287

Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan: The House failed to agree to H. Con. Res. 248, to direct the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, by a yea-and-nay vote of 65 yeas to 356 nays, Roll No. 98.

Pages H1251–86

H. Res. 1146, the rule providing for consideration of the resolution, was agreed to by a yea-and-nay vote of 225 yeas to 195 nays, Roll No. 95, after the previous question was ordered without objection.

Pages H1245–49

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:
Bankruptcy Judgeship Act of 2010: H.R. 4506, amended, to authorize the appointment of additional bankruptcy judges. Pages H1235–38

Committee Election: The House agreed to H. Res. 1156, electing a Member to a certain standing committee of the House of Representatives: Committee on the Budget: Representative Moore (KS).

Presidential Message: Read a message from the President wherein he notified Congress that the emergency declared with respect to Iran is to continue in effect beyond March 15, 2010—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–97).

Senate Message: Message received from the Senate today appears on page H1223.

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1249, H1249–50, H1250–51, H1285–86, H1286, and H1287. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:22 p.m.

Committee Meetings

U.S. INFORMATION TECHNOLOGY SYSTEMS

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review USDA’s information technology systems. Testimony was heard from the following officials of the USDA: Chris Smith, Chief Information Officer; and Jonathan Coppess, Administrator, Farm Service Agency; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the FDA. Testimony was heard from Margaret A. Hamburg, Commissioner, FDA, Department of Health and Human Services.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on the Economic Development Administration. Testimony was heard from John Fernandez, Assistant Secretary, Economic Development, Department of Commerce.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Air Force Posture. Testimony was heard from the following officials of the Department of the Air Force, Michael Donley, Secretary; and GEN Norton A. Schwartz, Chief of Staff.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on the Fiscal Year 2011 Budget for DOE Nuclear Nonproliferation. Testimony was heard from Steven Black, Chief Operating Officer, Defense Nuclear Nonproliferation, Department of Energy.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on Fiscal Year 2011 Budget for the Department of the Treasury. Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FEMA—Preparing for Disasters and Minimizing Losses. Testimony was heard from Craig Fugate, Administrator, FEMA, Department of Homeland Security.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS


The Subcommittee also held a hearing Reclaiming Abandoned Mines and Regulating Surface Coal Mining: Office of Surface Mining Fiscal Year 2011 Budget Request. Testimony was heard from Joseph Pizarchik, Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on Department of Labor Fiscal Year 2011 Budget Overview. Testimony was heard from Hilda Solis, Secretary of Labor.
LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Fiscal Year 2011 House of Representatives Budget. Testimony was heard from the following officials of the House of Representatives: Lorraine Miller, Clerk; Dan Beard, Chief Administrative Officer; and Bill Livingood, Sergeant-at-Arms.

MILITARY CONSTRUCTION, VETERANS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans’ Affairs and Related Agencies held a hearing on Navy/Marine Corps Budget. Testimony was heard from the following officials of the Department of the Navy: ADM Gary Roughead, Chief of Naval Operations; and GEN James T. Conway, Commandant of the Marine Corps.

TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on Sustainability in Practice. Testimony was heard from public witnesses. The Subcommittee also held a hearing on HUD and DOT’s Sustainability and Livability Initiatives in the Fiscal Year 2011 Budget Request. Testimony was heard from Roy Kienitz, Under Secretary, Policy, Department of Transportation; and Ron Sims, Deputy Secretary, Department of Housing and Urban Development.

EUROPEAN-AFRICA-JOINT FORCES COMMANDS BUDGETS


ARMY ACQUISITION/ MODERNIZATION PROGRAMS

Committee on Armed Services: Subcommittee on Air and Land Forces held a hearing on Army acquisition and modernization programs. Testimony was heard from the following officials of the Department of Defense: LTG Robert Lennox, USA, Deputy Chief of Staff, Army, G–8; LTG William N. Phillips, USA, Military Deputy to the Assistant Secretary of the Army, Acquisition, Technology, and Logistics; David M. Markowitz, Director, Capabilities Integration, Prioritization, and Analysis and Technical Advisor to the Deputy Chief of Staff of the Army, G–3; and J. Michael Gilmore, Director, Operational Test and Evaluation, Office of the Secretary; and Michael J. Sullivan, Director, Acquisition and Sourcing, GAO.

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2009

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions, hearing on H.R. 413, Public Safety Employer-Employee Cooperation Act of 2009. Testimony was heard from David S. Smith, Mayor, Lancaster, Ohio; and public witnesses.

MISCELLANEOUS MEASURES


DRUG SAFETY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “Drug Safety: An Update from the FDA.” Testimony was heard from Joshua M. Sharfstein, M.D., Principal Deputy Commissioner, FDA, Department of Health and Human Services.

MONEY SERVICE BUSINESSES REGULATION

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Regulation of Money Service Businesses.” Testimony was heard from public witnesses.

HOMEOWNERS INSURANCE AVAILABILITY/AFFORDABILITY

Committee on Financial Services: Subcommittee on Housing and Community Opportunity and the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a joint hearing entitled “Approaches to Mitigating and Managing Natural Catastrophe Risk: H.R. 2555, Homeowners’ Defense Act.” Testimony was heard from James Lee Witt, former Director, FEMA, Department of Homeland Security; and public witnesses.

U.S. CYBERSPACE POLICY

Committee on Foreign Affairs: Held a hearing on The Google Predicament: Transforming U.S. Cyberspace Policy to Advance Democracy, Security, and Trade. Testimony was heard from public witnesses.
U.S. POLICY TOWARD THE AMERICAS

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing on U.S. Policy Toward the Americas in 2010 and Beyond. Testimony was heard from Arturo Valenzuela, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; Otto J. Reich, former Assistant Secretary, Western Hemisphere Affairs, Department of State; and public witnesses.

INTERNATIONAL WORKER RIGHTS

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation and Trade, and the Subcommittee on International Organizations, Human Rights and Oversight held a joint hearing on International Worker Rights, U.S. Foreign Policy and the International Economy. Testimony was heard from Michael H. Posner, Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Department of State; Sandra Polaski, Deputy Under Secretary, International Affairs, Department of Labor; and public witnesses.

INDIAN TRUST ACCOUNT—CASE SETTLEMENT

Committee on Natural Resources: Held an oversight hearing on proposed settlement of the Corbell v. Salazar Litigation. Testimony was heard from David Hayes, Deputy Secretary, Department of the Interior; Thomas J. Perrelli, Associate Attorney General, Department of Justice; and public witnesses.

EPA/NOAA RESEARCH AND DEVELOPMENT BUDGETS

Committee on Science and Technology: Held a hearing on Fiscal Year 2011 Research and Development Budget Proposals and EPA and NOAA. Testimony was heard from Paul Anastas, Assistant Administrator, Office of Research and Development, EPA; and Jane Lubchenco, Administrator, NOAA, Department of Commerce.

NSF BUDGET

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on the National Science Foundation’s Fiscal Year 2011 Budget Request. Testimony was heard from the following officials of the NSF: Arden L. Bement, Jr., Director; and Steven C. Beering, Chair, National Science Board.

PENDING BUSINESS/VA RESTRUCTURING


The committee also held a hearing on Structuring the VA of the 21st Century. Testimony was heard from Eric K. Shinseki, Secretary of Veterans Affairs.

MIP AND SERVICE ELEMENTS BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on MIP and Service Elements Budget for Fiscal Year 2011. Testimony was heard from departmental witnesses.

The Committee also met in executive session to hold a hearing on Covert Action Budget for Fiscal Year 2011. Testimony was heard from public witnesses.

CLEAN ENERGY RECOVERY


Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 11, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Army Corps of Engineers and the Bureau of Reclamation, 9 a.m., SD–192.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Housing and Urban Development, 9:30 a.m., SD–138.

Subcommittee on Military Construction and Veterans’ Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for military construction for the Department of Defense, 1:30 p.m., SD–124.

Subcommittee on Military Construction and Veterans’ Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for military construction for the Department of Defense, 1:30 p.m., SD–124.

Committee on 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; to be immediately followed by a hearing to examine the Joint Strike Fighter, 9 a.m., SD–G50.
Committee on Commerce, Science, and Transportation: to hold hearings to examine consumers, competition, and consolidation in the video and broadband market, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine legislative proposals designed to create jobs related to energy efficiency, including proposed legislation on energy efficient building retrofits, 10 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine Federal, state and local partnerships to accelerate transportation benefits, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Elizabeth L. Littlefield, of the District of Columbia, to be President of the Overseas Private Investment Corporation, Carolyn Hessler Radelet, of the District of Columbia, to be Deputy Director of the Peace Corps, and Raul Yzaguirre, of Maryland, to be Ambassador to the Dominican Republic, and Theodore Sedgewick, of Virginia, to be Ambassador to the Slovak Republic, both of the Department of State, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine pay equity in the new American workplace, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, to hold hearings to examine U.S. officials involved in drug cartels, 11 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 1789, to restore fairness to Federal cocaine sentencing, 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, 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. 148, to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act, and the nominations of Jane E. Magnus-Stinson, to be United States District Judge for the Southern District of Indiana, Josephine Staton Tucker, to be United States District Judge for the Central District of California, Mark A. Goldsmith, to be United States District Judge for the Eastern District of Michigan, 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 Kelvin Cornelius Washington, to be United States Marshal for the District of South Carolina, and Christopher Tobias Hoye, to be United States Marshal for the District of Nevada, both of the Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, hearing to review U.S. agricultural sales to Cuba, 1 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Global Food Security, 1 p.m., 2362A Rayburn.

Subcommittee on Defense, on Navy and Marine Corps Posture, 1:30 p.m., H–140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, on Fiscal Year 2011 Budget for the Department of Energy, 10 a.m., 2359 Rayburn.

Subcommittee on Financial Services and General Government, on Fiscal Year Budget for the SEC, 10 a.m., 2226 Rayburn.

Subcommittee on Homeland Security, on Fiscal Year 2011 Budget for ICE, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Fiscal Year 2011 Budget for the Fish and Wildlife Services: Sustainable Conservation, Species, Partnerships and Science, 9:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Fiscal Year 2011 Budget Overview; Jobs, Training and Education, 10 a.m., 2358C Rayburn.

Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies, on Defense Budget Overview, 10 a.m., and on European Command, 1:30 p.m., H–143 Capitol.

Subcommittee on State, Foreign Operations and Related Programs, on Millennium Challenge Corporation (MCC), 10 a.m., 2362A Rayburn.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on The Status of the Federal Housing Administration including the Fiscal Year 2011 Budget Request, 10 a.m., 2358A Rayburn.

Committee on Armed Services, Defense Acquisition Reform Panel, hearing on Administration perspectives on managing the defense acquisition system and the defense acquisition workforce, 3 p.m., 2261 Rayburn.

Committee on Education and Labor, Subcommittee on Healthy Families and Communities, hearing on Meeting the Challenges Faced by Girls in the Juvenile Justice System, 10 a.m., 2175 Rayburn.


Subcommittee on Housing and Community Opportunity, hearing entitled “The FHA Reform Act of 2010,” 2 p.m., 2128 Rayburn.
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Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on U.S. Investments in HIV/AIDS: Opportunities and Challenges Ahead, 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on Bad Company: Lashkar e-Tayyiba and the Growing Ambition of Islamist Militancy in Pakistan, 2:30 p.m., 2172 Rayburn.


Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Protecting the American Dream: A Look at the Fair Housing Act, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 4289, Colorado Wilderness Act of 2009, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, oversight hearing on the President’s Fiscal Year 2011 Budget Request for the Bureau of Reclamation and Water Resources Division of the United States Geological Survey (USGS), United States Department of the Interior, 2 p.m., 1324 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on A Review of Coast Guard Acquisition Programs and Policies, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Economic Opportunity, hearing on VA’s Center for Veteran Enterprise, 1 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Income Security and Family Support, hearing on the Temporary Assistance for Needy Families (TANF) Role in Providing Assistance to Struggling Families, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on NIP & MIP Overview for Fiscal Year 2011, 9:30 a.m., 304–HVC.
Next Meeting of the SENATE
9:30 a.m., Thursday, March 11

Senate Chamber
Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 1586, Tax on Bonuses Received From Certain TARP Recipients.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Thursday, March 11

House Chamber
Program for Thursday: Consideration of H. Res. 1031—Impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors.

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